



MEETING : HUMAN RESOURCES COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 11 JULY 2012
TIME : 3.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillors C Woodward (Chairman), P Ballam, Mrs D Hone, J Ranger,
P Ruffles, A Warman and N Wilson

Substitutes

Conservative Group: Councillors G McAndrew

*(Note: Substitution arrangements must be notified by the absent Member
to Democratic Services 24 hours before the meeting)*

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PERSONAL AND PREJUDICIAL INTERESTS

1. A Member with a personal interest in any business of the Council who attends a meeting of the Authority at which the business is considered must, with certain specified exemptions (see section 5 below), disclose to that meeting the existence and nature of that interest prior to the commencement of it being considered or when the interest becomes apparent.
2. Members should decide whether or not they have a personal interest in any matter under discussion at a meeting. If a Member decides they have a personal interest then they must also consider whether that personal interest is also prejudicial.
3. A personal interest is either an interest, as prescribed, that you must register under relevant regulations or it is an interest that is not registrable but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of the Council more than it would affect the majority of inhabitants of the ward(s) affected by the decision.
4. Members with personal interests, having declared the nature of that personal interest, can remain in the meeting, speak and vote on the matter unless the personal interest is also a prejudicial interest.
5. An exemption to declaring a personal interest applies when the interest arises solely from a Member's membership of or position of general control or management on:
 - any other body to which they have been appointed or nominated by the authority
 - any other body exercising functions of a public nature (e.g another local authority)

In these exceptional cases, provided a Member does not have a prejudicial interest, they only need to declare their interest if they speak. If a Member does not want to speak to the meeting, they may still vote on the matter without making a declaration.

6. A personal interest will also be a prejudicial interest in a matter if all of the following conditions are met:
 - the matter does not fall within one of the exempt categories of decisions
 - the matter affects your financial interests or relates to a licensing or regulatory matter
 - a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.
7. Exempt categories of decisions are:
 - setting council tax
 - any ceremonial honour given to Members
 - an allowance, payment or indemnity for Members
 - statutory sick pay
 - school meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends
 - housing; if you hold a tenancy or lease with the Council, as long as the matter does not relate to your particular tenancy or lease.
8. If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that interest and its nature as soon as the interest becomes apparent to you.
9. If you have declared a personal and prejudicial interest, you must leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe proceedings.

AGENDA

1. Appointment of Vice Chairman

2. Apologies

To receive apologies for absence

3. Minutes (Pages 7 - 16)

To receive the Minutes of the meeting held on 11 January 2012.

4. Declarations of Interest

To receive any Member's Declaration of Interest and Party Whip arrangements.

5. Chairman's Announcements

6. Human Resources - Quarterly Performance Report (Pages 17 - 24)

7. Human Resources Management Statistics (Pages 25 - 30)

8. Absence and Turnover Statistics (Pages 31 - 58)

9. Learning and Development 2011/12 (Pages 59 - 74)

10. Investors In People and Staff Survey Report (Pages 75 - 98)

11. Job Evaluation for Senior Managers (Pages 99 - 106)

12. Local Joint Panel - Minutes of the meeting: (Pages 107 - 116)

Members are asked to bring to the meeting, the agenda for the meeting held on 13 June 2012.

(A) Staff and Member Car Parking Review

Minute number 5 refers.

(B) Recruitment Policy (Pages 117 - 142)

Minute number 3 refers. Please see revised Policy.

(C) Flexible Working Policy (Pages 143 - 172)

Minute number 4 refers. Please see revised Policy.

(D) Redundancy and Appeals Policies (Pages 173 - 224)

Minute 1 refers. Please see revised Policies.

(E) Bullying and Harassment Policy (Pages 225 - 252)

Minute number 2 refers. Please see revised Policies.

13. Health and Safety at Work Act 1974

14. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

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MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE HELD
IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 11 JANUARY 2012, AT 3.00
PM

PRESENT: Councillor Jim Ranger (Chairman)
Councillors P Ballam, P Ruffles, A Warman
and N Wilson

ALSO PRESENT:

Councillors P Moore

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Emma Freeman	- Head of People and Organisational Services
Claire Kirby	- Human Resources Officer
Alan Madin	- Director of Internal Services
Jaleh Nahvi	- Human Resources Officer

548 **PAY POLICY STATEMENT 2012/13**

The Head of People, ICT and Property Services submitted a report concerning a requirement, of the Localism Act, for the Council to produce annually (from 2012/13), a pay policy statement relating to the remuneration of Chief Officers, the remuneration of the lowest paid employees, and the relationship between Chief Officers' remuneration and that of other officers.

The Director of Internal Services and the Head of People,

ICT and Property Services declared a Personal and Prejudicial Interest in this item. The Director of Internal Services suggested that both he and the Head of People, ICT and Property Services would stay in the Council Chamber in order to answer points of clarification and agreed to leave during the debate.

It was noted that further guidance had been received from Central Government, which was tabled with a number of proposed changes to the report now submitted, relating to pages 19 - 25 to reflect that guidance. Clarification explaining the rationale behind each of the proposed changes on the respective pages was provided by the Director of Internal Services.

The Director of Internal Services and the Head of People, ICT and Property Services left the room during the debate on the report.

Members supported the changes proposed as set out in the tabled documents. Additionally, the Chairman proposed the following changes:

Page 19 – paragraph two after “The Council will...” insert “subject to negotiation”;

Page 20 – in the paragraph which commences with “The pension scheme provides...”, Members suggested that the sentence commencing with ...“The Council’s Human Resources Committee” should be made clearer.

Page 22 – the paragraph commencing with “If an employee leaves....” insert “normally” after “they may”.

Members supported these changes.

Members agreed to recommend the Pay Policy Statement 2012 as now amended.

RECOMMENDED – that the Pay Policy Statement 2012 as now amended, be approved.

549 APPOINTMENT OF CHAIRMAN

In the absence of the Chairman, it was moved by Councillor P Ruffles and seconded by Councillor N Wilson, that Councillor J Ranger chair the meeting.

RESOLVED – that Councillor J Ranger be appointed Chairman for the meeting.

550 APOLOGIES

Apologies for absence were submitted from Councillors D Hone and C Woodward.

551 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that it would be necessary to convene a further meeting of Human Resources Committee before the scheduled March 2012 meeting to consider an important item of business.

552 MINUTES

RESOLVED – that the Minutes of the meeting held on 12 October 2011 be confirmed as a correct record and signed by the Chairman.

553 DECLARATIONS OF INTEREST

The Director of Internal Services and the Head of People, ICT and Property Services declared personal and prejudicial interests in the matter referred to at Minute 548 - Pay Policy Statement 2012. They both remained in the Chamber to answer points of clarification, but left the room during the debate.

554 EQUALITY AND DIVERSITY REPORT

The Head of People, ICT and Property Services submitted a report concerning Equality, Diversity and Employment

(2010/11) as required by Statute in terms of the Council's duties and monitoring.

Members congratulated Officers on the report.

In response to a query concerning the emphasis on religion, Members were advised that this was a protected characteristic.

Councillor P Ballam stated that within the context of the report, those undertaking a course of study outside of the "in house" training provision would not be recorded. Members supported a suggestion that this aspect be addressed within a future report.

Clarification was provided on the use of the term "return rate" in terms of staff responses to the form. It was noted that a further report would be submitted in three months time when the "return levels" would be reviewed.

Members agreed the report as set out in the report now submitted.

RESOLVED – that (A) the Equality and Diversity report be noted;

(B) the report be published on the Council's website to ensure the Council complies with Statute;

(C) recruitment processes be reviewed to ensure that they are not indirectly discriminating against any of those within the protected characteristic groups;

(D) attendance at training courses be reviewed to establish why part-time workers are underrepresented; and

(E) a programme of internal Equality Impact Assessments continues for 2012/13 incorporating policy reviews, service restructures and relevant human resource procedures.

555 VOLUNTEERING POLICY

The Head of People, ICT and Property Services submitted a report concerning the legal status of volunteers. The report now submitted, provided feedback on the current volunteering pilot and the new Volunteering Policy. Assurances were provided that volunteers would only provide assistance for East Herts' events and activities and that these would be limited.

In response to a query, Officers advised that CRB checks would be undertaken in liaison with the relevant Line Manager.

Members approved the Volunteering Policy, as set out in the report now submitted.

RESOLVED – that the Volunteering Policy be approved.

(see Minute 561 below)

556 RETIREMENT POLICY

The Head of people, ICT and Property Services submitted a report on the new Retirement Policy which was set out in the report now submitted. The Head of People, ICT and Property Services advised that since that report had been submitted to the Local Joint Panel, notification had been received from the Council's Insurers, that they would extend insurance for staff up to 70 years of age. It was noted that 13 members of staff were over 65 years but only three would require insurance under the new extension. Declarations of health would need to be provided.

Members noted the update and approved the revised Retirement Policy.

RESOLVED – that the Retirement Policy be approved.

(see Minute 561 below)

557 PDR QUALITY REVIEW

The Head of People, ICT and Property Services submitted a report outlining the results of the Performance Development Review (PDR) quality checking exercise and outlined the changes to the PDR scheme, the detail of which was set out in the report now submitted.

The Chairman commented on the recent unsatisfactory levels of completion rates in relation to the PDR process and suggested that management should be informed that PDRs should be completed on time and that it should become one of managers' six objectives and that further training should be provided. Members supported this suggestion. The Chairman outlined the benefits to employees, when the process was handled as it should. The Head of People, ICT and Property Services undertook to ensure that the process was applied to Stevenage employees as part of the transfer arrangements.

Members noted the results and changes to the PDR Scheme and supported the suggestion that the timely submission of completed PDRs be included as a management objective and that this information be included as part of the induction process.

RESOLVED – that (A) the results and changes to the PDR Quality Checking exercise and scheme be noted; and

(B) the timely submission of completed PDRs be included as a management objective and that this information be included as part of the induction process.

558 EQUAL PAY AUDIT

The Head of People, ICT and Property Services submitted a report on the results of the 2011 Equal Pay Audit. The

Equality and Human Rights Commission require that EqPAs be carried out every two years and the “Green Book” recommended that they be carried out annually. The Chairman suggested that paragraph 4.2.1 be amended by the removal of the word “generally”. This was supported.

In response to a query concerning the value of work carried out, the Chairman advised that the Hay Scheme was a valuable source of information for comparative purposes.

The recommendations based on the findings of the EqPA 2011 were set out in the Action Plan, attached to the report now submitted. It was suggested that the Action Plan be amended by the inclusion of training for career progression. This was supported.

RESOLVED – that (A) the results of the 2011 Equal Pay Audit be noted; and

(B) the recommendations set out in the Action Plan, as amended and attached to the report now submitted, be approved.

559 HUMAN RESOURCES QUARTERLY PERFORMANCE STATISTICS

The Head of People, ICT and Property Services submitted a report on Human Resources quarterly performance to January 2012. The report detailed the current headcount and number of starters. Turnover stood at 6.22%.

In addition to updates already the subject of separate reports included elsewhere on the agenda, updates were provided in relation to:

- East of England’s Regional Recruitment Portal project;
- Learning and Development. It was noted that the Council had been awarded the Members’ Charter for supporting Members in training and development; and

- Shared Support Services programme.

Members noted the quarterly performance update.

RESOLVED – that the report be noted.

560 HUMAN RESOURCES QUARTERLY STATISTICS

The Head of People, ICT and Property Services submitted a report detailing performance indicators for the period 1 April – 30 November 2011.

Members noted that staff turnover stood at 6.22% against a target of 10%. The current rate of projected short-term sickness absence for the year was 3.8 days against a target of 5 days and that the average long-term sickness absence per FTE was 1.59 days against a target of 2.5 days.

The Head of People, ICT and Property Services reported that of the 44 new starters in 2011/12, 36 staff had transferred from Stevenage Borough Council as part of the Revenues and Benefits Shared Service. A 97% attendance at Induction Training for the new staff had been recorded.

Updates were provided in relation to the Council's PDR Scheme. Revenues and Benefits had achieved a 96.85% return with the rest of the Council achieving a 59.57% return for the 2011 review. Training was being rolled out to Managers.

The report summarised equalities monitoring statistics, the detail of which was set out in the report now submitted.

Members noted the quality performance report.

RESOLVED – that the report be noted.

561 LOCAL JOINT PANEL - MINUTES OF THE MEETING HELD ON 13 SEPTEMBER AND 6 DECEMBER 2011

RESOLVED – that the Minutes of the Local Joint Panel

meeting held on 13 September and 6 December 2011
be received.

(see also Minutes 555 – 556 above and 562 below)

562 DISTURBANCE ALLOWANCE POLICY

The Committee considered and supported the
recommendations of the Local Joint Panel meeting held on 13
September 2011 on the Disturbance Allowance Policy.

RESOLVED – that (A) car drivers be paid 5p per mile
for every passenger they take to or from the new
contractual site office base who would otherwise be
entitled to the mileage element of the Disturbance
Payment to encourage car sharing and in the interests
of “green” travel; and

(B) the Disturbance Allowance Scheme use the
“quickest” rather than the “shortest” route to and from
the new contractual base.

(see also Minute 561 above).

The meeting closed at 4.25pm

Chairman

Date

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EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE – 11 JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

HUMAN RESOURCES QUARTERLY PERFORMANCE REPORT – JULY 2012

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To update Human Resources Committee on people management and HR delivery

<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE:</u>
That:
(A) the Committee notes the quarterly performance report.

1.0 Background

1.1 Following a request from the Chairman of HR Committee a report on HR Team Current and Future Events April 2008 was submitted to HR Committee on 24 April 2008. The Committee welcomed the report and requested updates to be provided to each Committee.

1.2 The report was redesigned to include an update on people management and HR delivery. The first report was submitted to HR Committee on 16 July 2008.

1.3 This report will be updated and submitted to each Committee on a quarterly basis.

1.4 The report will be used to report on progress on the People Strategy 2009-2012 and demonstrate the difference being made to the Council as a result of implementation of the strategy.

2.0 Report

2.1 See the HR Quarterly Performance Report: July 2012 Essential Reference paper B.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - none

Contact Officer: Emma Freeman – Head of People, ICT and Property Services
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Report Author: Emma Freeman – Head of People, ICT and Property Services
Emma.Freeman@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	<i>People</i> This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	<i>None, update report</i>
Legal:	<i>None</i>
Financial:	<i>None</i>
Human Resource:	<i>As detailed in the report</i>
Risk Management:	<i>None</i>

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HR Quarterly Performance Report: July 2012

People stats 1/4/2012 - 31/3/2013 as at 31 May 2012

Current Headcount:	362	Number of leavers:	7
Number of Starters:	9	Number FTE funded vacancies:	24.26
Current Turnover:	1.93% (7.73%)	Number of posts advertised (national and local press):	3 (local)
Average advertising cost per vacancy (based on No of posts advertised)	£424.40	Average No short term sickness days per FTE staff in post:	0.79

The following actions support the People Strategy 2009-2012:

Management Actions to mitigate increased pressures (Medium Term Financial Plan)

HR is currently supporting a number of service changes including restructures, transfers and shared service programmes.

Resourcing/Reward

East Herts has expressed an interest in exploring the East of England's Regional Recruitment Portal project with Jobsgopublic. The East of England LGA is seeking to establish a regional recruitment and talent management portal. Consultation across the region to identify local authority needs and potential users will be undertaken before a formal specification is developed further.

The Council is currently in contract with Manpower for permanent and temporary recruitment. The contract is based on a master contract with Hertfordshire County Council (HCC). The master contract is currently out to tender for temps and it is HCC's intention to bring permanent recruitment back in-house. At the tender stage East Herts will review the options of joining the HCC contract for the provision of temporary staff. Alternative recruitment options for permanent recruitment will be explored under shared services.

East Herts has signed an SLA with Epaycheck which is an online pay benchmarking tool allowing subscribing local authorities to conduct real time pay comparators. Designed and funded by a partnership of Regional Employers' Organisations, this new resource will be available in July 2012. To date 30 East of England local authorities have registered, 28 have received free training and 12 have signed a three year SLA.

Learning and Development

HR is currently developing the regional E-Learning platform with VineEast and is planning to launch the system in summer 2012.

The corporate and training plan 2012/13 is subject to approval by HR Committee July 2012.

The Council was reviewed in April by Investors in People and the Council successfully passed all 39 indicators. A report will be going to HRC in July for information. A joint staff survey and IIP action plan will be sent to HRC in October 2012.

Policies

The following policies are subject to approval by HR Committee July 2012:

- Recruitment Policy
- Redundancy and Appeals Policies
- Harassment and Bullying Policy
- Flexible Working Scheme

The following policies are currently being reviewed/developed for the next quarter:

- Social Media Policy
- Disturbance Policy (Shared Services)

Equalities and Diversity

The council's Disability "Two Ticks" accreditation is reviewed by JobCentre Plus every year and in May the Council passed the 2012 assessment. The assessor praised the way the council embraces the ethos of the five commitments it entails.

The symbol

The symbol is given by JobCentre Plus to employers who have agreed to take action to meet five commitments regarding the employment, retention, training and career development of disabled employees.

The five commitments:

- To interview all disabled applicants who meet the minimum (essential) criteria for a job vacancy
- To have a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what can be done to make sure they can develop and use their abilities
- To make every effort when employees become disabled to make sure they stay in employment
- To take action to ensure that all employees develop the appropriate level of disability awareness to make these commitments work
- To annually review the five commitments.

Shared Support Services Programme

East Herts, North Herts and Stevenage councils agreed in October/November 2011 that partnership is a viable option for some support services. It has been confirmed that the detailed business case will be taken to Members at all three councils for a final decision on **31 July 2012**.

Consultation started with the Trade Unions and the North Herts Staff Consultative Forum week ending 1 June and it is anticipated that consultation with staff will begin the week commencing 18 June.

Other

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EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE - 11 JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

HUMAN RESOURCES MANAGEMENT STATISTICS APRIL 2012 – JUNE 2012

WARD(S) AFFECTED: *None specific*

Purpose/Summary of Report

This report considers the HR performance indicators for the period 1 April 2012 – 30 June 2012

<u>RECOMMENDATION FOR HUMAN RESOURCES COMMITTEE : That</u>	
(A)	the Committee considers the HR Management Statistics April to – June 2012 and determines any action it wishes Officers to take arising from that consideration

1.0 Background

- 1.1 This report outlines the current performance against the annual Human Resources (HR) targets as approved by the Human Resources Committee.

2.0 Report

2.1 Turnover

- 2.2 The turnover rates for the period April – June 2012 are based on the average headcount for this period (362).

- 2.3 The current turnover rate for the Council is insert 1.93%, this equates to 7 leavers in the first 3 months of 2012/13. Based on this rate the projected turnover for 2012/13 is 7.73%, which is below the target of 10%.

- 2.4 The current voluntary leaver's rate is insert 1.66%, this equates to 6 voluntary leavers. The projected rate is 6.63% against the target of 7%.
- 2.5 The Council continues to encourage internal movement within the organisation to fill vacancies and all vacancies must be advertised internally first, unless there are clear business reasons for going to external recruitment immediately. This financial year 14 vacancies have been advertised internally first, these include, permanent and temporary roles. Six of these roles have been appointment internally. The recruitment processes for 5 of these roles are still in progress.
- 2.6 Three posts have been advertised externally, either where internal recruitment was not successful or whether the position required skills or qualifications not held by current members of staff.

2.7 Sickness Absence

- 2.8 Sickness Absence is divided into short and long-term sickness to enable easier analysis. Sickness absence is classed as long-term after the 28th day of consecutive sickness absence.
- 2.9 The following outturns are for the period 1 April 2012 – 31 May 2012.
- 2.10 The average short-term sickness absence per FTE is currently insert 0.79 days overall. At the current rate the projected short-term sickness for the year is 4.74 days against a target of 5 days.
- 2.11 The average long-term sickness absence per FTE is 0.38 days per month. As at 31 May 2012 there were 3 members of staff on long-term sick. At the current rate the projected long-term sickness for the year is 2.28 days against a target of 2.5 days. Since June one member of staff has returned to work. HR are working with the remaining two individuals, their line managers and Occupational Health.

2.12 Training and Development / Performance Management

- 2.13 In the first quarter of 2012/13 there were 9 new starters to the Council (this figure does not include internal changes and transfers). These new starters will attend the next quarterly corporate induction. The target for attendance at Corporate Induction is 100%. Progress will be reported in the October HR statistics report
- 2.14 The Council's PDR Scheme runs on two cycles. The Revenues

and Benefits Service have their full PDR in June/ July. The rest of the Council have a full PDR in December/ January and a six month review in June/ July. As the June/July cycle is currently in progress the results will be reported in the October HR statistics report.

- 2.15 The Corporate Training plan for 2012/13 has been designed and is subject to approval by the HR Committee in July 2012.

2.16 Equalities Monitoring

- 2.17 The equalities monitoring data reported is based on a snapshot of employees (excluding casuals) as at 26 June 2012. The Senior Management Group statistics quoted refer to the Chief Executive, Directors and Heads of Service.
- 2.18 The current percentage of employees with a disability is 3.15%, against a target of 5.21%. This is a slight decrease from the January 2012 outturn of 3.54%. In the Senior Management Group (SMG) the outturn is 9.09% against a target of 11.76%.
- 2.19 The percentage of staff of Black and Minority Ethnic Origin is 6.02%. This exceeds the Council's target of 5.45% and is an improvement on the January 2012 outturn of 5.21%. The outturn for SMG is 0% against a target of 5.88%.
- 2.20 Women make up 65.62% of the workforce. Within SMG, women account for 18.18% of staff against a target of 41.17%.
- 2.21 The current equalities targets will be reviewed in the annual equalities report with consideration given to benchmarking data available and any population changes outlined in the Census 2011 results.

2.21 Quarterly Outturns Overview

- 2.22 The Quarterly Outturns Overview is set out with **Essential Reference Paper B**.

3.0 Implications/Consultations

Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**

Background Papers

HR Management Statistics Apr 2011 – Nov 2012 (HR Committee January 2012)

Contact Officer: Emma Freeman – Head of People, ICT and
Property Services Ext 1635
Emma.Freeman@eastherts.gov.uk

Report Author: Jaleh Nahvi – Human Resources Officer
Jaleh.Nahvi@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/Objectives (<i>delete as appropriate</i>):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	As this is a statistics update no consultation has been carried out.
Legal:	None
Financial:	None
Human Resource:	None
Risk Management:	None.

ESSENTIAL REFERENCE PAPER 'B'

	East Herts Target	Outturns as at 30 June 2012
ESTABLISHMENT		
		366
Total Headcount of Established Posts	N/A	(nb average for period May – June 362)
Number of Funded Posts	N/A	382
Number of Vacant Posts	N/A	16
Current FTE	N/A	313.39
Established FTE	N/A	337.65
Vacant funded hours (expressed as FTE posts)	N/A	24.26
TURNOVER		
Turnover Rate - Annual Accumulative (All Leavers as a % of the headcount)	10%	1.93%
Voluntary Leavers as a Percentage of Staff in Post	7%	1.66%
Percentage of Ill Health Retirements	3.23%	0%
SICKNESS ABSENCE (outturns as at 31 May 2012)		
No. of short-term sickness absence days per FTE staff in post	5 days	0.79 days
No. of long-term sickness absence days per FTE staff in post	2.5 days	0.38 days
Total number of sickness absence days per FTE staff in post	7.5 days	1.17 days
TRAINING		
Percentage of New Starters receiving Corporate Inductions	100%	0%
Percentage of Staff with a Training Plan	100%	90.64%
Percentage of PDR reviews completed	100%	To be reported in October
Percentage of Staff that have received Corporate Training	48.28%	4.41%
EQUALITIES MONITORING		
Percentage of SMG with a Disability	11.76%	9.09%
Percentage of Staff with Disabilities	5.21%	3.15%
Percentage of SMG from BME	5.88%	0%
Percentage of BME Employees	2.30%	6.02%
Percentage of SMG that are Women	41.17%	18.18%
Percentage of Women Employees	N/A	65.62%
Percentage of Men Employees	N/A	34.38%

EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE – 11 JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

SICKNESS ABSENCE AND TURNOVER REPORTS APRIL 2011 – MARCH 2012

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- The Sickness Absence Report considers East Herts employee absence levels, analyses the short and long term sickness for 2011/12 and outlines current and proposed initiatives to reduce absence.
- The Turnover Report considers turnover rates and reasons for 2011/12 and outlines recommendations.

<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE:</u>	
That:	
(A)	The sickness absence and turnover reports be noted, and
(B)	The proposed actions be approved; and
(C)	Sickness Absence and Turnover targets 12/13 be agreed

1.0 Background

- 1.1 These reports provide a more detailed analyse of sickness absence and turnover in order to set targets and prioritise actions for 2011/12.

2.0 Report

- 2.1 **Sickness Absence** – this report is attached at **Essential Reference Paper ‘B’**

2.2 Turnover – this report is attached at **Essential Reference Paper ‘C’**

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper ‘A’**.

Background Papers

Turnover Reports 2010/11 (HR Committee July 2011)

Sickness Absence Report 2010/11 (HR Committee October 2011)

Contact Officer: Emma Freeman, Head of People, ICT and Property
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Report Author: Jaleh Nahvi – HR Officer
Jaleh.Nahvi@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	<i>People</i> This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	<i>N/A</i>
Legal:	<i>None</i>
Financial:	<i>None</i>
Human Resource:	<i>As detailed in the report</i>
Risk Management:	<i>As detailed in the report</i>

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East Herts Council

SICKNESS ABSENCE REPORT

1 APRIL 2011 – 31 MARCH 2012

1. Executive Summary

- 1.1 The following information outlines East Herts sickness absence levels for the financial year 2011/2012.

2. Sickness Absence Overview

Figure 1

Year	Sickness Absence Days per FTE Staff in Post							
	Local Authority Average (Source: IRS Employment Review)	Herts District Group Average	East Herts Target			East Herts Outturns		
2006/7	10.6	9.3	7.0			9.6		
2007/8	9.8	9.3	6.0			9.6		
2008/9	9.8	No longer reporting outturns	Short-term 6	Long-term 2.5	Total 8.5	Short-term 4.91	Long-term 3.03	Total 7.94
2009/10*	9 (source Local Government Sickness Absence Survey 2008-2009, shire district outturn)	No longer reporting outturns	Short-term 5	Long-term 3	Total 8	Short-term 4.43	Long-term 2.04	Total 6.47
2010/11	8.64 (EELGA survey November 2010)	No longer reporting outturns	Short-term 5	Long-term 2.5	Total 7.5	Short-term 4.73	Long-term 2.06	Total 6.79
2011/12	9.6 (CIPD Absence Management Survey 2011)	7.16**	Short-term 5	Long-term 2.5	Total 7.5	Short-term 4.71	Long-term 2.59	Total 7.3

*2009/10 long-term sickness absence changed from 43 to 29 days and the sickness targets were changed to reflect this.

**2011/12 data based four Hertfordshire districts

2.1 Sickness Absence Data Calculations

- 2.2 The sickness records for all permanent employees and those on fixed-term contracts are included. Agency staffs are excluded from the calculation.

All calculations (sick days and staff in post) are based on Full Time Equivalents (FTE). The FTE of staff in post is an average for the financial year. This is calculated by obtaining the FTE as at April 1st 2011 and the FTE as at 31st March 2012 and averaging the two figures.

2.3 Comparisons

- 2.4 The outturns for East Herts have been compared to local authority averages. Firstly the Council's sickness absence for 2011/12 has been compared to the CIPD Absence Management Survey 2011, the average local government sickness absence was 9.6 days per employee per year. Secondly it has been compared to other Hertfordshire District Councils, the average for the four responding authorities was 7.16 days per employee. At 7.3 days the East Herts outturn is significantly below the average for local authorities across the UK. The Council's outturn is slightly higher than the Hertfordshire District average.

2.5 East Herts Council outturns 2011/12

- 2.6 In 2011/12 the total sickness absence was 7.3 days, an increase from 6.79 FTE sickness absence days per FTE employee in 2010/11. However short-term sickness decreased over this period, falling from 4.73 days to 4.71 days. This increase in total sickness absence can be accounted for by the increase in long-term sickness, from 2.06 days (2010/11) to 2.59 days (2011/12).
- 2.7 Figure 2 below compares the percentage of employees on absence triggers for the last three financial years. The trigger '3 Occurrences in 6 months' has continued to decrease. This is a positive outturn, supported by the overall decrease in short-term sickness absence and suggests that Absence Management procedures are being effectively employed. The percentage of employees on the '10 days in a rolling year' trigger increased by 2.54% over the period March 2011 – March 2012. As above this is mainly due to the long-term sickness absence cases over 2011/12.

Figure 2

Sickness Absence Management Triggers	Staff on triggers					
	Apr-09	Mar-10	Apr-10	Mar-11	Apr-11	Mar-12
3 Occurrences in 6 months	11.59%	11.32%	11.54%	9.62%	7.72%	9.38%
10 days in a rolling year	19.68%	15.36%	14.29%	14.84%	16.00%	17.38%

3. Short-Term Sickness Absence

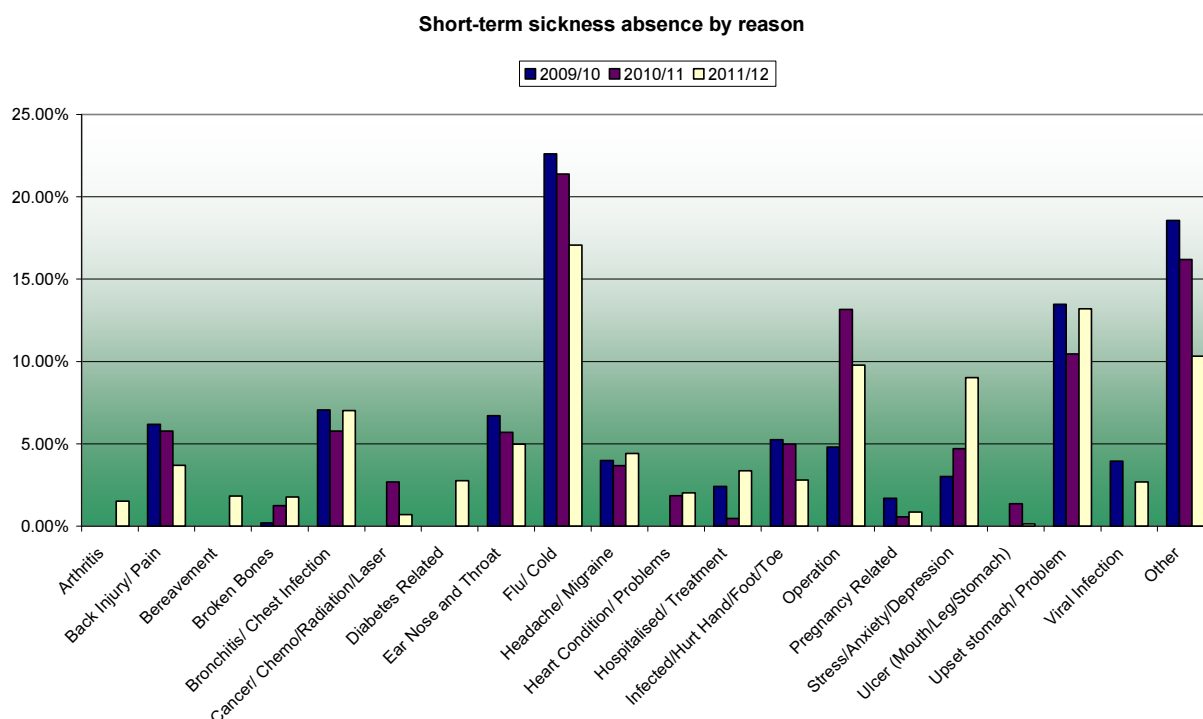
- 3.1 The short-term absence level decreased slightly in 2011/12 to 4.71 days per FTE. The outturn is below the target of 5 days.
- 3.2 Figure 3 below compares the number of short-term sickness absence days per FTE over the last five financial years. However it must be remembered that in 2009/10 the definition of short-term sickness changed from absences up to 42 days to absences up to 28 days. There has been a slight increase from 2009/10. Earlier years cannot be used for a true comparison due to the change in definition and will not be used for reporting in future years.

Figure 3

Year	Short-Term Sickness Absence Days per FTE staff in post
2007/8	5.42
2008/9	4.91
2009/10	4.43
2010/11	4.73
2011/12	4.71

3.3 Figure 4 outlines the main reasons for short-term sickness absence in 2011/12 compared with 2010/11 and 2009/10.

Figure 4



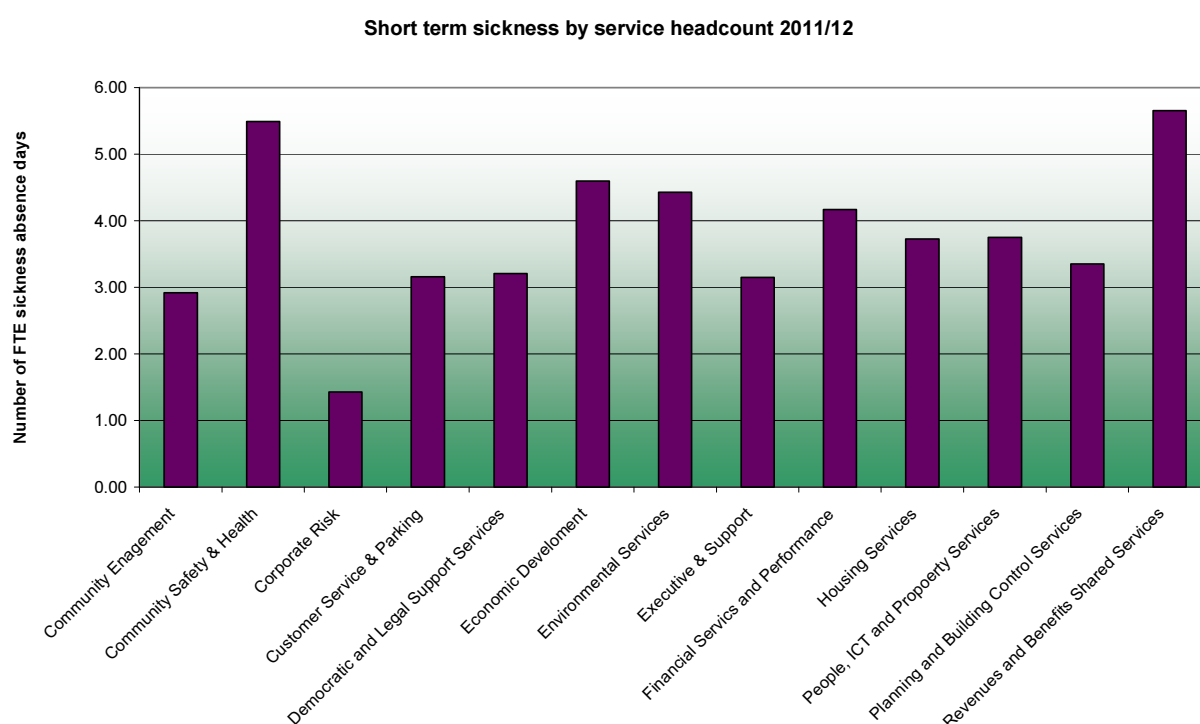
3.4 Flu/Cold remains the most common reason for short-term absence in 2011/12 at 17.06%, Upset stomach/problem is the second most common reason (13.19%). Whilst this is a change from last year's outturn (back pain/ injury) it is consistent with previous years. These outturns are also consistent when compared to the most common reasons for absence in the CIPD Absence Management Survey 2011.

3.5 In instances where a very small percentage of sickness absence was recorded for a particular reason it has been included in the 'other' category. The contents of this category may change over the years if a particular reason becomes more common. For example this year 'Diabetes related' sickness is reported on its own, whereas previously, due to the low levels, this has been included in the 'other' category.

3.6 Short-term absence due to stress/ anxiety and depression has increased from 4.70% in 2010/11 to 9.02%. It is not always possible to differentiate between personal and work-related stress at the short term sickness stage however further exploration is possible with long-term sickness. The possible reasons for this increase are analysed in long term sickness (section 4).

- 3.7 Figure 5 shows the number of FTE sickness absence days by the headcount in each service area for 2011/12. The Council went through a series of restructures in 2011/12. The table below is based on the current service structures. All the sickness absence of those employees who moved services over the year has been included in their current service (as at 31 March 2011) outturn.

Figure 5

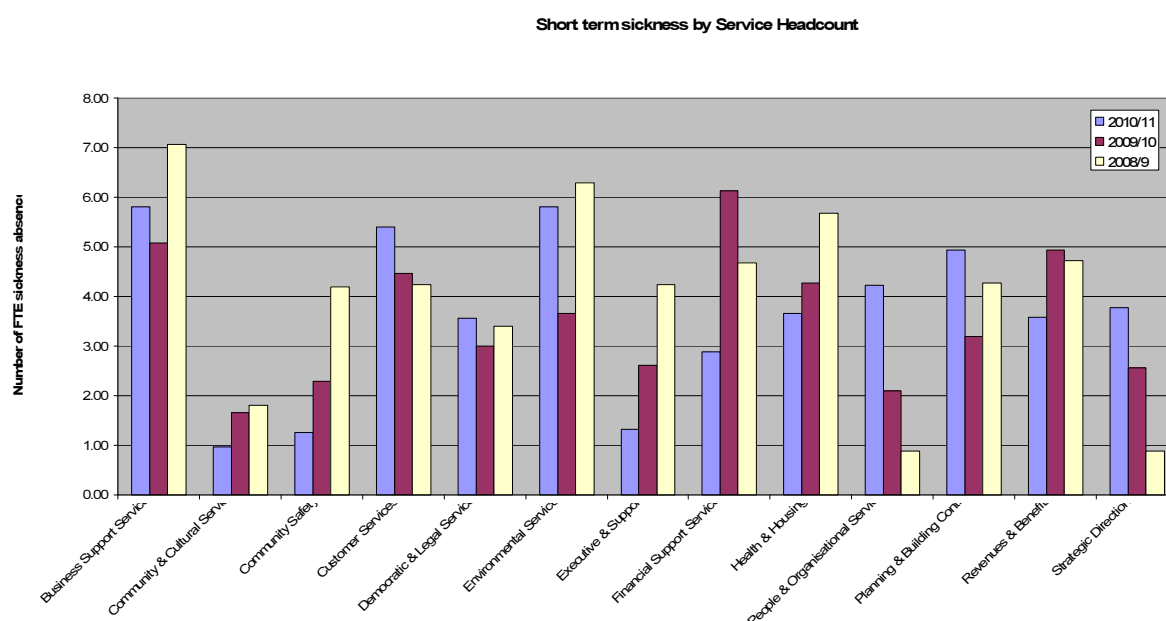


- 3.8 Revenues and Benefits shared service has the highest level of absence per headcount at 5.65 days. The shared service is relatively new with staff transferring from Stevenage in August 2011 with the restructure taking effect from December 2011. The majority of short term sickness in this service was due to flu/ cold or stomach upset/ problems. Managers and human resources are working together to address any employees currently reaching sickness absence triggers.
- 3.9 Community Safety and Health Services had the second highest level of sickness absence and at 5.49 days was the only other service to exceed the Council's target (5 days). As well as the common flu/cold and stomach upset reasons the services short-term sickness also

Essential Reference paper B includes employees who had operations and a number of employees with ongoing issues which progressed to long-term sickness and were successfully managed.

- 3.10 The restructure changes to service areas over the last year has meant that comparison with previous years has not been possible for 2011/12. Figure 6 details the outturns for the original services in 2010/11 and 2009/10 for information.

Figure 6



4. Long-Term Sickness Absence

- 4.1 Figure 7 compares the number of long-term sickness absence days over the last five financial years. Long-term sickness is defined as a period of sickness lasting over 28 days, in-line with best practice.
- 4.2 Of the 2249.17 FTE days sick in 2011/12, 798.48 are due to long-term sickness. This has resulted in an increase per employee of just over 0.5 days when compared to 2010/11. The outturn for 2011/12 is 2.59 days, which is above the target of 2.5 days.
- 4.3 The long term sickness in 2011/12 was accrued by 22 people (compared to 17 people in 2010/11). Ten of these people have now left the Council (due to retirement, ill health retirement, efficiency

Essential Reference paper B
retirement, voluntary redundancy, compulsory redundancy and mutual agreement), eleven have returned to work and HR are working with managers and Occupational Health on any ongoing cases.

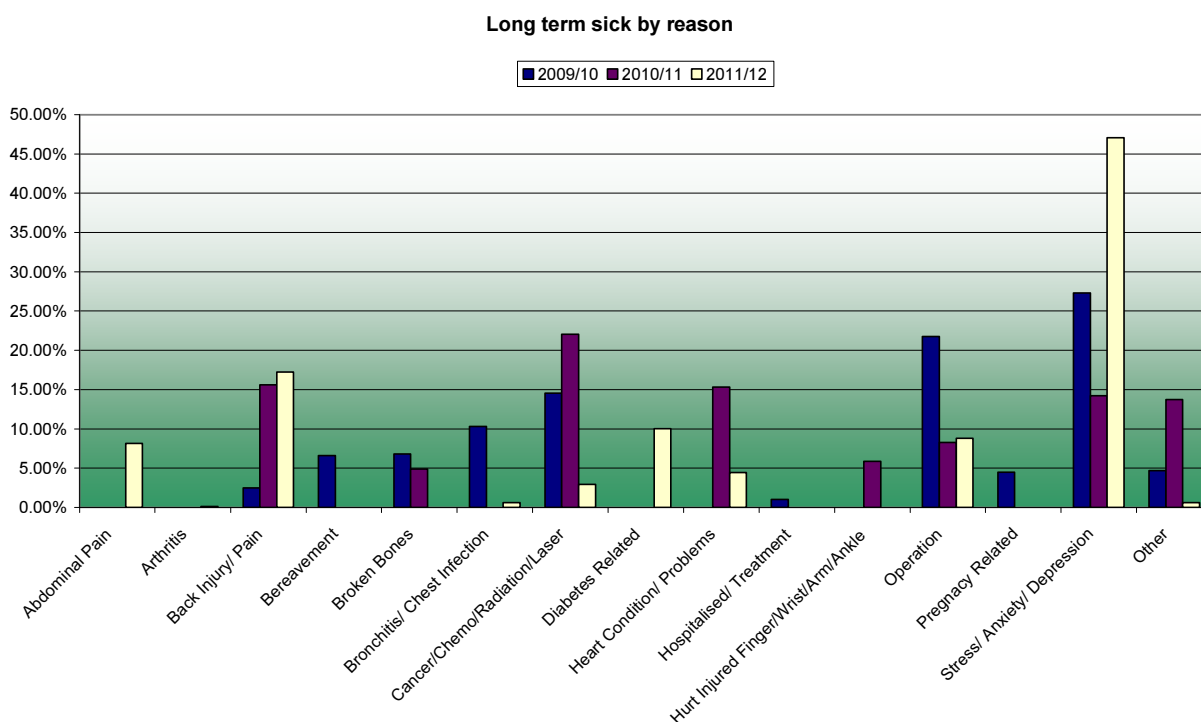
Figure 7

Year	Long-Term Sickness Absence Days per FTE staff in post
2007/8	4.14
2008/9	3.03
2009/10	2.04
2010/11	2.07
2011/12	2.59

*In 2009/10 the definition of long-term sickness absence changed from 43 to 29 days.

4.4 Figure 8 outlines the reasons for Long-Term sickness in 2011/12 compared with 2010/11 and 2009/10.

Figure 8



4.5 The most common reason for long-term sickness in 2011/12 was stress/anxiety/depression. This accounted for over 47.03% of all long-term sickness. This is due to six cases within the Council. Five of the employees have now left the organisation and the remaining case is being addressed by the line manager and Human Resources. Of these

six cases four where due to personal issues and two to work-based stress.

- 4.6 This scenario is similar to other organisations across the UK. The economic climate has increased the level of change most organisations are going through as they mitigate its effects. The climate has also increased the personal pressures individuals are under at the moment. Nearly two-fifths of employers overall (50% in the public sector) report that stress-related absence has increased over the past year, it is now the most common reason for long-term sickness in the public sector. Mental health problems such as anxiety and depression have also increased greatly over this period (CIPD Absence Management Survey 2011).
- 4.7 The Council has a Stress Management Policy which ensures that employees who are diagnosed with stress are seen by Occupational Health at the earliest opportunity. The employee assistance programme (PPC) offers counselling and useful information about dealing with change and stress. All managers who attended the Management Development Training programme in 2009/10 received stress awareness training, equipping them to recognise and address stress in the workplace. Further training was provided on personal resilience to senior managers and some staff in 2011/12 and it is proposed that this is rolled out again in 2012/13.
- 4.8 The second and third most common reasons for absence were back injury/pain (17.22%) and diabetes related (10.02%). These cases have been successfully managed.

5. The effect of home-working on sickness absence

- 5.1 A comparison between home workers and office based staff sickness absence in 2011/12, showed no differential between the two groups. (home workers 4.77 days per FTE compared to 4.70 days for office based staff). It is common to expect to see a reduction in sickness absence for home workers this was not the case for the Council in 2011/12.
- 5.2 These results may be due to a number of factors. The sample size for permanent home workers is very small (26 employees) and not all of these employees have completed a full year of home working. Several services which have a high percentage of home workers have also been through restructures during 2011/12 and this may have had an effect. Due to IT issues a number of registered home workers have had

periods when home working has not been possible. All these factors may have contributed to the lack of overall benefit in home working on sickness absence for 2011/12.

- 5.3 This effect of the issues listed above is particularly apparent in Revenues and Benefits which has been through a comprehensive restructure in 2011/12 as part of the move to shared service. In 2010/11 when the service originally took up home working there was a decrease of 1.33 days per employee. It is likely that factors other than homeworking have contributed to the increase this year.
- 5.4 Legal and Democratic Services and Financial and Performance Services also took up home working in 2011 as part of the C3W relocation programme. Democratic & Legal's short term sickness has reduced slightly in 2011/12 (3.21 days against 3.53 days). Finance and Performance's short term sickness has increased when compared to the outturns for Financial Support Services and Strategic Direction in 2010/11 (the pre-restructure teams). As both Legal and Democratic and Financial and Performance Services have been restructured over this period and it likely that a longer period of review will better demonstrate the effects of home working on their sickness absence.
- 5.5 As services stabilise after the restructures and IT issues are resolved it is expected that a more positive picture will emerge. Further take up of home working increasing the sample size, a longer period of analysis and the ability to consider ad hoc home workers will also assist future analysis.

6. Occupational Health Services

- 6.1 The Council's Occupational Health Adviser visits the offices (Hertford or Bishop's Stortford) once a fortnight, although additional visits are possible if required. The cost of the service in 2011/12 was £3,700 per annum, compared to circa £5,900 in 2010/11. This was due to the Health Adviser not attending the Council for two months during 2011/12. This cost is inclusive of the visits and associated administration and reports. HR will continue to review the potential for savings through working with the shared support services across other district councils.
- 6.2 The Council continues to support staff well-being. Staff are entitled to discounts in all East Herts leisure centres.

- 6.3 The Cycle to Work scheme was launched in Autumn 2011. This supports the Council's wellbeing and green policies.

7. Employee Assistance Programme

- 7.1 The Employee Assistance Programme (EAP) provided by PPC provides a variety of services to East Herts employees. These include telephone debt counselling, formal telephone counselling, face-to-face counselling and online guides and fact sheets.
- 7.2 The PPC provision for EAP is part of HCC master contract for this service. The cost has decreased to £6.98 per employee (2011/12) compared to when the Council first engaged PPC, £8.34 per employee (2009/10). In 2012/13 the cost has reduced again to £6.55.
- 7.3 During the period April 2011 – March 2012 the following EAP counselling services were used by employees:
- Face to Face Counselling – 2 cases
 - Telephone Counselling – 3 cases

Employees also accessed the website for factsheets and information.

- 7.4 PPC recorded three employment issues presented by employees requesting information:
- Redundancy (actual or threat)
 - Work Stress
 - Restructuring
- 7.5 The utilisation rate for East Herts Council is 4.84%. This is a slight increase from the 2010/11 rate (4.29%) and remains lower than the average utilisation rate of 11.4% recorded by PPC. Human Resources will continue to work with PPC to devise publicity alerting employees to the services offered.

8. Progress against 2011/12 Recommendations

8.1 Targets

In 2011/12 targets were kept at 5 days FTE for short term absence, 2.5 days FTE long term absence and 7.5 days FTE total sickness absence. These targets remain appropriate for 2012/13.

8.2 Stress Related Sickness

The support available through Occupational Health and PPC was utilised for the stress related sickness cases as appropriate in 2011/12.

Personal resilience training was rolled out for Senior Managers and staff in March 2012. Other training courses throughout the year aimed to help staff manage difficult situations at work (e.g. Communicating in Challenging Situations).

8.3 The affect of Home-Working

See section 5 for analysis.

8.4 Absence Management Policy

The absence management policy was scheduled to be reviewed in 2012 incorporating best practice, legislation and recommendations from the Internal Audit report 2011. This policy will be reviewed in 2012 as part of the shared support services.

9. Proposed actions for 2012/13

9.1 Targets

Targets for 2012/13 remain as 5 days FTE for short term absence, 2.5 days FTE long term absence and 7.5 days FTE total sickness absence.

9.2 Absence Management Policy

This policy will be reviewed in 2012 as part of the shared support services.

9.3 Support for Stress related sickness and increasing Stress Awareness

The majority of the stress related sickness cases in 2011/12 were due to employee's personal circumstances, others were due to work-

related stress. It is recommended that the Council continues to promote the support available to employees.

9.4 Personal resilience

Personal resilience training was provided to senior managers and some staff in 2011/12. Given the further period of change the Council may be entering with shared support services this training will be rolled out again in 2012/13.

East Herts Council TURNOVER REPORT 1 APRIL 2011 – 31 MARCH 2012

1. Summary

- 1.1 This report provides a detailed analysis of turnover for the financial year 2011/12. Turnover is analysed by reason, length of service and service area.
- 1.2 Overall there has been an increase in turnover in 2011/12, with both the percentage of voluntary and involuntary leavers increasing.

2. Turnover

- 2.1 The turnover rate for 2011/12 is 11.86% against a target of 10%. Turnover rates are based on headcount where full-time and part-time are undifferentiated rather than full-time equivalent posts. The average headcount for 2011/12 was 362.5.
- 2.2 This year's outturn equates to 43 leavers. Of the leavers 30 left voluntarily and 13 left involuntarily (due to compulsory redundancy 4, end of contract 2, dismissal 1, ill-health retirement 1, retirement 3 and other 2). The voluntary leavers rate is 8.28% against a target of 7%.
- 2.3 In 2011/12 the turnover targets for the Council were reduced. The overall target was reduced from 12% to 10% and the voluntary turnover target from 8% to 7%. The targets were changed due to both outturns for the past 4 years were below targets set and it was believed it would be a more achievable target.
- 2.4 The Council although over target in 2011/12 still remains below the shire district average of 13% (Local Government Association Workforce Survey 2011). This is consistent with the national trend with smaller organisations more likely to report an increase in turnover and larger organisations a decrease (CIPD Resourcing & Talent Planning Report 2011).

- 2.5 The service restructures completed in 2011/12 have contributed to the increase in the number of leavers, as budget savings required have caused an increase in the number of posts being changed or reduced.

3. Stability Index

- 3.1 The Stability Index indicates the retention rate of employees with over one year's service. This demonstrates whether staff are leaving in their first year of service, which may indicate problems with the Council's recruitment processes. The outturn for 2011/12 was 73.33% against a target of 90%. This is a reduction from the outturn in 2010/11 (95.24%). However of the 8 voluntary leavers with under a year's service in 2011/12, 4 chose to leave as part of the relocation of Stevenage Revenues and Benefits Shared Service workers to Hertford. Excluding this group the Stability Index outturn for 2011/12 would have been 84.62%. Whilst this is still a reduction on the outturn in 2010/11 it is in keeping with previous year's outturns and can be seen as a positive result during organisational change.

Figure 1

Financial Year	Percentage of turnover	Percentage of turnover identified as voluntary leavers	Stability Index*
2005/6	12.26%	7.40%	73.53%
2006/7	13.73%	8.91%	79.49%
2007/8	12.24%	9.51%	87.88%
2008/9	8.60%	6.30%	81.82%
2009/10	5.39%	3.50%	84.62%
2010/11	8.24%	5.77%	95.24%
2011/12	11.86%	8.28%	73.33%
2011/12	Target 10%	Target 7%	Target 90%

*The stability index is measured by dividing the number of voluntary leavers with over one year's service by the total number of voluntary leavers (multiplied by 100 to express as a percentage).

4. Vacancy Rate

- 4.1 This year the Council exceeded its target of a 3% vacancy factor with an overall vacancy rate* of 6.66% for 2011/12. The current outturn exceeded last year's (4.13%) and is far greater than the latest available data for Shire district councils, 3.8% (LGA Workforce Survey 2011).

- 4.2 There are a number of reasons for the increase in the Council's vacancy rate. Service savings targets have contributed to this increase, whereby by holding a vacancy longer a saving can be made. This has also been supported by the vacancy control exerted by the Corporate Management Team. Other areas have had an increased vacancy rate as positions are held in order to facilitate changes to the structure or new positions are left open for longer than usual whilst redeployments and other options are explored.
- 4.3 Overall the higher vacancy rate was positive for the Council in 2011/12 as it allowed for savings to be made and forward planning for restructures and shared service. However going forward it will be important for services to carefully manage their vacancies. A consistently high vacancy rate within a department could suggest the structure is incorrect and the role is not required, or the role is required and either other employees are shouldering the burden of the vacancy or temps are being employed at greater cost.
- 4.4 East Herts Council has a lean workforce and therefore it is recommended that the vacancy factor rate remains at 3%.

*This is defined as the average number of vacant full-time equivalent positions, expressed as a percentage of the average number of budgeted full-time equivalent positions

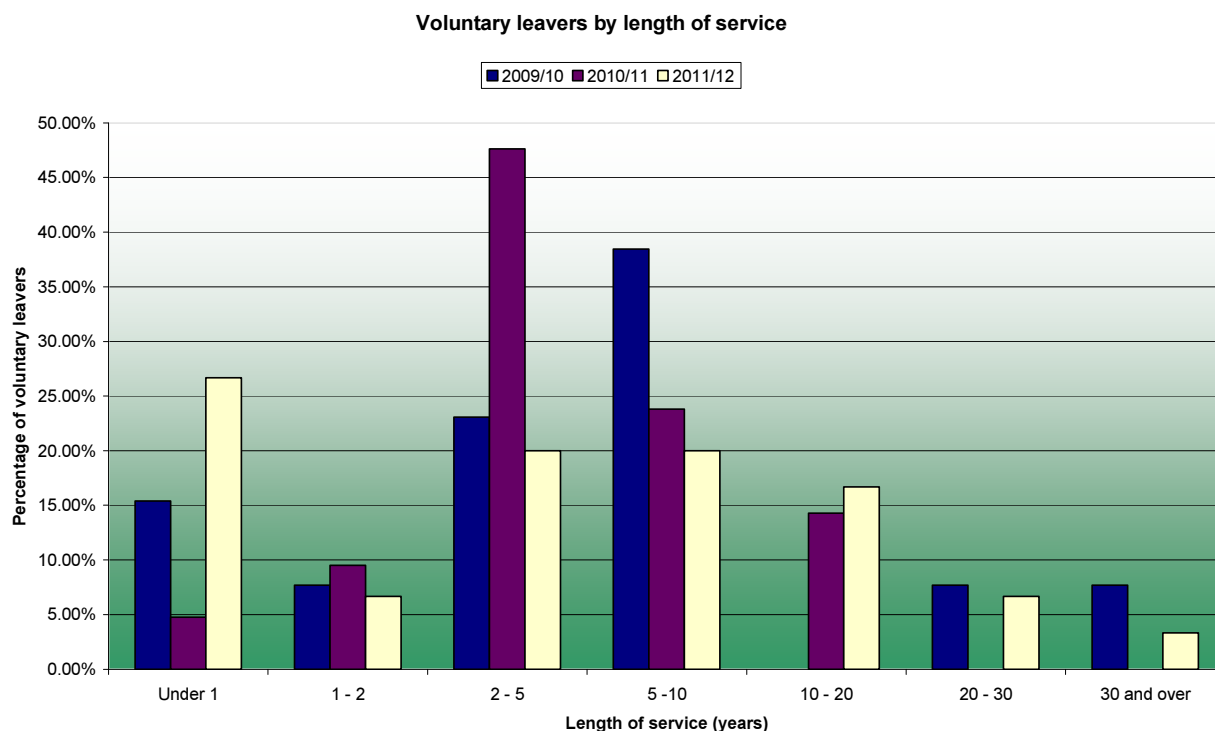
5. Voluntary Leavers

- 5.1 This section reviews the voluntary turnover by length of service, service area and reason.

5.2 Voluntary leavers by length of service

Figure 2 details voluntary leavers by length of service

Figure 2



5.3 In 2010/11 the majority of staff left after 2 – 5 years. In 2011/12 this has moved forward to under 1 year's service. However as outlined under the stability index 50% of leavers with under 1 year's service left as part of the Revenues & Benefits Shared Service move to Hertford. Therefore this outturn does not truly reflect the Council as a whole.

5.4 A significant percentage of staff are still leaving in the 2-5 year bracket (20%), with the majority of these (5 out of 6 employees) leaving to achieve a promotion or pay increase. This discussed further in section 5.3.1.

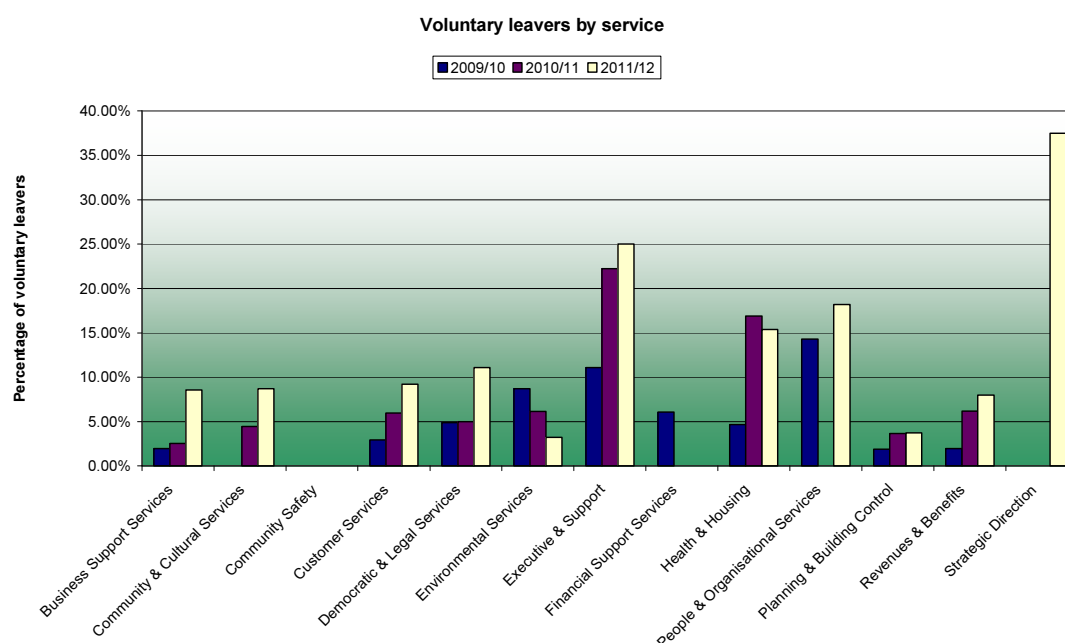
5.5 An equal percentage of leavers (20%) left after 5-10 years of service. The reasons for leaving at this stage are more varied (personal reasons, retirement, family responsibilities) and do not suggest a key concern for the Council.

5.6 Voluntary leavers by service

5.7 Figure 3 details voluntary leavers service. This is calculated as a percentage base on each service's headcount and the number of leavers from that service.

5.8 During 2011/12 a number of services were restructured. For the purposes of this report the service outturns are based on the original Council structure in April 2011.

Figure 3



5.9 In 2011/12 8 services' turnover increased, 3 services' turnover decreased and 2 remained the same.

5.10 Strategic Direction had the greatest increase in turnover during 2011/12. This service was restructured and integrated into different teams as part of the larger restructure in autumn 2011. Some members of the team remained with the Council, others chose to pursue roles elsewhere or take voluntary retirement. The exit interview analysis for the team shows that 66% would rate East Herts highly as an employer and 66% would recommend the Council as an employer to others.

5.11 The majority of remaining services which increased turnover in 2011/12 were also subject to restructures during this period (Business Support Services, Community & Cultural Services, Community Safety,

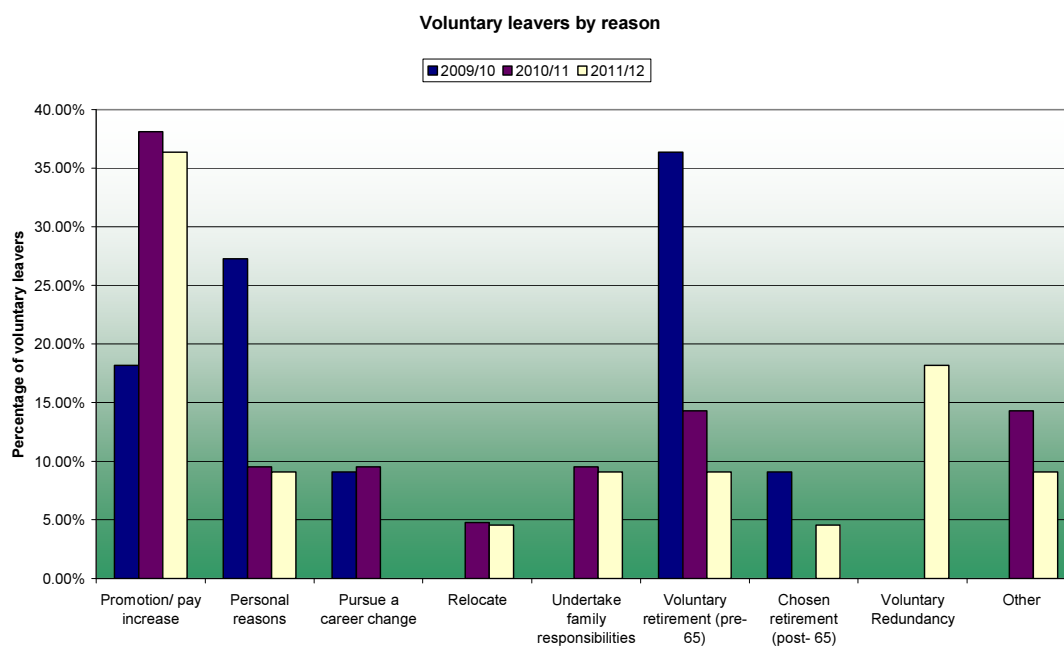
Legal & Democratic Support Services and Revenues and Benefits (which is now Revenues & Benefits Shared Service). People & Organisational Services has also increased its turnover this year. However this is a small team and represents one leaver.

5.12 Voluntary leavers by reason for leaving

5.13 Of the 43 leavers in 2011/12, 30 staff were voluntary leavers. Eight voluntary leavers left within their first year of service, the reasons for this are outlined in section 2.

5.14 Figure 4 shows the reasons for leaving amongst voluntary leavers with more than one year's service.

Figure 4



5.15 The main reason employees left in 2011/12 was for a promotion or pay increase (38.10%, 8 people), which is consistent with 2010/11 (36.36%, 8 people). The majority of these leavers in 2011/12 left after 2 – 5 years service. The need for succession planning and career progression options was highlighted in the 2010/11 report. Successful succession planning has been achieved in a number of services. However due to the size of some of the Council's services it is more challenging to identify succession planning within specialist fields.

Succession planning remains a service plan priority which will be explored as part of the new HR shared support service.

- 5.16 The second most common reason for leaving was voluntary redundancy (18.18%, 4 people). This is due to the number of restructures taking place over the year. The Council seeks to avoid and minimise redundancies and voluntary redundancy is only available to those employees who are placed at risk through a restructure.
- 5.17 The 'other' category includes employees who choose to leave for health reasons.

6. Recruitment Costs

- 6.1 This year the Council has spent £6,765.00 on recruitment. There were no senior management appointments. This was for 16 vacancies and can be broken down into £4,646 for advertising costs and £3,500 for Manpower's placement and administration fees. Of the 16 vacancies advertised 13 were filled. This equates to an average cost per hire of £520.38. This is a reduction on last year's average of £581.84 (there were also no senior management campaigns in 2010/11). This is a cost reduction of over 10%, following on from cost reductions of 30% in 2010/11 and 35% in 2009/10.
- 6.2 The estimated total cost of recruitment in the UK (advertising costs, agency or search fees) is £2,500 (CIPD Resourcing and Talent Survey 2011). This is the median rate based on recruitment advertising for all positions other than those at Senior Management and Director level.

7. Exit Interview Analysis

- 7.1 Employees are asked to complete a confidential exit interview form upon resigning. Only voluntary leavers are asked to complete the form. If HR identify any areas of concern a meeting is set up between the HR Officer and employee to explore the issues. HR may also take up actions with the line manager if appropriate. The results of the exit interviews are discussed below.
- 7.2 **Overview**

- 7.3 The exit interview return rate for voluntary leavers was 77%, an improvement of last year's return rate of 67%.
- 7.4 The results of this year's exit interviews are positive. In 2011/12 the majority (57%) considered the Council to be a level 8 or 9 employer (1 being poor and 10 being excellent). This is an improvement in 2010/11 the majority of leavers (53%) rated the Council as a level 5 – 7 employer and 2009/10 outturn of 50% respondents rating the Council as a level 8 or 9 employer.
- 7.5 74% of respondents said they would recommend the Council as an employer to others. Again this is a great improvement on 2010/11(53%).

7.6 Line Management

- 7.7 Between 2009/10 and 2010/11 there was a big improvement in this area. In the 2010/11 respondents said that their line manager:
- Always or often gave them help and advice (94%)
 - Always or often gave them praise or recognition (88%)
- 7.8 In 2011/12 this outturns have dropped slightly, however the results are still very positive:
- Always or often gave them help and advice (91%)
 - Always or often gave them praise or recognition (70%)

7.9 Training, development and promotion

- 7.10 Overall respondents continued to view training opportunities within the Council positively. The majority (91%) considered the training that they had received had been 'completely' or 'partially' fulfilled. 70% of leavers also considered the Induction to be 'completely' or 'partially' effective.
- 7.11 Promotion within the Council remains an issue for leavers. In 2011/12 38% of respondents considered the prospect for promotion 'excellent' or 'good' in comparison to 40% in 2010/11. The remainder thought promotional prospects were either 'poor' 38% (29% in 2010/11) or 'very poor' 21% (29% in 2010/11).

- 7.12 Further analysis of the respondents shows that a significant number were from small teams. As a District Council East Herts provides a large number of services to the community with a relatively small number of staff. This means that whilst opportunities for interesting work are always present within the Council those with specialist skills wishing to advance their career may not have the opportunities for promotion afforded by larger organisations.

8 HR actions to support Recruitment and Retention in 2011/12

- 8.1 The Council's recruitment policy has been updated this year to ensure it remains fit for purpose. This will be reviewed again in light of any changes occurring through the shared services or change in recruitment contract. However as recruitment is on the increase a review of the policy at this stage was deemed appropriate.
- 8.2 Following a successful pilot at Hertford Theatre the Council's new volunteering policy was approved. This policy facilitates managers taking on volunteers a practice which compliments the work of officers and encourages the public to engage with the Council in new ways. This is evidenced by the successful volunteer steward scheme at Hertford Theatre.
- 8.3 Throughout 2011/12 the Council has maintained a programme of vacancy control with the Corporate Management Team approving all vacancies. In order to plan ahead for structural changes (including the possibility of shared service) a number of roles have been approved on a fixed-term basis only. Internal recruitment has been encouraged where possible and appropriate redeployments have been explored for all those at risk. These provisions have made sure that redundancies were kept to a minimum during any of the change programmes. The majority of employees put at risk through restructures were offered roles within the new team structures. The Council has also successfully redeployed staff into new teams where roles in their original area were not available.

9 Review of Progress – Recommendations from 2011/12

9.1 Turnover targets

The Council surpassed its turnover targets for 2011/12. Further detail and analysis is given in section 2.

9.2 Monitoring Manpower recruitment contract

HR continues to receive quarterly reports from Manpower tracking vacancies, temps and applicant equalities and diversity data. The contract has continued to provide economical recruitment solutions.

During 2011/12 a number of issues arose. These included poor response rates for three positions. These issues were taken up with Manpower and alternative arrangements were made where necessary. Feedback from these campaigns will inform decisions made about the provision of permanent recruitment services at the end of the Manpower contract.

9.3 Removal of default retirement age

In April 2011 the Council removed its default retirement age of 65 in line with changing legislation. From October 2012 all retirement will be voluntary. On reaching the qualifying age/service, staff will be able to choose when they retire.

At the moment it is too early to tell what the long term effects of the removal of the default retirement age will be. In 2012 there has been an increase in the number of staff choosing to retire post-65 and a decrease in the number of staff choosing early voluntary retirement. However a number of staff choosing voluntary redundancy were close to retirement age and this may explain the outturn.

According to the latest CIPD survey (Resourcing & Talent Planning Report 2011) half of public sector organisations believe the abolition of the Default Retirement Age will mean they recruit fewer people. The Council will need to continue to monitor the effects of this change on turnover, succession planning and the demographic of the workforce.

9.4 Career progression and succession planning

Exit interviews over the last two years have shown succession planning to be an issue within the Council. Over 2011/12 there were areas of good practice within the Council. Some services were able to

plan ahead, training staff to ensure that when vacancies arose through leavers, maternity leave or reorganisations employees were able to move up through the positions. In general this was only possible in the larger services. Other teams have used career grade or apprenticeship positions to ensure career progression is possible.

These practices have ensured career progression for certain groups of employees, the next step will be to roll-out initiatives Council wide. As a small organisation the Council will always have certain constraints when devising career progression and succession planning schemes, however it is important for the Council to utilise all available options. The Revenues and Benefits Shared service project has shown the increased opportunities afforded by joining with other districts and these should be explored with any subsequent shared services.

10 Proposed Actions for 2012/13

10.1 New recruitment contract/ In-house recruitment

The Council's contract with Manpower ends concurrently with Hertfordshire County Council's contract (currently 7 April 2013). The County have chosen to bring permanent recruitment in-house and are currently in the process of tendering for a temporary recruitment contract. East Herts continues to maintain dialogue and may choose to enter into this contract if it is deemed attractive. The Council will also need to consider whether permanent recruitment is brought back in-house or alternatives are sought. These decisions will need to be taken after the outcome of the shared service proposals are known.

10.2 EELGA Recruitment portal

The Council is in the process of exploring a shared regional recruitment portal. This project is being lead by EELGA. At present only draft proposals are available. Should the portal provide value for money it is recommended that the Council considers signing up, especially given the likely loss of inexpensive recruitment advertising options when the Manpower contract ends.

10.3 Career progression and succession planning

As outlined in sections 6 and 10 it can be difficult for a small organisation to establish career progression for the majority of employees. It is recommended that possible council wide initiatives are explored including potential benefits of shared service and informal sharing across Councils should be explored in 2012/13.

Career progression and training were also identified as areas for improvement through the Staff Survey (November 2011) and the Investors in People review (April 2012). An action plan is currently being devised to support this improvement.

10.4 Apprenticeships & Voluntary Work Experience

The Council has run two successful apprenticeships over the last couple of years with a further apprenticeship planned for 2012. It is recommended that the Council reviews new roles to ascertain whether they would be suitable for apprentice positions.

In 2011 youth unemployment equated to 1 in 5 economically active 16-24 year olds (Office of National Statistics). Promoting apprenticeships within the Council will not only offer a positive response to this by the Council it will also encourage succession planning. The average number of apprenticeships per district council in 2011 was five (LGA Workforce Survey 2011). East Herts has a relatively small workforce when compared to some other district councils as departments are lean and a number of services have been contracted out. Two apprenticeships per year is therefore recommended as a more realistic target.

Voluntary Work Experience is a scheme run by the JobCentre Plus in response to current national unemployment rates. Placements last between 2 – 8 weeks and provide those currently out of work with valuable work experience. The Council is currently in communication with the JobCentre Plus to run a pilot. It is recommended that the Council supports this scheme as part of its ongoing commitment to supporting the local community.

10.5 Turnover Targets

The turnover targets were reduced in 2011/12 in response to the consistently low outturns. It is suggested that although future change is planned at the Council the targets remain unchanged in 2012/13 as the Council only exceeded the targets slightly in 2011/12.

EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE – 11 July 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

LEARNING AND DEVELOPMENT 2011/12 REPORT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To review the Corporate Training Plan delivered 2011/12 and approve the Corporate Training Plan 2012/13

<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE: That:</u>	
(A)	The annual report is noted and Corporate Training Plan 2012/13 is approved.

1.0 Background

- 1.1 The Corporate Training Plan 2011/12 was delivered within budget and offered a selection of training and development identified corporately or as part of the employees training plan. This included staff workshops and briefings, IT training and mandatory/legal requirements.

In 2011/12, 270 delegates attended training courses and briefings funded from the corporate training programme, an increase of 49 delegates from 2010/11 (excluding the quarterly staff briefings).

All programmes attended were well received and all feedback collated will be considered when booking further events.

2.0 Report

Corporate Training 2011/12

- 2.1 Details of the training provided from the corporate training budget are attached in **Essential Reference Paper C**. This document details the training held, number of delegates and a summary of the event.

Corporate Training Budget 2011/12

- 2.2 The total budget for training and development Council wide was £146,220 2011/12 (£165,520 2010/11). This figure is 1.3% of the Council's staffing budget. The corporate training budget was £51,000 2011/12 (£60,300 2010/11).

The total spend on corporate budget for 2011/12 was £19,307 2011/12 (compared to £28,115 2010/11).

The Corporate Training Plan was delivered under budget. Human Resources continued their commitment to review the spending costs associated with the corporate training spend. Officers continued to negotiate with training providers and contractors to improve the costs being charged for events.

In-house events were run using the Council's own expertise to deliver events.

Events were held at East Herts in partnership with other local authorities, enabling the council to acquire free training places. Staff also attended partnership events organised across the districts and boroughs, these are low cost events.

Some events have had a lower turn out than expected and one event, recruitment and selection was postponed. One of the main factors for low turn out is staff withdrawing from events at the last moment or not attending. This relates to internal and external events.

Staff will continue to be informed of events via a monthly newsletter, the training page in Team Update magazine and staff will be approached on an individual basis if they requested specific training in their PDR. The Training Page on the intranet will be updated to ensure current training information is available.

Service Training and Development

- 2.3 The total services training and development budget for 2011/12

was £40,440, which is divided amongst the services for additional training and development. This budget is used for one day conferences and training events.

The budget breaks down to £111.55 per employee based on 362.5 employees, the average employee head count for 2011/12. The budgets are managed by the Head of Service, spending a total of £25,407 leaving an under spend of £15,033.

Professional Training

2.4 Professional training budget was £54,780 in 2011/12. A total of £26,884 was spent on professional qualifications in 2011/12. The Council is sponsoring a range of staff to undertake vocational qualifications. Some of the qualifications include:

- ILM Level 3 Award in Facilities Management
- CCNA Exploration x2
- Conservation Officer – MA Urban Design
- Building Control Surveying (5 yrs) x2

All staff funded for qualifications from the professional training budgets have to sign training agreements as part of the Professional Career and Vocational Study Policy, which allows East Herts to re-claim a percentage of funding if an employee leaves the Council within two years.

Corporate Training Plan 2012/13

2.5 The new Corporate Training Plan 2012/13, **Essential Reference Paper B**, focuses on the new framework of corporate priorities (People, Place and Prosperity) and builds upon the corporate training plan delivered in 2011/12. The Corporate Training budget for 2012/13 is £31,000 and the estimated cost of the proposed training is £27,490.

Training Evaluation

2.6 Training and Development is evaluated at the Council using the Pre and Post Training Evaluation forms, staff one to one's and PDR's. Training and development is delivered in a variety of ways:

- Classroom style delivery – internal and external events
- Facilitated sessions

- NVQ qualifications
- Certified University/College courses
- Secondments
- Work shadowing
- Staff briefings
- E-Learning

The evaluation process indicated the training delivered in 2011/12 had a positive impact on staff's personal skills. Enhancing their skills has led to an improvement in service delivery and has had a positive impact on our customers. The statutory professional training continues to build on officer's core knowledge ensuring staff are up to date with current legislation. The FOI training and staff briefings have raised staff awareness and the importance of the topic. Staff behaviour has been modified reducing the risk to the Council.

Members Training Plan 2012/13

- 2.7 The Member's Development Plan 2012/13 is being finalised. The plan outlines the various types of training and development offered to the Councillors throughout East Herts.

The Plan has been designed to ensure Councillors are kept up to date with legislation and attend the required mandatory training. Further development needs were identified through a Training and Development Questionnaire sent to all Councillors.

East Herts holds the Member's Development Charter and is committed to the development of its Member's.

E Learning

- 2.8 East Herts has joined the Regional Vine East Project and will be launching the E Learning platform to all staff as part of the 2012/13 Corporate Training Plan. Training programmes are being developed for East Herts and the platform will also enable us to share training with other authorities belonging to the Vine East Project. The programmes currently in development include Data Protection, Social Media, Safe Guarding and a Diversity Quiz.

In June the Council launched a FOI E Learning programme to increase understanding and awareness in the Council. Managers also received training on the new FOI database, to ensure managers received support on completing FOI and to improve the

efficiency of the process. The training will be monitored to record staff participation, outcome scores and time taken to complete the training programme.

The Council also focused on data protection training and awareness workshops for Heads of Service and staff during 2011/12 and this will continue in 2012/13.

Shared Services

- 2.9 East Herts, North Herts and Stevenage councils agreed in October/November 2011 that partnership is a viable option for some support services. It has been confirmed that the detailed business case will be taken to Members at all three councils for a final decision on 31 July 2012.

East Herts Council are working with a selection of training providers to design and deliver a programme of Customer Service training. The training will be open to anyone who is in scope across the three authorities. The programme will give staff the opportunity to work and communicate together across the authorities; breaking down barriers. The training will help individuals gain a better understanding of the shared service environment and give them knowledge and support when they come to apply for jobs in the new structures.

Performance Development Review Process (PDR)

- 2.10 The Performance Development Review Process (PDR) was revised after a comprehensive PDR review across the authority reported to CMT in September 2011. The corporate review focussed on evidence contained in the individual PDRs, the consistency of the process, the grading structure and managers and staff feedback on the paperwork. Staff feedback on PDR's was also reflected in the staff survey and IIP results.

Managers received training in December 2011 and January 2012 on the revised process.

In January 2012 83% (2011 77%) PDR reviews had been completed and 84% (2011 73%) of staff had objectives set. The next round of PDR's will commence in June/July with the majority of staff having their mid year reviews with one service having their full PDR.

The Corporate Training Plan has been devised to reflect the training needs of staff captured through the PDRs and to ensure consistency will be amended if necessary to meet the staff requirements in the mid year reviews. This will ensure the training identified on the plan meets the corporate and staff needs, and all training delivered is relevant and value for money.

PDR Training will be provided to staff regarding the PDR process. This will ensure that the PDR remains a two way process between managers and staff.

Investors in People (IIP)/Staff Survey December 2011

- 2.11 The Council was reviewed in April 2012 by Investors in People and the Council successfully passed all 39 indicators. The assessor gave a positive recommendation to the recognition panel. Some development areas were highlighted and a staff focus group was formed to consider the recommendations made by IIP and the staff survey outcomes. An action plan will be drawn up and sent to HR Committee in October 2012 for approval.

Town Council and Partners

- 2.12 East Herts shares the Corporate Training Plan with the Town Councils. Staff from local Town Councils have attended our soft skills training and IT courses. The Corporate Training Plan 2012/13 and the launch of E-Learning programme will be shared with Town Councils.

East Herts is working regularly with other districts and boroughs to enable smarter use of training facilities and resources. Venues have been shared and places on events sold to other authorities.

Proposed Actions 2012/13

- 2.13 Pre and Post Training Evaluation Forms are completed for all training or development opportunity a member of staff participants in. This ensures staff are attending the correct event and the participant is clear of their personal aims and objectives.
- 2.14 HR recommend the training protocols introduced in 2009/11 are reminded to all staff:

- Turning up on time

- Staying for the whole of the event
- No use of phone/PDAs (except in exceptional circumstances but this would be agreed with the trainer at the beginning of the course)
- Staff will treat internal training with the same professionalism as they do at external events
- Services will be charged £100 for less than 48 hours notice if a participant withdraws from an event or fails to attend. The appropriate Head of Service and member of staff will be informed of the charge.

2.15 The IIP and staff survey identified areas of improvement in training and development provision and the performance development review process. Recommendations agreed as part of the action plan will be introduced during 2012/13.

2.16 HR will work with partners to achieve value for money in the delivery of programmes. The Corporate training plan and the provision of training and development will be reviewed as part of shared support services.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - none

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ESSENTIAL REFERENCE PAPER 'A'**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives:	<i>People</i> This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	N/A
Legal:	N/A
Financial:	<i>The corporate budgets within the report reflect the actuals and estimates obtained from Finance.</i>
Human Resource:	The Corporate Plan outlines the Council's on-going commitment to staff training and development.
Risk Management:	N/A

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Corporate Training 2012/3

Programme title	Target audience/Cost	Purpose
Customer Services – Shared Services	1 & 2 £3,000	To provide staff with tools, techniques and an opportunity to develop customer service plans within the new services. These events will enable team cohesion and will help build relationships. The sessions will also assist staff in responding positively to the forthcoming organisational and service changes.
Introduction to flexible/home working	1 & 2 In-house	To provide delegates with the knowledge, skills and confidence to be a flexible/home worker. To present a range of tools and techniques for working successfully with your team and manager as a flexible/home worker.
Managing flexible/home workers	2 & 3 In-house	To provide managers with the knowledge, skills and confidence to manage individuals or teams working remotely.
Effective Report Writing	1, 2 & 3 Approx cost £850	This highly practical programme equips delegates with the skills of planning, research, structuring, writing, editing and presenting reports.
Communication and Conflict Management customer focussed	1, 2 & 3 Approx cost £900	This programme focuses on how to handle conflict in the workplace and conflict management. It will equip delegates with practical techniques they can use to communicate and perform effectively in any difficult work situation.
Advanced call handling	1 & 2 Approx cost £700	This programme will provide staff with support, ideas and the opportunity to share experiences of handling difficult calls in the work place.
Team Development and Engagement	2 & 3 Approx cost £3,000	To provide delegates with the skills and knowledge they need to develop the ability and efficiency of their team. To provide advice and actions that will assist in creating a high performing team.
H & S Awareness	1 & 2 & 3 Approx cost £3,000	To provide delegates with the information and knowledge they need to work in a healthy and safe environment. To provide them with their key areas of responsibility and actions they are expected to take to ensure the safety of themselves and their colleagues. To support the H&S action plan. Including: <ul style="list-style-type: none"> • Manual Handling • Working from heights • Lone Working
E-Learning programmes (subjects to be defined)	1, 2 & 3 In-house/E-learning	East Herts has joined the Regional Vine East E Learning Project, enabling a variety of training subjects to be explored through E Learning.

Essential Reference Paper B

Project Management	1 & 2 & 3 Approx cost £875	This highly practical course provides all the essential skills, tools and techniques that are needed to support the delegate in their project management role. The course concentrates on the practical techniques that you can apply directly back to the workplace using East Herts own project management toolkit.
SMG Away day	3 In-house	To support the corporate and service planning process. Including engagement, behaviours, communication and cultural changes.
Mediation Training	1, 2 & 3 £1400	This programme covers all areas of the mediation process - from the role of the mediator through to managing deadlock and conflict.
MS Applications	1, 2 & 3 Approx cost £2500	To provide delegates with additional knowledge and information on how best to use the 4 main Microsoft applications, Word, Excel, Outlook and PowerPoint. To support the development of super users.
Emaillogic	1 & 2 In-house	To provide hints and tips to staff in managing their in-boxes, constructing emails and using the rules.
Dealing with difficult customers	1 & 2 Approx cost £900	To support staff when dealing with difficult and aggressive customers. Look at different techniques to deal with situations and share experiences and practice.
Mandatory/Legal	1, 2 & 3 Approx cost RIPA £875, PACE £875 DDA £800 Verification training £1,000 Safe Guarding £515	To ensure delegates are compliant with legal issues and procedures. Including: <ul style="list-style-type: none"> • RIPA training • Preparing a Prosecution file & PACE • Verification training • Equality and Diversity • Safe Guarding Children
Data Protection/FOI	1 & 2 & 3 In-house/E Learning	To provide knowledge and information on data security, data protection and FOI procedure.
Social Media Training	1, 2 & 3 In-house/ E Learning	To provide knowledge and ensure understanding of the new communications strategy, Social Media Policy and to enhance staff skills and familiarity of social media sites and the role they play at East Herts Council.
PDR Training	1, 2 & 3	To provide staff at all levels, whether reviewing or being reviewed, the appropriate skills set and confidence to take part in productive PDR process.
Managing Performance	2 & 3 In-house	To provide knowledge and information to assist in enhancing the performance of teams, through setting effective business objectives. Support PDR process.

Essential Reference Paper B

Procurement Training	1,2 & 3 In – House (With a potential external cost up to £3,000)	To ensure all staff responsible for ordering, budgets and tendering are aware of and understand all Rules and Regulations, (EHC procurement Rules, EU rules, UK Law, Financial Regulations) and Procurement processes, the roles and responsibilities of Procurement, Legal and Project Managers. This training will provide the skills and knowledge required to mitigate risks to officers and the council as a whole.
Land inspection and management training	1, 2 and 3 £5,000, but this sum is deducted from agreed insurance premiums so in effect the cost is nil	To explain statutory and common law responsibilities, and managing risk and inspections of our varying types of land, assets, water courses and ponds.
Getting the best from Personal Resilience	1,2 & 3 £2,000	To enable staff to recognise stress related behaviour in themselves and others. The session also look at various resolutions based on staff needs and experiences.
Recruitment and Selection training	2 & 3 Approx cost £1300	All managers who recruit and interview candidates should be trained. This course supports the recruitment process for internal and external recruitment, ensuring managers recruit within the law. It also provides support for writing job descriptions and devising interview questions.
Corporate Induction	1, 2 & 3 In-house	To welcome new staff to East Herts Council. To provide delegates with an understanding of the Council's vision and priorities, policies and procedures, benefits and welfare.
Policy Briefing workshops	1, 2 & 3 In-house	To support the launch of new/revised policies and procedures to ensure understanding and compliance.

Target Audience:

- 1 - Support Staff and Junior Professionals
- 2 - Team leaders, Managers, Senior Professionals/Specialist Roles
- 3 - Managers and Heads of Service

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Corporate Training Plan Outcomes for 2011/12

Programme title	Number of Participants/Cost (exc VAT)	Purpose
Preparing for Change – Internal Application Course	46 Participants £1,750	To support staff with the internal application form process and to discuss interview skills and techniques. This training was arranged to ensure staff were supported through the re-structuring process.
Getting the best from Personal Resilience	15 Participants £1,900	Sessions were held for SMG and Staff to enable staff to recognise stress related behaviour in themselves and others. The session also looked at various resolutions based on staff needs and experiences.
Presentation Skills	6 Participants £450 (partnership event)	How to deliver a successful presentation, through sound preparation, delivery and communication skills.
Safe Guarding Children	10 Participants £515	To ensure that all staff working with young people and venerable adults are aware of the Safe Guarding Children policy and process.
Minute Taking	11 Participants £396 (partnership event – EHC supplied the venue)	This highly practical programme equips delegates with the skills of structuring, writing and editing minutes.
Advanced Call Handling	2 participants £88 (partnership event)	This programme focuses on how to handle conflict over the telephone and conflict management. It equips delegates with practical techniques they can use to communicate and perform effectively in any difficult work situation.
Assertive Communication	1 participant £44 (partnership event)	This programme was designed to enhance communication skills to enable the participant to use them in the most efficient way.
Writing Letters and Emails	6 Participants £264 (partnership event – EHC supplied the venue)	The session took participants back to the basic principals of writing. Taking into consideration the structure of letters and emails.
HAY Refresher Training	7 Participants £3,000	The session was arranged to refresh JE Trained staff on the HAY Scheme principals and to audit a sample of JE's undertaken in the past 12 months. This was a joint UNISON/HR event.

MS Applications	Excel – 10 Participants Word – 4 Participants £1,100	To provide delegates with additional knowledge and information on how best to use the Microsoft applications, Word and Excel.
Communication in a Challenging Situation	1 Participant £44 (partnership event)	This event supported staff when dealing with difficult and aggressive customers. Looking at different techniques to deal with situations and share experiences and practice.
Data Protection/FOI	All staff Staff briefings	All staff attending the staff briefing received the latest data security and FOI presentation. The presentation enabled staff to understand the present concerns and issues facing East Herts Council and the responsibility they hold as a member of staff.
Recruitment and Selection training	4 participants £715	SMG participated in this event designed to support the corporate restructure. The course was designed to support the internal recruitment process, ensuring managers recruited within the law. It also provided support for writing job descriptions and devising interview questions.
Corporate Induction including Stevenage Borough Staff inductions	40 Participants In-house	To welcome staff to East Herts Council. To provide delegates with an understanding of the Council's vision and priorities, policies and procedures, benefits and welfare.
Wallfields Induction Briefings	76 Participants In-house	The bite size sessions supported the end of the C3W project. As part of the induction process staff were shown round Wallfields, informed of the approved ways of working at Wallfields and provided with local information about Hertford.
PDR Training for managers	31 Participants £1,900	To support managers through the revised PDR process. Setting objectives, delivering feedback, supporting staff and grading performance.

EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE – 11 JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

INVESTORS IN PEOPLE REVIEW REPORT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- For the Human Resources Committee to receive the Investors in People report and be advised of the report recommendations

<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE:</u>	
That:	
(A)	the Investors in People report be received

1.0 Background

- 1.1 The Council was reviewed by an Investor in People assessor in April 2012 against the Core Investors in People Standard (IIP). The Council was last successfully reviewed in 2009.

2.0 Report

The Assessment

- 2.1 The assessor interviewed 44 members of staff over 4 days. The assessor independently chose a representation of staff from the Council's establishment list, ensuring the staff interviewed covered the spectrum of employment grades, over a range of services.

2.2 The Council was assessed against the Core Investors in People Standard which comprises of 39 evidence requirements.

The requirements are broken down into the following areas:

- Strategic Planning
- Effective Management
- Culture and Communications
- Developing People
- Managing Performance

The Assessment Outcome

2.3 The Council achieved a successful positive assessment and will retain the IIP Standard Award for a further 3 years. The Council met the standard in all 39 evidence requirements.

The full report has been uploaded onto the Staff Intranet and has been submitted as a background paper for this report.

Recommendations

2.4 The IIP report made recommendations for the Council to consider as part of the authorities ongoing development.

Business Area	Recommendation
Strategic Planning	<p>Consider re-assessing consultation arrangements with representative structures; to make sure that constructive relationships exist and they are consulted when developing the council's strategic plans.</p> <p>Consider raising the profile of individual ownership and responsibility higher to ensure the quality of the PDR enables people to 'get the best from' the valuable time set aside by managers.</p>
Effective Management	<p>A key priority is for East Herts to stabilise the top-team.</p> <p>Ensure that the 'Core Brief' is</p>

	<p>accompanied by a verbal brief and allows for two-way discussions.</p> <p>Continue evaluating the quality of PDRs' application for improvements.</p>
Culture and communication	<p>Consider refreshing/revitalising the 'Core Brief'.</p> <p>Managers to commit to regular team meetings.</p>
Developing People	Re-introduce team training plans

Action Plan

- 2.5 In May 2012 the Engagement & Partnership Team and HR convened a staff focus group to obtain feedback on the key issues arising from the staff survey and the IIP review.

CMT will review the suggestions put forward by the staff focus group and feedback to HR and the Engagement and Partnerships Team on 27 June 2012.

Once all the feedback has been collected a draft action plan will be devised and presented to CMT for consideration.

The action plan will be finalised for the HR Committee to review in October 2012.

3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

- Investors in People East Herts Council Report (May 2012)

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Report Author: Emma Freeman – Head of People, ICT and Property Services

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	None
Legal:	None
Financial:	None
Human Resource:	As detailed in the report
Risk Management:	None

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INVESTORS IN PEOPLE REVIEW REPORT

EAST HERTS COUNCIL

Key Information

Assessment Type	Review
Assessor Name	Jeannette Stanley
Visit Dates	23/04/2012 – 27/04/2012 (four on-site days)
Assessment Reference Number	ENQ-85203-20Y86B

Conclusion

Having conducted the review in accordance with the UK Commission for Employment & Skills (UKCES) and EMB Excellence Ltd guidelines, I am very pleased to confirm that East Herts Council (East Herts) continues to meet all 39 evidence requirements of the core Investors in People (IIP) Standard.

Many congratulations on achieving a positive assessment outcome set against the backdrop of a major change management programme that included the bringing together of all support services onto one site, the implementation of shared services, as well as remote and home-working.

My thanks go to all those people who took part in the IIP discussions for their frank and honest feedback; thanks also go to those who kindly provided cover enabling interviewees to take part in the IIP discussions. Special thanks must go to Helen Farrell for ensuring that the review process flowed smoothly and trouble free.

Jeannette Stanley, May 2012

Investors in People Assessor

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1 EXECUTIVE SUMMARY

Background

East Herts was last reviewed against the IIP Standard in April 2009. Since the last review the council has been through a number of significant changes including the imposition of austerity measures in line with bringing down the national debt following the comprehensive spending review of October 2010. Furthermore in May 2011, 50 new members were elected to the council who, embracing the programme already underway in terms of new ways of working, introduced a major transformation programme to achieve their new corporate priorities. In January 2012, the previous chief Executive left the council; a new Chief Executive was appointed April 2012.

The change management programme involved a significant amount of staff consultations. All senior posts were affected as the senior management was entirely restructured. Heads of Service affected had to reapply for the new posts with a reduction in number. Some managerial and operational posts were also affected and everyone has been rehired under new terms and conditions. Shared services for Revenue and Benefits has been introduced with one neighbouring authority and all internal audit services are shared county wide. The council is currently exploring shared services for support services with two neighbouring authorities. A members decision to be made in July 2012.

Moreover, the transformation involved the relocation of support staff from across two sites to one site, as well an introduction of home and remote working. The challenging times have required the *resilience*, *resourcefulness* and *creativity* of all involved, supported by an ongoing investment in workforce development.

2 Findings against the requirements of the Standard by Management Theme

Strengths are written under each management theme and opportunities for improvement are identified under the relative sub-heading.

A: Strategic Planning

East Herts has a clear purpose and vision: *To improve the quality of people's lives and preserve all that's best in East Herts.* The vision is supported by a set of strategies for improving performance outlined within the overall corporate strategic plan 2012-2016.

Following the May 2011 elections a new framework of priorities was adopted shaping East Herts' focus and direction:

- *People – Opportunities for everyone to contribute to and access the council's services*
- *Place – Safe and Clean*
- *Prosperity – Improving the economic and social opportunities available to our communities*

The priorities were established as a result of various data analyses based on national policy, community and staff consultations, surveys, focus groups, as well as local demographics under the umbrella of the *Sustainable Community Strategy*.

The corporate strategic plan sets out the direction of travel for the council over a four-year period and incorporates a robust performance management framework to enable the close monitoring and review of outcomes aligned to the three priorities.

The corporate strategic plan, in turn, is underpinned by a number of key service plans to ensure that the strategic plan is delivered alongside the council's medium-term financial plan which also runs over four years reflecting growth and efficiencies.

It was explained that services plans are developed each year for going forward by Heads of Service in which key performance indicators are established to enable progress to be measured along with the medium-term financial plan, forming the council's performance management framework. Also forming a part of the performance management framework is the performance development review (PDR) process which is universally applied to all employees and in which objectives are discussed and agreed that link directly into the service plan(s) and ultimately to the council's priorities.

Senior managers went on to explain how performance indicators are tracked, measured and reviewed at least monthly as part of the corporate health-check, some quarterly and others annually. The corporate health-check is reviewed by the corporate management team together with accountancy as service budgets are monitored before being reviewed by the Executive and the council's Corporate Business Scrutiny, Environment Scrutiny and Community Scrutiny committees.

In terms of people strategies, senior managers described how workforce planning is strategically driven *from the top* ensuring that the council *has the right people, with the right skills and knowledge in the right jobs, at the right time* in order to deliver high quality services in a time of great change and restricted resources. Effective implementation of workforce strategies has been fundamental to change the way that the council works including the introduction of shared services, remote working and the relocation of support service staff onto one site. Furthermore, workforce planning required the entire senior management team to be restructured throughout with the number of Heads of Service has being reduced. Consequently affected Heads of Service had to re-apply for the new posts, which had bigger and remits. New terms and conditions of employment have also been introduced throughout the council to ensure fairness and equality and a revised PDR scheme has been launched.

In terms of staff engagement, communication and consultation arrangements and in particular regarding the council's transformation, approaches included a C3W focus group with representatives of staff from each section. Heads of Service also gave regular presentations to staff, liaison with UNISON during the programme was described as *regular and productive*; consultation booklets were distributed to staff.

People described a variety of ways in which they contribute to developing the council's objectives and corporate priorities. A lot of project work has been linked to the council's transformation where people had responsibilities for certain aspects to lead on specific pieces of work.

Interviewees also confirmed that the PDRs are directly linked the service plan(s) when they are involved in agreeing team and individual objectives. People generally described the PDR as a positive and meaningful experience as the discussion provides an opportunity to *look at where we're going as well as personal development*.

Opportunities for improvement

At the time of writing the council had very recently appointed a new Chief Executive. Furthermore, as the transformation is nearing its completion there are still many more challenging times and changes to face ahead. Now is an appropriate time to re-assess consultation arrangements with representative structures to make sure that constructive relationships exist and they are consulted when developing the council's strategic plans.

More than one individual referred to the PDR as a being *tick-box* exercise, however it was difficult to determine the exact reasons why. Consider raising the profile of individual ownership and responsibility higher to ensure the quality of the PDR enables people to *get the best from* the valuable time set aside by managers.

B: Effective Management

The change management programme required the relocation of staff previously based across two sites to one, as well as the introduction of home and remote working and shared services. The significant amount of change has also required *innovation, resilience and resourcefulness from all*. As such the Chief Executive, Directors and Heads of Service invariably explained the necessary capabilities required to lead, manage and develop people effectively in line with the council's priorities and transformation. Capabilities are defined within managers' job-descriptions, as well as within the PDR process to ensure there is a *focus on doing the best they can with the resources available*.

Managers described how they mutually agree objectives within their teams including the support individuals need, as well as any relevant training and development, how they link back to service plans to deliver against the service actions and be measured through the PDRs objectives.

Plans put in place to develop the necessary management capabilities include:

- Managing and Supervising Change
- Personal Resilience
- PDR for Managers
- Project Management
- Home-working
- Recruitment and Selection
- Data Protection
- Employee Engagement
- Performance Management
- Mentoring sessions

A key priority for the council is also to ensure regulatory compliance / corporate governance; as such managers' development plans may include the following:

- Benefits Regulations
- Universal Credits
- Health and Safety
- Risk Assessment
- DDA

Moving forward, plans include talent management and succession planning.

There was also a verbal set of expectations described that centred on having open and honest communications, being supportive, leading by example, helping people to grow, coaching and mentoring.

In addition there are the monthly corporate meetings, *Core Brief*, SMG meetings, bi-monthly DMT meetings, local meetings, plus the PDRs / six monthly reviews, as well as individual one-to-ones and daily interactions. It was often mentioned that management meetings themselves provide excellent opportunities for sharing best practice, working across teams in an integrated, holistic manner with a focus on maintaining, improving services, as well as on growth and efficiencies.

Discussions with people in non-management positions were very clear on what they expected of a good manager through induction discussions. They also provided a set of verbal expectations in line with those of managers including being accessible, actively listening and taking effective actions and being understanding.

There were many examples of very good and excellent, tailored support which have resulted in as smooth a transition through the changes as possible whilst maintaining and delivering high quality services. The application of the PDR and objective setting process has greatly improved since the last IIP review, together with the number of interim one-to-ones taking place. These are well-structured sessions where any issues may be discussed and include a focus on moving forward. There are also local team meetings to collectively discuss progress and performance, as well as support provided for development. There are many daily interactions in which colleagues are encouraged to share experience, information and knowledge within the team. Overall, the majority of people were positive in their responses to questions on management effectiveness and in terms of their expectations.

Comments include:

- *We're all in the same boat*
- *It's a very open-style with clear direction from CMT*
- *We have to take difficult decisions but the support's always there for you*
- *I feel very lucky, there's a lot more variety now and it's more interesting even though it's demanding and very pressured*
- *I have a high level of autonomy in my role, it's based on trust, it's good to know you're valued*

Opportunities for improvement

As a result of the significant organisational changes that have taken place including a period of time when the council was without a Chief Executive, the key priority is for East Herts to stabilise the top-team.

A very small number of people from across more than one area (who were also mainly office-based) indicated that the *Core Brief* was a one-way flow as it's communicated to them by email without any additional verbal / local input.

A number of people commented that the PDR was seen to be less than worthwhile as some managers are perceived to be better than others in setting smart objectives. Pressures of work and lack of time also appeared to impact on the quality as others described the process as a *tick box* exercise. Line-managers need to fully own their responsibilities as well as manage expectations by making sure that staff also jointly-own the PDRs and by making sure that the process is *fit for purpose*.

Others commented on the rigidity of the PDR process.

C: Culture and Communications

The CMT was described as being very open and receptive to upward feedback. Quarterly staff briefings raise awareness and encourage questions. Directors continue to hold open-sessions for people to drop-in and put forward ideas and suggestions, as well as raise any matters of concern. The Chief Executive and Directors all operate *an open management style*.

Interviewees confirmed that they *have a voice* in the decisions made that concern their day-to-day responsibilities. In terms of general communication and other opportunities for involving people, examples include:

- *Core Brief* following CMT meetings
- Whole staff, CMT, SMG, DMT and local meetings
- Community projects / partnership working arrangements
- Local Joint Panel meetings held between council members and UNISON
- Intranet and web-site
- Biennial staff survey
- PDRs and one-to-ones
- Daily interactions

Moreover, there are many ways within the council to capture people's ideas and feedback for continuous improvement that include focus and project teams and the transformation arrangements. Home and remote-working has brought its challenges, together with many benefits. Many managers are making creative arrangements to suit different people's differing needs including a demand and reliance on IT which is ever growing.

Consultation and communication arrangements are viewed positively and on the whole are seen to work very well despite the council undergoing significant changes. By far the majority of people are involved in regular team meetings. There were some reports from some areas to indicate that meetings have not been taking place, or reasons why they hadn't been occurring as expected. *If we're not going to meet for a period of time we should be given clear reasons.*

The majority of people felt very encouraged by line-managers to share information, ideas and learning outcomes within local meetings and in informally across teams as the council's open-plan working environment actively promotes and supports this form of engagement.

Opportunity for improvement

A small number of people commented that the *Core Brief* lacked interesting and useful information as it appeared to communicate *what we know already*. It was also suggested that the quality of the content could be improved and be less be *instructional*.

A few people commented on a lack of team meetings.

D: Developing People

Running in tandem with strategic and service planning is workforce planning and workforce development when key matters are factored into the process to ensure capability to deliver the strategies.

Each year a corporate training plan is developed and communicated, based on strategic needs and needs that arise through the PDRs. Themes are identified by HR for example covalence training, as well as through the service and budget setting process. Workforce development priorities recently included change management, personal resilience training and home-working in order to equip people to manage change effectively, manage expectations as well as manage having difficult conversations. An ongoing key training priority is the up-skilling of people on the ICT help-desk to resolve issues as a first part of contact and ultimately encourage residents to *self-serve* electronically.

Learning and development activities are driven by council's need and evaluated for impact on service delivery and ultimately the three priorities. *The corporate plan is our vision, the service plan is how we're going to get there and the PDR links our learning, as well as performance objectives to overall priorities.* It was explained that the PDR process is based on a cascade that starts at the strategic level and filters through the council via objective setting to the individual level. *It's a very good mechanism for moving forward.*

Resources supporting the delivery of corporate training plan include a central budget that is managed by HR, as well as training budgets agreed for each of the services that are closely monitored as part of the overall monthly health-check when performance indicators and financial matters are reviewed by the CMT. Good use is also made of the vast amount of internal expertise and skills during team meetings, via presentations when relevant learning outcomes are shared, as well as through project work as development activities are tailored to specific work-based needs.

Other resources supporting development actions continue to be both creative and flexible and include a regional e-learning platform, as well as the many opportunities made available through collaborative approaches adopted between local authorities and other allied agencies such as the police, the NHS and Shelter, for example. CPD is actively supported in line with requirements for those employed in legal and technical positions; senior managers actively support development through mentoring sessions as well as through talent management forming part of the council's succession planning.

In order to ensure that learning and development is effective and applied in practice, there is an onus on line-managers to hold pre and post training discussions, as well as review development activities within the PDRs. Training feedback forms continue to be completed and sent to HR where learning is categorised into events to determine whether any common issues or themes have emerged. *We also look at "near misses" that is those who haven't achieved their objectives to see if we need to either change our provider, as well as to continuously improve our provision.*

People's comments regarding learning and development include:

- *Learning is ongoing as we're regularly updated on any key policy and legislation changes, and we have our technical training so long as it's relevant and justifiable*
- *We're very good at sharing in our team and training is very good, I've been on some fabulous courses.*
- *The resilience course was the best course ever!*
- *We've had pathfinder and mystery shopper courses – they were very good networking opportunities but also extremely useful for improving customer service*
- *Data protection is a hot topic at the moment now we've home-working*

East Herts induction process is seen to be effective, tailored and supportive and phased to include corporate, departmental and job-specific elements, particularly surrounding the redeployment process is two, four, six and eight weekly reviews have been introduced. Further support is provided through one-to-ones, mentoring, on-the-job training and job-shadowing opportunities, as well as interim PDRs. Risk assessments and health & safety matters are seriously considered, as well those relating equality and diversity.

Opportunity for improvement

It was suggested that service learning and development plans should be re-introduced in the form of *team training plans* to make sure that Heads of Service retain ownership of service learning actions to prioritise learning. The team training plans could then be forwarded to HR for inclusion into the overall corporate training plan.

E: Managing Performance

Throughout the discussions everyone was very clear on their role and how they are able to make a difference to the council. There were many examples of people describing a sense of achievement on delivering excellent customer service and receiving constructive feedback from their respective manager, as well as receiving acknowledgements from other areas including feedback from residents. Other people's examples include ideas and suggestions being taken on board that have helped with the transformation; high levels of autonomy were often reported across the entire council.

There was also a strong sense of loyalty conveyed; many of those interviewed are long-serving and extremely committed to public service. Many described how they are encouraged by managers to provide the best service they can with the resources available.

Employee awards continue and people's contributions are also recognised in feedback received during management, local / team meetings, as well as via emails and in general daily interactions.

Individual performance is measured through the PDRs when objectives are set at the start of the cycle in line with service plans; objectives and progress are monitored in the six-monthly review and achievements and performance are formally measured at the end of the year / cycle. In many areas of the council individuals described best practice examples in the form of having supportive one-to-ones with their manager throughout the year, with mentoring and coaching, where appropriate.

PDR objectives are expected to be smart and measurable whether they are tangible or *soft* objectives for example those set for enhancing community engagement.

There is an extremely robust performance management framework in place and all service plans have performance indicators that arise from residents' surveys, staff consultations, plus process driven measures linked to the strategic priorities. Service plans have clear actions defined and link into the individual objective setting process. The suite of performance indicators and information arising from the financial data analyses form the monthly health-check pack which is reviewed by CMT and then the Executive which meets at least 10 times a year. The health-check pack is also assessed by the Corporate Business Scrutiny, Environment Scrutiny and Community Scrutiny committees. The corporate training budget flags up any over or under spend.

Performance improvements described include:

- Quarterly HR reports inform action plans
- Flexible working arrangements are making the most of resources available in line with priorities identified for growth and efficiencies, including the introduction/exploration of shared services
- Remote and home-working has enabled the relocation of staff from two to one site by freeing up vital space, overheads and facilities
- The council was a trail-blazer for home-working arrangements which have demonstrated an increase of productivity of 20% and a fall-off in absence levels
- The council is now handling 30% more business in the benefits section without having invested too many additional people; volumes have increased disproportionately to the level of resources put in as people are working smarter
- Sickness and absence rates have dropped from 6.8% to 5.5% which is good for local government
- Coming out of the transformation programme, morale and motivation levels are improving, including work-life balance
- The quality of service delivery has remained high throughout the change management process
- A new PDR format has been launched and is now monitored closely in terms of application, as well as evaluated in terms of quality of outcomes
- Staff surveys continue to inform improvements in terms of culture, communication and working practice

Moreover, discussions with the Chief Executive, members of the CMT and SMG revealed ongoing plans for continuous improvement that include workforce development, recognition, talent management in line and underpinning East Herts vision *To improve the quality of people's lives and preserve all that best in East Herts.*

Future support opportunities

Interactive www.investorsinpeople.co.uk/interactive

Diagnostic surveys www.investorsinpeople.co.uk/mediaresearch/tools

Health and Wellbeing www.investorsinpeople.co.uk/healthandwellbeing

Please also refer to the EMB Excellence Ltd's website www.iipcentralengland.co.uk for workshops, events and celebrations

Appendix 1 – Suggested Continuous Improvement Plan

Business Issue - What	Suggested Actions – How	Potential Benefit - Why	Priority - When	Solutions/Support Available - Who
Strategic Planning	<p>Consider re-assessing consultation arrangements with representative structures. to make sure that constructive relationships exist and they are consulted when developing the council's strategic plans.</p> <p>Consider raising the profile of individual ownership and responsibility higher to ensure the quality of the PDR enables people to <i>get the best from</i> the valuable time set aside by managers.</p>	<p>Could help foster more constructive relationships than currently exist, as well as improve consultations arrangements.</p> <p>Improved quality of PDR, objective setting and performance management; greater ownership at individual level.</p>		
Effective Management	<p>A key priority is for East Herts to stabilise the top-team.</p> <p>Ensure that the <i>Core Brief</i> is accompanied by a verbal brief and allows for two-way discussions.</p> <p>Continue evaluating the quality of PDRs' application for improvements.</p>	<p>Much needed stability after a time of great change could help improve staff engagement and raise confidence levels, as well as morale.</p> <p>Improved connections and relationships between managers and teams.</p> <p>Ensures that the council as a whole is managing performance effectively, at all levels.</p>		

Culture and communication	Consider refreshing / revitalising the <i>Core Brief</i> Managers to commit to regular team meetings.	To improve the quality of content, making it more informative, meaningful and interesting to read Provides opportunities to collective discuss, review and improve performance; also to collectively forward plan, share ideas and information, as well as learning outcomes.		
Developing People	Re-introduce <i>team training plans</i> .	Ensures that Heads of Service retain ownership and are able prioritise learning actions.		

Appendix 2 – Assessment results summary

The Investors in People Framework

The Evidence Requirements

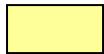
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The number of evidence requirements met is 39

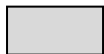
Key:



The Core Investors in People Standard



Your Choice from the IIP Framework



Not part of the Investors in People Framework

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EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE – 11 JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

JOB EVALUATION FOR SENIOR MANAGERS

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To introduce a job evaluation process for Chief Executive and Chief Officers and to review the Hays job evaluation process for Heads of Service

<u>RECOMMENDATIONS FOR Human Resources Committee: That:</u>	
(A)	the Hays job evaluation process be adopted for Chief Executive and Chief Officer Roles be approved; and
(B)	A job evaluation review be completed for Head of Service roles, be approved

1.0 Background

- 1.1 The Council is a member of the Local Government Employers association for national collective bargaining in respect of chief Executives, Chief Officers and other employees. There are separate negotiations and agreements in respect of each of these three groups. It is the Council's policy to implement national agreements. Chief Executive and Chief Officers are under the JNC conditions of service including pay. All other employees are under the NJC national agreement on pay and conditions of service.

- 1.2 All employees other than Chief Executive and Chief Officers (grades 1/2 to 13) have their basic pay determined by a job evaluation scheme (the Hay scheme) which ensures that different jobs having the same value are paid at the same rate. The “job score” determines the pay scale for the job range within which there is provision for progression by annual increments until the top of the pay scale is reached.
- 1.3 Chief Executive and Chief Officer posts are paid on a spot salary basis (external advice on pay is sought on appointment) and the posts have not been job evaluated.
- 1.4 The Councils’ 2012 Pay Policy Statement states that consideration will be given to a job evaluation scheme for Chief Executive and Chief Officers during 2012/13.
- 1.5 The Council is currently exploring shared support services with North Hertfordshire District Council and Stevenage Borough Council and therefore consideration of their current job evaluation schemes will be taken.

2.0 Report

- 2.1 East Herts Council is keen to establish a fair salary level for the Chief Executive, Chief Officer and Head of Service roles that is underpinned by a robust job evaluation and is in line with benchmark pay. The Council would like to use this opportunity to introduce a job evaluation process for Chief Executive and Chief Officers and to also carry out a broader evaluation and salary benchmarking exercise, which will include the Heads of Service.
- 2.2 The current grading structure goes up to grade 13; however, some of the Head of Service roles have grown beyond this grade, as accountabilities have been shared over a smaller number of roles following the senior management restructure. As part of the restructure of senior management the new Head of Service roles were evaluated and came back above the current grade 13. This review will focus on the options available to the Council to consider.
- 2.3 It is proposed that robust job evaluations are carried out for Chief Executive, Directors and Head of Service roles and benchmark salary data is provided to the Council with data about the level of

which other authorities remunerate roles of this size. This will include:

- A fair process by which to agree on remuneration for senior staff, underpinned by a robust job evaluation methodology that is clear, equitable and defensible.
- Provision of pay benchmarking data that is representative of the salaries provided by a broad range of other local authorities.
- The ability to move towards aligning job evaluation and reward processes in the future between East Herts, North Hertfordshire and Stevenage in order to minimise bureaucracy and create clarity for staff regarding pay arrangements.

3.0 Job Evaluation schemes

- 3.1 East Herts has considered two job evaluation schemes, Hays and LGA when scoping this piece of work. Essential Reference Paper B sets out the comparisons made between both schemes.

4.0 Conclusions

- 4.1 It is proposed based on the comparisons made that the Hays scheme is introduced for job evaluation of the Chief Executive and Chief Officer roles, ensuring that compatibility with the Council's existing job evaluation scheme and pay benchmarking is maintained.
- 4.2 Extending the use of the Hays scheme to chief officer levels will also provide the Council the ability to move towards aligning job evaluation and reward processes between East Herts, North Hertfordshire and Stevenage Councils in order to minimise bureaucracy and create clarity for staff regarding pay arrangements.
- 4.3 It is proposed that the Head of Service roles are re-evaluated as part of this review by Hays and benchmark salary data is provided to give the Council information about the level of which other authorities remunerate roles of this size.

3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - none

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	Heads of Service have been informed of the proposals and their views taken into consideration. Unison have been consulted on the proposed process. Local Joint Panel on 13 June 2012 discussed Unison's comments on the proposals made. Unison recommendation is that the Hays scheme is used for evaluation of the Chief Executive and Chief Officer roles
Legal:	None
Financial:	As detailed in the report
Human Resource:	As detailed in the report
Risk Management:	A risk of employee relation issues if the job evaluation process is not fair and robust.

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Comparison of both schemes

	Hays	LGA
Scheme	Know-How, Problem Solving, Accountability	Knowledge, Analysis and Planning, Impact and Effect of end results
	Well established scheme	New scheme
Roles covered by scheme:	All roles and levels of posts	Chief Officer level only
Current grading scheme	Yes	No
Comparisons with current scheme for HoS	Yes (as already Hays)	No (new evaluations using LGA, although comparisons could be made)
Consistency of approach with lower grades	Yes	No
EHC HR staff trained in scheme	Yes	No
Knowledge	public and private	Bespoke to LG chief officers roles
Supported by EHC Unison	Yes	No
Used by NHDC, SBC	Yes (NHDC only)	No
Ability to move to alignment in shared services	NHDC uses Hays for all levels	Scheme not currently used
Market benchmarking provided	Yes regional and national data	Yes regional and national data
Comparisons with local authorities	Yes	Yes
Cost	Approx £8,695	Approx £4K

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MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 13 JUNE
2012, AT 2.30 PM

PRESENT: Councillor M Wood (Chairman)
Councillors M Alexander and L Haysey

ALSO PRESENT:

Councillors J Ranger and Farley

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Emma Freeman	- Head of People, ICT and Property Services
Alan Madin	- Director of Internal Services
Jaleh Nahvi	- Human Resources Officer
George A Robertson	- Chief Executive and Director of Customer and Community Services

ALSO IN ATTENDANCE:

Paul Farley - UNISON

1 **REDUNDANCY AND APPEALS POLICIES**

The Secretary to the Employer's Side submitted a report setting out revisions to the Redundancy and Appeal Policies. The Staff Side expressed concern that they had not had sufficient time to review these policies and the Bullying and Harassment Policy elsewhere on the

agenda. The Secretary to the Employer's Side explained that deadlines in their submission for comment had been observed. Staff Side disagreed adding that there had been very little time – only four working days, to review four difficult and detailed policies in order to give them the time they deserved.

To facilitate debate, the Director of Internal Services suggested that these policies be submitted to Human Resources Committee subject to both sides resolving any anomalies in advance of the meeting. In the event that issues cannot be resolved, then the Policies would be referred back to Local Joint Panel for further consideration.

Staff Side expressed concern regarding proposed changes in the Redundancy Policy to the Multiplier (of 2.6). Concerns were also expressed in relation to paragraph 1.3 of the report now submitted whereby the proposed revised policy would "... not form part of employees' terms and condition of employment".

A Member referred to the statutory minimum and that the Council had improved upon this, adding that East Herts Council was more generous than other Councils. The Secretary to the Employer's Side stated that with shared services, there was a need to review and harmonise policies.

Staff Side expressed concern that the Redundancy and Appeals Policies were more about organisational change and that redundancy issues were given secondary consideration. They urged the Panel to provide UNISON with more time to review the Policies adding that any suggestion to review the multiplier would not be supported, as there was no reason to reduce this. Paul Farley (UNISON Regional Organiser) stated that the multiplier was not too generous as thought by the Employer's Side and that any change would be detrimental to those who might be made redundant.

The Director of Internal Services explained that the Council was looking at anomalies between the three Councils and of the need for consistency between the three Councils. He stated that it was not about reducing the 2.6 multiplier rather having three Councils with “common factors”.

The Panel supported a suggestion that the Redundancy and Appeals policies be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues could not be resolved then the Policies would be referred back to Local Joint Panel for further consideration.

RECOMMENDED – that the Redundancy and Appeals policies be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues cannot be resolved, then the Policies be referred back to Local Joint Panel for further consideration.

2 **BULLYING AND HARASSMENT POLICY**

The Secretary to Employer’s Side submitted a report outlining revisions to the Bullying and Harassment Policy and Dignity at Work Statement. The Secretary to the Employer’s Side outlined the key changes.

Staff Side stated that they had been given insufficient time to consider the policy or its implications. To facilitate debate, the Director of Internal Services suggested that these policies be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues cannot be resolved, then the Policies would be referred back to Local Joint Panel for further consideration.

Staff Side sought clarification on when informal as opposed to formal approaches should be used and of the

difficulties managers might face in deciding what constituted bullying or harassment. The Employer's Side referred Members to the report where the use of the formal procedures would apply. Members requested that managers be provided with appropriate training. The Panel supported this suggestion.

Staff Side referred to the Dignity At Work Statement commenting that everyone had a right to be treated with dignity and respect and that this should be included in the Statement.

A Member referred to electronic bullying. The Secretary to the Employer's Side stated that a Social Media Policy would be drafted.

Members supported the suggestion that all complaints (including informal) ones, should be logged.

The Panel supported a suggestion that the Bullying and Harassment Policy, as amended, be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of the meeting. In the event that issues cannot be resolved, then the Policy would be referred back to Local Joint Panel for further consideration.

RECOMMENDED – that the Bullying and Harassment Policy be submitted to Human Resources Committee subject to both sides resolving any anomalies in advance of the meeting. In the event that issues cannot be resolved, then the Policy be referred back to Local Joint Panel for further consideration.

3 **RECRUITMENT POLICY**

The Secretary to the Employer's Side submitted a report detailing revisions to the Recruitment Policy. It was noted that the Policy had last been updated in 2003.

A Member referred to the use of Manpower which had helped the Council reduce its recruitment costs and to the use of Talent Pools by some organisations. The Secretary to the Employer's Side confirmed that the Council was exploring the use of the regional portal and the facilities it had to offer. Officers would also be exploring what processes were used by both North Herts and Stevenage in terms of recruitment approaches.

Paul Farley referred to cross boundary recruitment approaches by the Police in terms of Cambridge and Bedfordshire. In response to a query concerning positive active recruitment in terms of ethnicity and disability, the Secretary to the Employer's Side confirmed that statistics were monitored.

The Panel supported the revised report.

RECOMMENDED – that the revised Recruitment Policy, as now submitted, be approved.

4 **REVISED FLEXIBLE WORKING SCHEME**

The Secretary to the Employer's Side submitted a report outlining revisions to the Flexible Working Policy. Staff Side referred to the fact that the flexi-time scheme was contractual and concerns were expressed regarding this specific bullet point, set out in the report now submitted. The Secretary to the Employer's Side stated that she was not aware of the exact wording in the original policy and would need to review this. A Member explained the benefits of the flexi-time scheme from an employee and employer's viewpoint.

The Panel supported the suggestion that bullet point seven, in the report now submitted, referring to the flexitime scheme as not being contractual, be deleted.

RECOMMENDED – that the revised Flexible Working Scheme, as now amended, be approved.

5 STAFF AND MEMBER CAR PARKING - REVIEW

The Head of Customer Services and Parking submitted a report outlining a policy for consideration regarding staff and member car parking, the detail of which was set out in the report now submitted.

A Member commented on the difficulties in parking at Wallfields when a bowls match was in progress. It was suggested that the layout of the car park be reviewed in order to make more spaces available. The Secretary to the Employer's Side referred to the use of Bentley House car park. She stated that this building was presently unoccupied but this would impact negatively on the Council when the building was occupied. It was noted that staff could use parking at Grange Paddocks free of charge.

The Chairman agreed that the Bentley House building and the summer holidays was having a positive effect in terms of car parking availability.

The Panel recommended support of Option (1), as detailed in the report now submitted, as a policy to be adopted for staff and member car parking.

RECOMMENDED – that the Council adopt Option (1), as detailed in the report now submitted, as a Policy for staff and Member parking.

6 APOLOGIES

Apologies for absence were received from Councillor A Jackson and Brenda Dodkins.

7 MINUTES

It was noted that Chris Clowes had recently resigned from representing the Staff Side (UNISON).

RESOLVED – that the Minutes of the meeting held on 6 December 2011 be approved as a correct record and signed by the Chairman.

8 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

It was moved by Jane Sharp and seconded by Councillor M Alexander that Councillor M Wood be appointed Chairman for the Civic Year 2012/13. The appointment of Vice Chairman was deferred to the next meeting of the Local Joint Panel.

RESOLVED – that Councillor M Wood be appointed Chairman for the Civic Year 2012/13.

9 RESTRUCTURE UPDATE

The Secretary to the Employer's Side submitted a report providing a summary of the outcomes of all recent restructures including the total number of voluntary and compulsory redundancies, early retirements / resignations resulting from restructures during the civic year 2010/11. In summary, 43 members of staff had left the Council. Staff Side stated that in relation to voluntary redundancies, these people had left the Council because of the move to Hertford. The redundancies were not strictly speaking voluntary since due to personal circumstances e.g. child care arrangements, it was impossible for some individuals to travel to Hertford.

The Panel received the report.

RESOLVED – that the report be noted.

10 SENIOR MANAGEMENT APPOINTMENTS, GRADING AND TERMINATION

The Secretary to the Staff Side submitted a report concerning issues which Unison considered relevant to the efficient operation of the organisation which had arisen when the Chief Executive had left the authority by mutual agreement and of

how UNISON might support the selection process in appointing senior managers.

Paul Farley (UNISON, Region) explained that UNISON did not have a Branch Secretary at the moment. He explained that the report questioned whether process had been followed and properly applied, i.e. was someone's employment being terminated correctly? He referred to the need to ensure complete transparency in its dealings in such matters. Paul Farley stated that for UNISON to meet potential Chief Officers prior to being interviewed, might be beneficial to all. He was concerned that the Hay Scheme was used to evaluate some staff, but not all.

A Member felt that meeting potential Chief Officers in advance, might be useful for some candidates and would provide the opportunity for them to evaluate whether the Council was for them.

Staff Side expressed concern that the report author had been asked to revise the report and stressed the need for the Staff Side to be totally independent in its dealings.

Staff Side commented on the lack of communication and keeping staff informed about the absence of the Chief Executive. Staff appeared to be kept up to date via the local press. It was acknowledged that the details of the Chief Executive's absence should be kept personal, but that the matter seemed to be shrouded in secrecy.

The Director of Internal Services confirmed that any comments he had made on the Staff Side's report were only suggestions on style rather than substance and he had stressed that it was a decision for UNISON to accept them or not. He confirmed that due process had been fully complied with throughout, legal advice had been taken and observed. In terms of the Job Evaluation Scheme, he stated that the Local Government Association (LGA) had a scheme which might be helpful for senior appointments and that the merits of this scheme would be assessed against the Hay Scheme.

The Chief Executive and Director of Customer and Community Services confirmed that due process had been followed at all times when the previous Chief Executive had left the council. He pointed out specific statements in the report that were simply factually incorrect and based on conjecture. He was disappointed with the report which he felt was based on ill founded assumptions, gossip and speculation.

Staff Side agreed to the deletion of the second sentence in paragraph 3.2 of the report now submitted.

A Member suggested that the Panel should look forward rather than reflecting on what had happened.

The Secretary to the Employer's Side confirmed that she would continue to look at the Hay Scheme and the LGA Scheme and evaluate the merits of both. Staff Side confirmed that the integrity of the scheme needed to be observed and applied to the whole of the organisation.

RESOLVED – that (A) the report be noted;

(B) Staff Side's preference for the Hay Scheme be noted and be taken into account in determining future arrangements for the evaluation of Chief Officer and heads of service posts; and

(C) Consideration be given as to how staff might be engaged in Chief Officer appointments to allow candidates to gain a fuller understanding of the Council

The meeting closed at 4.30 pm

Chairman

Date

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EAST HERTS COUNCIL

LOCAL JOINT PANEL – 13 JUNE 2012

HUMAN RESOURCES COMMITTEE – 11 JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

RECRUITMENT POLICY UPDATE

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To approve the revised Recruitment Policy

<u>RECOMMENDATIONS FOR LOCAL JOINT PANEL: That:</u>	
(A)	The revised Recruitment Policy be recommended for approval;
<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE:</u> That:	
(A)	The committee approve the revised Recruitment Policy

1.0 Background

1.1 The Council's Human Resources policies are regularly reviewed to ensure they remain in line with current legislation, best practice and are fit for purpose for the organisation.

1.2 This report outlines the changes made to the Recruitment Policy

2.0 Report

2.2.1 Recruitment Policy

2.2.2 The revised Policy is attached at **Essential Reference Paper 'B'**.

2.2.3 Drivers for change

2.2.4 The recruitment policy was last updated in 2003 and needed to be revised to ensure it was fit for purpose and in line with current

legislation.

2.2.5 The Council is currently in contract with Manpower for recruitment administration and temps. The contract is based on a master contract with Hertfordshire County Council (HCC). The master contract is currently out to tender for temps and it is HCC's intention to bring permanent recruitment back in-house. At the tender stage EHC will review the options and a decision will be made and subsequent to this the policy may need to be revised again. However, it is expected that the current arrangement with Manpower will be in place until 31 March 2013 and therefore it was considered appropriate to continue with the policy amendments.

2.2.6 Key changes

2.2.7 The revised policy outlines the recruitment and advertising processes with Manpower.

2.2.8 The Council's commitments to internal staff and those on the redeployment register are reinforced with detail around internal vacancies.

2.2.9 The Council's process of vacancy management is clearly detailed for managers (see section 5 of the policy).

2.2.10 Details on casuals, temps and 'sole traders', volunteers and the associated recruitment processes are given.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	<i>Prosperity</i> This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic and social opportunities.
Consultation:	Consultation has taken place with UNISON and Heads of Service.
Legal:	None
Financial:	None
Human Resource:	As detailed in the report
Risk Management:	None

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East Herts Council

Recruitment Policy

Policy Statement

**Policy Statement No 35 (Issue No 2)
[Month Year]**

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1.0 Introduction

1.1 The objective of recruitment and selection at East Herts Council is to fairly and consistently appoint the best person for the post.

1.2 Our recruitment processes are therefore:

- Based on employment law and best practice
- Flexible to ensure they can be updated
- Designed to ensure that the Authority builds on relevant equal opportunities/diversity best practice

2.0 Scope

2.1 East Herts recruitment procedures apply to all posts within the Council, excluding Chief Officers. The selection process will vary depending upon the post.

3.0 Principles

3.1 The recruitment process will not be discriminatory with regard to race, disability, gender, sexual orientation, age, gender reassignment, religion or belief.

3.2 Most positions will be advertised internally first to encourage internal staff development. Any employees on the redeployment register will be notified of vacancies prior to the general advert and be given priority as set out in the Redeployment Policy. If it is identified that the necessary skills required for the role are unlikely to be met internally, the internal and external recruitment may run concurrently.

3.3 Non permanent vacancies, (for example maternity leave cover or back-filling of vacant hours) should be advertised internally first to give existing employees the opportunity to apply. These vacancies can be filled with fixed term contracts or secondments as applicable. For very short periods or where specific skills are needed it may be more appropriate to use temporary agency staff. See section 11 for more information.

- 3.4 Vacant posts will be advertised with a job description & person specification which have been evaluated in accordance with the Council's job evaluation policy.
- 3.5 Applicants will complete application forms rather than submit CVs. Any CVs that are received will not be considered as part of the recruitment process.
- 3.6 The Council has a contract with Manpower to provide recruitment services. These include recruitment administration, advertising and temporary recruitment. See Appendix 1 further details of the services provided.

4.0 Job Descriptions & Person Specifications

- 4.1 The line manager should consult with Human Resources when reviewing the job description and person specification to ensure consistency.
- 4.2 Before requesting authority to recruit, the line manager of the vacancy should review the current job description and person specification to ensure it is fit for purpose. A copy of the job description and person specification should be sent to Human Resources. Human Resources should be notified if any substantial changes have been made to the Job Description. The job description may be subject to evaluation should any substantial changes be made. If this is the case the Job Evaluation must take place prior to submitting a recruitment request.
- 4.2 Each post must have an up-to-date job description and person specification, which will be used during the selection process.
- 4.3 Selection will be measured and scored against the criteria for the person specification, it is therefore important to ensure this is suitable and up to date.
- 4.4 Line managers should assign 'F(orm), I(nterview) or T(est)' next to each criteria on the person specification, this will inform applicants how they will be assessed for each point. Managers need to split criteria into 'essential' and 'desirable' as this will support short listing.

5.0 Authorisation process

- 5.1 All recruitment is subject to approval by the Corporate Management Team (CMT). This includes permanent, temps, consultants, casual and secondment appointments.
- 5.2 After reviewing the job description and person specification, the recruiting manager (usually the line manager to the vacant position, or another senior manager) must complete a recruitment request form. This form details the business case to fill the vacancy, and outlines any advertising costs. Recruitment request forms must be submitted to CMT adhering to the usual timescales for CMT reports.
- 5.3 Following approval, the recruiting manager should send the approved recruitment request to Human Resources with the job description and person specification and vacancy details (Contractual hours & working arrangements, whether it is permanent, fixed term or a secondment and recruiting manager's contact details and closing date).

6.0 Recruitment & advertising process

6.1 Internal recruitment

- 6.1.1 Internal positions will be advertised on the staff intranet and via a weekly vacancy bulletin that is emailed by Human Resources.
- 6.1.2 The weekly vacancy bulletin is sent to Redeployees on Wednesday and all staff on a Thursday. Recruiting managers must send all the paperwork to HR by Tuesday to ensure inclusion in the bulletin.
- 6.1.3 Positions are generally advertised internally for 2 weeks. In cases where internal recruitment is unlikely and the role needs to be filled quickly this may be reduced to one week.
- 6.1.4 Applicants will be required to complete an internal application form against the person specification and submit it to HR before the deadline. The internal application form is available on the HR pages of the intranet. Prospective applicants for secondments should ensure they have their line manager's approval prior to submitting an application as per the Secondment Policy.

6.1.5 After the deadline, HR will email the recruiting manager with the application forms, short listing grid, interview assessment sheets and statement of employee particulars. The recruiting manager should then proceed to the selection stages as detailed below.

6.1.6 Redeployees will be given priority and will be considered ahead of other internal candidates in accordance with the Redeployment Policy.

6.2 External recruitment

6.2.1 Should internal recruitment be unsuccessful the recruiting manager may proceed to external recruitment provided permission to do so was given by CMT at authorisation stage. In some cases CMT will agree to internal and external recruitment commencing simultaneously. Recruiting managers should contact Manpower (contact details can be obtained via HR) for external recruitment. The service will cover the cost of recruitment.

6.2.2 Recruiting managers must send the recruitment request form, job description and person specification and advert to Manpower. They should then liaise directly with Manpower to determine how best to advertise the position and suitable deadlines for external recruitment. Special consideration to deadlines should be given when advertising during holiday periods. Manpower will also advise on advert placement for specialist roles.

6.2.3 Adverts must clearly state the following information;

- The grade and salary range + local weighting
- Service, team and location of the job
- Job title and reference number (usually the job number)
- Basic outline of the job role and key requirements
- Contractual hours and working arrangements
- Whether the position is permanent, fixed term, secondment etc.
- East Herts District Councils Logo/IIP Logo/ Disability two ticks symbol (all jobs)
- Contact details including email address
- Closing date

TMP (Manpower's advertising agency) can assist with advert design. Alternatively a basic advert template can be obtained from Human Resources.

6.2.4 Manpower has a database of applicants who are suitable for positions such as administration. For these types of vacancies, it is not necessary to advertise the position, recruiting managers can ask for a selection of candidates from Manpower's 'talent pool'.

6.2.5 Manpower will work with the recruiting manager to finalise the advert which can be placed in various media. External adverts will also be placed on the Council's website.

6.2.6 Manpower is responsible for sending information packs to applicants if requested. Packs will include;

- Job Description/Person Specification
- Application Form and Guidance Notes on completing the form
- Key terms and conditions for the post
- Equal Opportunities and related policy

6.2.7 After the deadline, Manpower will send the recruiting manager the application forms, shortlisting grid, interview assessment sheets and statement of employee particulars. Recruiting managers can ask Manpower to do a 'first sift' of applications to rule out any that do not meet the person specification, or can receive all of the applications.

6.2.8 The recruiting manager should now proceed to the selection stages detailed below.

7.0 Short listing & Interviews

7.1 Recruiting managers should follow the selection procedure detailed below for both internal and external recruitment.

7.2 Recruitment panels will consist of at least two members, one male, one female, and in the case of management recruitment panels should be at least three members. At least one member of the panel must be trained by the Council in recruitment and selection. The same panel that shortlists should be used to interview. The line manager for the vacant position should be part of the recruitment panel.

7.3 All stages of the selection process must be written and recorded, panel members should keep notes throughout. When the successful candidate is appointed, the panel should send their records to HR.

7.4 Equalities and Diversity

7.5 Under the Equality Act 2010 the Council has a duty to make reasonable changes for disabled applicants. These are known as 'reasonable adjustments'. Adjustments should be made to avoid putting a candidate at a disadvantage compared to a non-disabled person. A candidate will either specify the reasonable adjustments they require, for example they may ask for a British Sign Language interpreter to be present at the interview. Or they may alert the Council to their condition and request suitable reasonable adjustments. For example a candidate may have dyslexia and managers will need to consider increasing the time given to complete tests. Human Resources can assist and advise managers with these requests.

7.6 East Herts Council is part of the Job Centre's Disability Two Ticks Scheme. Manpower will inform recruiting managers if any applicants have indicated they wish to be considered under this scheme.

7.6.1 The Two Ticks Scheme applies to applicants that have a disability and have indicated on their monitoring form that they wish to be considered under the scheme. It guarantees that applicants will be invited to interview provided that they meet the essential criteria of the person specification.

7.7 Short listing

7.8 The recruitment panel will shortlist the applicants against the criteria detailed in the person specification. Manpower also offer a short listing service, managers may choose to use this, particularly when there has been a large volume of applicants. These will be the only criteria used in the selection process. The panel should use the short listing grid to record the scores of the applicants.

7.9 The panel should score applications 0-3 for each criteria of the person specification (Qualifications, Job Specific Skills, Team Working, Contacts, Service Delivery and Communication).

7.10 The scores equate to the following rating;

3	=	Exceeds requirements of the person specification
2	=	Meets requirements of the person specification
1	=	Below requirements of the person specification
0	=	No evidence of requirements of the person specification

7.11 A total score of 12 or above will indicate that from the information available on the form, the applicant meets the requirements of the person specification and should probably be invited to interview. The score of 12 needs to have come from a wide range of criteria meeting the requirements. Not all criteria will be of equal weight so judgement is required. Those scoring under 12 should normally be rejected.

7.12 After short listing, the panel should use the scores to select for interview. For internal applicants, recruiting managers should invite applicants (a standard template letter can be obtained from HR). For external recruitment, recruiting managers should inform Manpower who will invite applicants to interview on their behalf.

7.13 When inviting to interview, applicants should be informed of the following details;

- Date, time, location and duration of the interview
- Who will be on the panel
- Arrangements for arrival at Council offices, i.e. who to ask for
- The assessment methods, i.e. interview, tests
- To bring proof of their right to work in the UK and relevant qualifications
- Whether they require any reasonable adjustments to be made.

7.14 The candidate must bring proof of their right to work in the UK and relevant qualifications (as stated on their application); copies should be taken before the interview takes place and securely retained by the recruiting manager until appointment is made.

7.15 The panel should meet before the interview to discuss and finalise the questions that will be asked at interview. Questions should be

designed to assess whether the candidate meets the requirements of the person specification. The panel should pay particular attention to whether the person specification identifies how criteria will be assessed using 'F(orm), I(nterview), T(est)'.

- 7.16 The panel may wish to agree and write 'model answers' to their questions prior to interview, to help them to score and assess candidates.
- 7.17 If the panel are using tests to assess the candidates, it is good practice to do a 'mock' before the interview, ensure that the answers are written prior to marking and to decide the weighting the test will place on the overall decision to appoint.
- 7.18 HR can help panels to devise tests and assessments that are fit for purpose and will help to recruit the best candidate to the post.
- 7.19 Panels should ensure interviews and assessments run on time, and that candidates are given sufficient time to prepare, time to complete and breaks. Interviews should last between 40 minutes to an hour. It is advised that the maximum amount of interviews scheduled for one day is 6.
- 7.20 Every member of the panel should take notes during the interview and individually score the candidates to the following ratings;
- 5 = Exceeds specification
 - 4 = Fully matches specification
 - 3 = Matches specification well, with only slight discrepancies
 - 2 = Matches specification fairly well, but with weaknesses in some aspects.
 - 1 = Matches specification in some respects, but with important omissions.
 - 0 = Does not match specification
- 7.21 An offer of appointment will be made to the candidate who scores the highest in interview and any tests if applicable. If none of the candidates meet the requirements of the role the panel is not obliged to offer the job. In this situation the recruiting manager should speak to HR to discuss the next steps for recruitment.

- 7.22 If the successful applicant declines the offer of appointment, the recruiting manager should consider offering the position to the person with the next highest score at interview stage. If there are no other suitable applicants the recruiting manager should seek advice from HR.

8.0 Selection & appointment process

- 8.1 When the panel has decided who to appoint to the post, the recruiting manager should contact the successful applicant and offer the appointment. They should inform the applicant that at this stage the offer is conditional on satisfactory reference, medical clearance and CRB (if applicable), and that they should not hand in their notice to their current employer until HR have sent an unconditional offer of employment in writing. The recruiting manager should also discuss and agree the starting SCP and salary with the applicant.
- 8.2 Recruiting managers must then complete a statement of employee particulars (available on the intranet) detailing contractual entitlements and send to HR. Recruiting managers should check any details they are unsure of with HR, as this document will be used to write the appointee's terms and conditions. Recruiting managers must attach the successful candidate's application form, interview assessment sheets, copies of their right to work in the UK and qualifications to the statement of employee particulars.
- 8.3 For internal positions, the recruiting managers should inform the unsuccessful candidates (a standard letter can be obtained from HR). For external recruitment, Manpower will contact the unsuccessful candidates. It is advised that unsuccessful candidates should only be informed after the successful candidate has verbally accepted the offer of appointment. This will allow recruiting managers to offer the position to the next candidate should the first choice decline or withdraw their application.
- 8.4 The recruiting manager should retain their interview notes in order to provide feedback to any successful candidates for a few weeks. All selection paperwork must be sent to HR, including checks of the candidates' right to work in the UK and qualifications. HR will retain the paperwork for 1 year after the closing date and then destroy it as confidential waste.

9.0 Pre employment checks

- 9.1 Offers of appointment are conditional upon receipt of two satisfactory references (one from the current employer), medical clearance and CRB clearance (if applicable). Successful candidates must be informed by the recruiting manager and HR not to give notice to their current employer until they receive an unconditional offer of employment in writing.
- 9.2 Should the recruiting manager or HR deem the pre-employment checks unsatisfactory, the manager should liaise with HR for advice on how to proceed. It may be appropriate to seek a third reference or arrange a medical consultation with the Council's occupational health provider. Conditional offers of appointment may only be withdrawn in agreement with HR, in which circumstances an offer will be made to the next highest scoring candidate.

10.0 Transition from non-permanent to permanent

- 10.1 In some cases a non-permanent vacancy may develop into a permanent post. For example an employee may be appointed to cover maternity and then the substantive post-holder may choose not to return to work. In these situations managers must seek approval from CMT prior to making the post permanent. In requesting this, the manager must demonstrate that they are complying with the principles detailed in section 3 of this document.
- 10.2 The post will also be advertised internally unless the incumbent employee went through a selection procedure as outlined in this policy (or the Secondment Policy) then they may be made permanent without advertising the post again. The Council must ensure there are two references and medical clearance for the individual.

10.3 Casuals

- 10.4 Casual employees are those on a 'zero hours' contract who are asked to work as and when the service needs. There is no obligation on behalf of the Council to provide work and no obligation on behalf of the individual to accept work offered.

- 10.5 Casual employees will be subject to the same recruitment process and pre-employment checks as described above.
- 10.6 If casual employees wish to become a permanent member of staff they must apply for vacant positions following the recruitment processes detailed above. Casual staff may apply for vacancies at the internal vacancy stage.

11.0 Temps

- 11.1 A 'Temp' is defined as an agency worker supplied by an agency to fill a temporary vacancy. The individual is not an employee of East Herts Council and the agency will invoice the service for any hours worked. This is different to those individuals employed by East Herts Council on Fixed-Term or 'Temporary' Contracts.
- 11.2 If a recruiting manager has a short term vacancy to fill (i.e. to cover long term sick leave) it may be appropriate to use a Temp to fill the role. Managers must obtain CMT approval to fill a vacancy as described in section 5.
- 11.3 To hire a temp to fill a vacancy, the recruiting manager should contact and liaise with Manpower directly. See the HR pages of the intranet for the temporary recruitment process.
- 11.4 Temps should be used to fill short-term vacancies and in general should not be in place for longer than 12 weeks. Temporary workers who work beyond 12 weeks are entitled to the same terms and conditions as other employees, in accordance with the Agency Workers Regulations (2010). Managers considering keeping a temp on beyond 12 weeks should contact Human Resources for advice.
- 11.5 If temps wish to become permanent members of staff they must apply for vacant positions following the internal or external recruitment as detailed above.
- 11.6 Temp positions that become permanent through EHC recruitment processes are subject to an agency placement fee.

12.0 Consultants and 'Sole Trader' Contractors

- 12.1 If a recruiting manager has a short term project which requires specialist skills, it may be appropriate to use a Consultant to fill the role. Managers must obtain CMT approval to engage a consultant. This is not a recruitment request but rather a report to CMT outlining the business case for hiring a consultant. Advice should be sought from Human Resources and Procurement to ensure the role is suitable for a consultant. Depending on the nature of the appointment it may be necessary to follow procurement regulations rather than follow the process outlined below. These can be found on the intranet under Procurement.
- 12.2 Manpower can assist with the hiring of consultants. This would be subject to a placement fee which should be negotiated in advance. Managers may also use other agencies for consultants.
- 12.3 To become a permanent, salaried employee, Contractors and Consultants must apply for a vacant position via internal or external recruitment.
- 12.4 Sole traders or small businesses where an individual is working as a contractor or consultant for all or most of their employment may be entitled to employment rights in the same way as temporary staff. It is the responsibility of the commissioning manager to make adequate checks. Human Resources should be consulted where this is likely to be the case.

13.0 External secondments

- 13.1 External secondments will be subject to the appointment procedure as described in the Secondment Policy.
- 13.2 If the external secondment becomes a permanent vacancy (e.g. the employee does not return from maternity leave), the post may be offered to the external secondee without advertising internally or externally provided that the secondee has already gone through a recruitment procedure and the principles detailed in section 3 are complied with.

14.0 Volunteers

- 14.1 If a recruiting manager would like to use volunteers in their service, they must contact HR for advice and read the Council's Volunteer Policy for further information

15.0 Work experience & Work placements

- 15.1 Work experience placements are dependant on the services capacity to support them. If the service would like to provide a work experience placement, they should contact HR to complete the necessary paperwork.
- 15.2 The Council can only support unpaid work placements where the student is undertaking work experience as part of a UK further or higher education course. Managers interested in pursuing this should contact HR for further information.

16.0 Administration

- 16.1 All recruitment and selection paperwork will be retained by HR for one year after the deadline for applications, it will then be destroyed as confidential waste.
- 16.2 The new starter process is outlined in Appendix 2, HR will contact the line manager directly to ensure this is followed.

17.0 Policy Review

- 17.1 This Policy shall be reviewed after two years or sooner in line with legislation and best practice to reflect the best possible level of support and management.

Manpower Services

Scope

Manpower provide recruitment services for all staff except Senior Management (defined as Heads of Service, Directors and Chief Executive).

Recruitment services – an integrated approach

The Recruitment Service provided by Manpower on behalf of East Herts integrates all the Council's people resourcing requirements, both temporary and permanent, into one Outsourced contract. The service is the single point of contact for applicants, temps and hiring managers.

Permanent recruitment

Manpower will provide administrative support, advertising advice (via their contractor), advertising placement. They can also provide short listing services if required.

In addition to permanent appointments, this also includes temporary appointments of more than 3 months, fixed term contracts and secondments, where the person appointed will be on the Council's payroll.

Talent Pool

Manpower have a talent pool of candidates which can be used to recruit candidates for more generic roles. This search is included in the administration fee and can save on unnecessary advertising costs.

See the recruitment pages on the intranet for the Permanent Recruitment Process

Temporary recruitment

The Manpower contract includes a Master Vendor arrangement for the provision of all temporary, casual agency staff, Interims and Locums.

The business can be broken down into three key areas:

- Admin/General temps
- Customer service temps
- Specialists, locums and interims

The temps from the first two areas will be usually be supplied from Manpower's Recruitment Centre database. Where Manpower cannot source temps from their own databases other agencies will be used through a master vendor agreement.

For further information please see the recruitment pages on the intranet for the Temporary Recruitment Process

Consultants

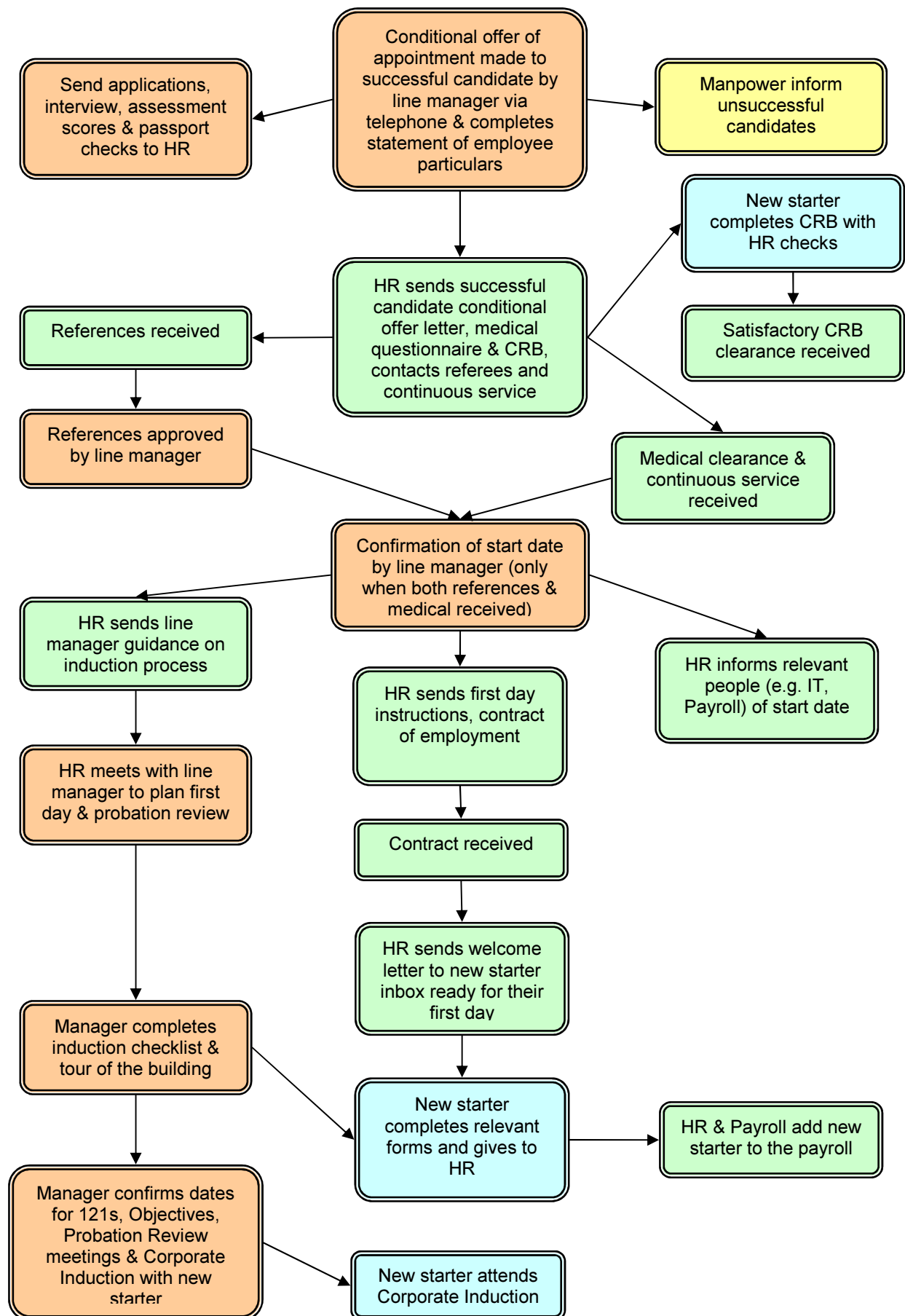
Manpower are able to assist with the recruitment of consultants. Managers who wish to appoint consultants should seek advice from HR to ascertain whether this is the correct route. Consultants recruited through Manpower will be subject to a finders fee from Manpower. This should be negotiated at the start of the campaign. In all cases when procuring external service, Managers must be mindful of the Council Financial and Procurement Regulations. These are part of the Council's Constitution and can be found on the intranet under 'Procurement' at <http://www.eastherts.gov.uk/intranet/index.jsp?articleid=7383>

Redeployment

Manpower offer assistance with redeployment, including access to Hertford County Council's redeployment register.

Additional services may be procured from Manpower to assist employees at risk of redundancy. These include

- job hunting/self marketing training and coaching
- training in completion of application forms and CV's and interview practice/ techniques
- mentoring



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EAST HERTS COUNCIL

LOCAL JOINT PANEL - 13 JUNE 2012

HUMAN RESOURCES COMMITTEE - 11JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

REVISED FLEXIBLE WORKING POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To approve the revised Flexible Working Policy

<u>RECOMMENDATIONS FOR LOCAL JOINT PANEL:</u> That:	
(A)	The revised Flexible Working Policy is recommended for approval;
<u>RECOMMENDATIONS FOR HUMAN RESSOURCES COMMITTEE:</u> That:	
(A)	The revised Flexible Working Policy be approved

1.0 Background

- 1.1 The Council's Flexible Working Policy was last reviewed in 2009. The Council's programme of policy review is after two years or sooner in line with legislation and best practice.
- 1.2 Since the Flexible Working Policy was first written, the Council has been through the C3W project and embraced home and flexible working. In addition, formal policies covering home working, job share and flexible retirement have been created which were previously incorporated in the Flexible Working Policy.

- 1.3 The new policy has also been updated to reflect recent changes in legislation. The full scheme can be found at **Essential Reference Paper 'B'**.

2.0 Report

Key changes

- 2.1 The new scheme is more concise and details of job sharing are now referenced to the Job Sharing Policy. Career breaks have been added to the policy (they were previously covered in the General Leave Policy) as it is felt it is more appropriate to include them in the Flexible Working Policy. Career breaks will be removed from the General Leave Policy at the next review.
- 2.2 Flexible working requests will now be considered within 10 days rather than 28 days. This brings the policy in line with other Council policies where meetings are convened within 10 days.
- 2.3 Changes in terms of legislation have been incorporated; such as the right to request time off to train and extending the right to request to work flexibly to those with caring responsibilities for an adult aged 18 or over.
- 2.4 Employees can now appeal if a flexible working request is declined, rather than submit a grievance. This is incorporated in the Appeals Policy.

3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - none

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	The policies have been shared with UNISON and Heads of Service
Legal:	As detailed in the report
Financial:	None
Human Resource:	As detailed in the report
Risk Management:	None

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East Herts Council

Flexible Working Scheme

Policy Statement

**Policy Statement No 8 (Issue No 3) July
2012**

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1.0 Introduction

- 1.1 The Council recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements that enable them to balance their working life with other priorities, including parental and other caring responsibilities, life-long learning, charity work, leisure activities and other interests. In turn it recognises that staffing levels must at all times remain in line with the demands of the business.
- 1.2 This policy statement aims to set out the ways in which flexible working can increase staff motivation, reduce absence, attract new talent, promote work-life balance and reduce employee stress, and in doing so improve the Council's efficiency and productivity. It provides a description of the issues involved, taking into account the possible benefits of each kind of flexible working to both employees and the Council, but also raising possible drawbacks and areas of potential concern.
- 1.3 The policy considers the following options, but the Council recognises that there may be alternatives, and that the working pattern that may suit any particular individual could be a unique one involving a combination of options:
- part time working;
 - flexi time;
 - compressed hours;
 - voluntary-reduced working time;
 - term-time working;
 - career break;
 - job share (refer to Job Share Policy);
 - home/remote working (refer to Home Working Policy);
 - flexible/early retirement (refer to Retirement Policy).

2.0 Scope

- 2.1 This scheme applies to all employees and the options contained within it apply to all Council full time and part-time employees.

3.0 Eligibility

- 3.1 Although it is recognised that not all of the flexible working patterns considered will be suitable for all employees of the Council, there should be no arbitrary barriers.
- 3.2 Employees in all areas and levels of the company will be considered for flexible working regardless of their age, sex, sexual orientation, race, or religion or belief, or whether they have a disability, their level of seniority, their current working pattern, or whether they are employed on a permanent or fixed-term basis.
- 3.3 However, there is no automatic right for employees to change to any of the flexible working patterns - each application will be considered on the basis of the particular work involved and any detrimental effect the change could have on individual, team or business performance.

4.0 Right to Request Flexible Working

- 4.1 The Employment Act 2002 gives the right for employees with 26 weeks' continuous service, a child under the age of 17 (18 where the child is disabled) and parental responsibility for the child to request a change to the number of hours that they work, the times that they work or their place of work.
- 4.2 The right to request flexible working is also available to employees who have a minimum of 26 weeks' continuous service and who have caring responsibilities for an adult aged 18 or over who is their spouse, partner or civil partner; a relative; or someone who lives at the same address.
- 4.3 While it is the Council's policy to be flexible on working patterns for all its employees, in order to ensure that it is

complying with its legal obligations concerning the right to request flexible working, there may be situations where precedence has to be given to those who are eligible for this right.

- 4.4 The Employment Rights Act 1996 gives the right for employee to request unpaid time off for training. Employees must have been continuously employed for 26 weeks and must show that the time off to train will increase their effectiveness in their job or is relevant to their employer's business.

5.0 The Business Need

- 5.1 Although the Council is committed to providing the widest possible range of working patterns for its workforce, both management and employees need to be realistic and to recognise that the full range of flexible working options will not be appropriate for all jobs across all service areas.

- 5.2 Where an instance of flexible working is proposed the Council will need to take into account a number of criteria including (but not limited to) the following:

- the cost of the proposed arrangement;
- the effect of the proposed arrangement on other staff, customers, service, Council;
- the level of supervision that the post-holder requires;
- the structure of the service and staff resources;
- other issues specific to the individual's service;
- an analysis of the tasks specific to the role, including their frequency and duration;
- an analysis of the workload of the role.

6.0 Flexible Working Options

6.1 Part-time working

- 6.1.1 Part time working is a system whereby the employee is contracted to work fewer than the standard number of contractual hours per year for the type of work in question.

6.1.2 Benefits to employee

- Employee can fit paid work around childcare and other commitments.
- Can allow the employee to become more accustomed to increased leisure time in the run-up to retirement, or to supplement a pension from another employer.
- Can permit an employee to continue with the security of regular employment while at the same time working on a self-employed basis.

6.1.3 Benefits to employer

- Periods of peak demand in production or service can be targeted.
- Can be used to retain the skills of female employees after maternity leave.

6.1.4 Points to watch

- Reduced pay may not make it feasible for all employees.
- There must be no less favourable treatment of part-time workers in relation to pay and other benefits such as pension, sick pay, holiday and training, unless such detrimental treatment can be objectively justified.

6.1.5 Variations

- There is enormous variation in part-time working patterns. Examples are afternoons or mornings only, and fewer working days in the week.
- The decision can be taken to either 'fix' the working time, e.g. set hours or days of working, or allow the arrangement to be flexible to meet the fluctuations of operational needs, e.g. the employee remains on a

'flexi-time' with an adjusted standard working day and/or the working days.

6.1.6 Notes

- A reduction in the number of hours worked may be a reasonable adjustment permitting a disabled individual to do or continue in a job.
- The rate of pay will be the salary for the post, pro-rated to the hours worked.
- Annual leave entitlement will be calculated in hours and any annual leave booked must equate to the number of hours usually worked that day.
- Bank Holidays are calculated as 1/5th of the working week for part-timers. If a Bank Holiday falls on a working day staff are entitled to take 1/5th of the working week as time off on that day. If a Bank Holiday falls on a non-working day they are entitled to take 1/5th of the working week back at another time, with agreement from their line manager.
- Overtime rates will be payable only when the employee has worked beyond the normal full-time contractual hours for the position.

6.2 **Flexi-time**

- 6.2.1 Flexi-time is a system that permits flexibility of working hours at the beginning and end of a day.
- 6.2.3 The Council's flexi-time scheme operates between 08:00 to 18:30 Monday to Friday. There are no formal 'core' hours unless agreed by individual service areas. However there must be adequate resources to cover the normal business hours of the Council from 09:00 to 17:00 Monday to Friday and all services must ensure that they are staffed so as not to cause any detriment to service provision.
- 6.2.4 In specific situations it may be necessary to exclude members of staff from the scheme or place a limitation on

flexibility because the nature of their work restricts them to working regular hours. Directors and Heads of Service are required to work the hours necessary to allow them to perform their roles in accordance with their contracts and Working Time Regulations 1998.

6.2.5 Employees may elect not to participate in the flexi-time scheme, in which case they will work their 37 hours or their contracted hours with regard to the Council's normal office opening hours of 09:00 to 17:00.

6.2.6 Benefits to employee

- Increased scope to manage work and personal commitments.
- Employees can take up to one full day of two half days off in each four week period.
- Travel to and from work may be easier and cheaper outside peak hours.
- Tasks requiring concentration can be undertaken during the quiet extended parts of the working day.

6.2.7 Benefits to employer

- Flexitime can act as a recruitment and retention aid.
- Staff cover can be extended beyond the normal hours of work.
- Individual control over the start and end of the working day can be particularly helpful for those with caring responsibilities.

6.2.8 Points to watch

- An accurate system of recording the hours worked is required. All employees are required to read and follow the flexi time rules.

- Depending on service needs, it may be necessary to stipulate that adequate cover is provided during the flexi period. Where normal operation of this scheme is suspended by senior management due to exceptional circumstances, e.g. severe weather conditions causing offices to close early, time recording guidance must be sought from HR.
- Flexi-time can be applied successfully within many service areas, although inevitably some jobs will not operate practically under this system.
- Working long hours can cause fatigue and affect performance. Staff are required to take a lunch break of no less than 20 minutes. Staff must not work more than six hours continuously without a 20 minute break. (Separate rules apply to young workers, advice should be sought from HR on this).
- Unless the scheme is handled with care, additional burdens may be placed on some team members or customer service may suffer at particular times.
- Any employee found abusing the scheme will be subject to disciplinary action, in line with the Council's procedures.

6.3 Compressed Hours

6.3.1 Compressed hours is a system that permits employees to work their total number of contractual hours over fewer working days. Usually a five-day week is compressed into four days or four and a half days, a 10-day fortnight into nine days or 18 day month (based on a four week month).

6.3.2 Benefits to employee

- An extra day per week/fortnight is freed up for the employee to pursue a hobby or further education, or spend time with dependants.
- No reduction in pay.

6.3.3 Benefits to employer

- Compressed hours can be a means of introducing some flexibility into jobs which do not meet the requirements for flexi-time. Similarly, compressed hours enable extended service availability beyond the standard day or provide quiet time for work at the beginning and/or end of the day.

6.3.4 Points to watch

- Working long hours can cause fatigue and affect performance, cancelling out the advantages of the scheme.

6.3.5 Notes

- Where service cover has been extended by longer hours, consideration needs to be given to what will happen if the employee no longer wants to continue with the arrangement.
- Where more than one employee within a team wishes to work compressed hours, a rota may be necessary to ensure fairness, as some days (usually Monday and Friday) will be more popular choices for time off.
- Annual leave entitlement will be calculated in hours and any annual leave booked must equate to the number of hours usually worked that day.
- Bank Holidays are calculated as 1/5th of the working week for employees working compressed hours. If a Bank Holiday falls on a working day staff are entitled to take 1/5th of the working week as time off on that day. If a Bank Holiday falls on a non-working day they are entitled to take 1/5th of the working week back at another time, with agreement from their line manager.

6.4 **Temporary voluntary reduced working time**

6.4.1 Temporary voluntary reduced working time is a system whereby it is agreed that the employee will work reduced hours for a certain period of time, with a return to full-time hours at the end of this period.

6.4.4 Benefits to employee

- A temporary reduction in hours allows an employee to accommodate a specific event in his/her life, e.g. a course of study or a relative's illness, but to return to the security of a full-time position.

6.4.5 Benefits to employer

- The employee's skills are retained on a reduced basis at a point when they might otherwise have been lost completely, and regained on a full-time basis when the agreed period comes to an end.
- The system could also act as a means of permitting an employee recovering from an illness or adjusting to an impairment to return to work on a phased basis.

6.4.6 Variations

- Although the variation in hours is usually temporary it could become permanent.
- The reduced hours may involve working fewer hours per day or working fewer days per week.
- The decision can be taken to either 'fix' the working time, e.g. set hours or days of working, or allow the arrangement to be flexible to meet the fluctuations of operational needs, e.g. the employee remains on a 'flexi-time' with an adjusted standard working day and/or the working days.
- Employees could also volunteer to increase their hours.

6.4.7 Notes

- The rate of pay will be the salary for the post, pro-rated to the hours worked.
- Annual leave entitlement for the period will be pro-rated and calculated in hours. Any annual leave booked during that time must equate to the number of hours usually worked that day.
- Bank Holidays are calculated as 1/5th of the working week for employees working reduced hours. If a Bank Holiday falls on a working day staff are entitled to take 1/5th of the working week as time off on that day. If a Bank Holiday falls on a non-working day they are entitled to take 1/5th of the working week back at another time, with agreement from their line manager.
- Overtime rates will be payable only when the employee has worked beyond the normal full-time contractual hours for the position.

6.5 Term Time Working

6.5.1 Term time working is a system of flexible working where the employee's working weeks mirror schools' term weeks. All requests for term time working will be considered subject to operational needs.

6.5.2 Term time working may not be suitable for all roles or services and managers are required to ensure there is no detriment to service provision and the required level of service is provided at all times.

6.5.3 Benefits to employee

- The problem of finding childcare during school holidays is removed, and the employee can spend more time with his/her children during this time.
- Offers regular salary level throughout the year.

6.5.4 Benefits to employer

- The recruitment and retention of individuals whose childcare responsibilities might otherwise keep them out of the employment market is made possible.

6.5.5 Points to watch

- Other employees may be put under pressure not to take their annual holiday during the school holidays.
- Averaged pay will affect the calculation of maternity and other benefits.
- Where a long break from employment would be disruptive to the job or service provided, or where the employee has unique knowledge or skills that are needed on a consistent basis throughout the year, this system may be unsuitable.

6.5.6 Notes

- Where a managerial role is being considered for term-time working, account must be taken of whether the team involved can work extended periods without direct supervision.
- A term time working contract means the employee works all the weeks of school terms but employment is regarded as continuous throughout the year. An employee can work full-time or part-time hours. Salary will be based on the total annual hours worked, paid in equal monthly instalments.
- Term time working employees should take the majority of their annual holiday entitlement during the school holidays, i.e. it is added to the number of annual hours paid and therefore increases monthly pay. If the employee wishes, up to 3 days annual leave can be kept back to take during term time, subject to agreement with their line manager.

- A term time working employee will be expected to make themselves available for key training initiatives or service meetings even if they fall during school holidays. Adequate notice will be given to make alternative arrangements for those days and compensatory time off should be offered. In exceptional circumstances where alternative time off is not an option, other alternatives may be considered.

6.5.7 Variations

- Longer hours could be worked during term time and shorter hours during the school holidays to make up full-time hours.

6.6 **Career Break**

6.6.1 A career break enables an employee with two years continuous service with the Council to take an unpaid break from work for personal reasons and maintain continuity of service with the Council.

6.6.2 It is recognised that during an employee's working life there will be times when personal commitments may take priority over work e.g. bringing up children, longer term care for sick or elderly relatives, or pursuing a course of further education. The Council can accommodate such personal commitments, where operationally practicable, through career breaks.

6.6.3 The purpose of a career break could be:

- To extend the maternity/adoption leave period
- To care for dependent relatives
- To enter full time education
- Extended foreign travel

- To convalesce after a period of illness or major life crisis such as bereavement

6.6.4 These reasons are not all inclusive and others may be considered, with the major exception of taking up other paid employment.

6.6.5 The minimum career break is 3 months and the maximum break is one year. There is no limit to the number of career breaks an employee can take providing that they return to work for the Council for a minimum of 2 years between each career break.

6.6.6 The employee is required to give a minimum of 3 months notice to commence a career break. With the exception of continuity of service all other terms of the employment contract with the Council will be suspended.

6.6.7 If the employee wishes to extend the career break, they must do so in writing giving a minimum of three months notice. The manager will give consideration to the extension along the same lines as the original request and may grant up to one year in total.

6.6.8 There will be no automatic right to cut short a career break but managers will consider such requests from an employee as they can accommodate, without impacting on service level.

6.6.9 At the end of a career break the employee will have the right to return to an equivalent position within their service where this is available. However, where this is not available the Council will offer an alternative which can include work elsewhere in the Council at a different level and pay. The new job would need to be a suitable alternative, as defined in the Council's Redundancy Policy.

6.6.10 Benefits to employee

- The employee has an extended period of time away from the workplace to study, spend time with

dependants, carry out voluntary work or perhaps travel abroad.

- A career break can be used as an opportunity for personal development.

6.6.11 Benefits to employer

- The employee's skills are retained in the long term.
- New ideas and extra skills, motivation and enthusiasm may result from the employee's period of time away from the workplace.
- While the possibility of a career break to look after young children may be particularly attractive to female employees, career breaks can also be used to attract, motivate and retain other sectors of the workforce, for example those who missed out on a 'gap year' of travel between school and university.
- The opportunity to take a career break can be used to reward long service.

6.6.12 Points to watch

- Lack of pay over the career break period is likely to limit the number of employees for whom this will be an option.
- A replacement will have to be found for the employee in his/her absence, or the workload divided between the remaining members of the workforce.
- Thought needs to be given to how any business reorganisation or restructuring might impact on the employee's right to return.
- Time away from the workplace can lead to a loss of skills or confidence.

6.6.13 Contractual issues and other practical arrangements

- The employee will be required to sign an agreement suspending all terms of their contract of employment, with the exception of continuity of service with the Council. The contract of employment will remain suspended for the duration of the career break. This will not constitute a break in service and general conditions of service will apply as at the start of the career break when the employee returns to work.
- At the end of the career break the employee will return to the same incremental point they were on at the start of the career break which may result in salary protection if the post has been downgraded in a restructure.
- Employees considering career breaks should contact Serco pensions for more information.
- Any live disciplinary warnings will be suspended for the duration of the career break and will be carried forward upon the employee's return to work.

6.6.14 Notes

- A period of induction and/or retraining may be necessary on the employees return.
- Employees should be kept informed on a regular basis of any key organisational or service developments.
- The employee is required to maintain regular contact with the Council throughout their absence.

7.0 Impact on Employment

7.1 Legal Issues

- 7.1.1 Managers should consider the Working Time Regulations 1998 when considering flexible working requests.

7.2 Sickness Absence

- 7.2.1 National Conditions of Service for Sickness Payments will apply, and sick leave shall be based on length of service calculated on an individual basis. For the purpose of Statutory Sick Pay (SSP), all seven days of the week are classed as qualifying days and, therefore, need to be covered whether or not an employee is due at work. Entitlement to Occupational Sick Pay will be pro-rated according to the number of days actually worked.

7.3 Maternity Leave/Pay & Paternity Leave

- 7.3.1 Employees will be entitled to the benefits of the maternity scheme. However, payment will be reduced on a pro-rata basis. Employees will be entitled to paternity leave on a pro-rata basis. Details can be found in the 'Maternity, Paternity and Adoption Leave' Policy & Procedure.

7.4 Training

- 7.4.1 Employees will have access to training opportunities on the same basis as full-time employees but managers may need to adapt ongoing on-the-job training programmes to accommodate different working patterns.

7.5 Approved Overtime

- 7.5.1 Where hours are worked in excess of the contract, payment at plain time will be made up to 37 hours, i.e. normal full-time hours, before the appropriate enhanced rate is applicable. If part-timers work weekends and these are not normal working days, they will be paid at the weekend enhanced rate. Please see the Overtime Rules for more information.

7.6 Car Allowances

- 7.6.1 Eligibility for the Essential Car Allowance will be based on pro-rated business miles travelled and the Essential User lump sum allowance is pro-rated based on the number of annual hours worked. Please see the Expenses Policy for more information.

7.7 Pensions

- 7.7.1 Employees considering changing their working hours should contact LPFA to discuss the impact this may have on their pension entitlement.

8.0 Process

8.2 Considering the Initial Request

- 8.2.1 The employee will make a request for flexible working in writing to their line manager (this should be copied to HR), using the form found at Appendix 1. The information provided by the employee will form the basis for a meeting with the manager where the request can be more fully explored. The employee should give an indication of a possible start date and the period during which flexible working is required.
- 8.2.2 The manager must meet with the employee within 10 days of receipt of the request.
- 8.2.3 When considering the request the manager should view it as objectively and fully as possible, taking into account the business needs (see 5.0) and the employees current role:
- Workload (of the person making the request, and the team)
 - Options for re-scheduling / re-prioritising work
 - Alternative options for flexible working
 - Implications for conditions of service
 - Financial Implications
- 8.2.4 There may also be other issues that are unique to the situation and these should be considered.
- 8.2.5 Within their written proposal the employee will be expected also to have given consideration to any impact of their request upon their own work, other team members and service delivery, and will be expected to offer constructive suggestions about how these can be managed.

8.3 Making the Decision

- 8.3.1 The manager must notify HR of the decision so that a letter can be sent to the employee within 3 days of the meeting being held.

8.4 Multiple Requests

- 8.4.1 Where a manager receives a number of flexible working proposals, or a joint proposal from a group of employees, the requests will have to be considered collectively.

8.5 Agreeing the Request

- 8.5.1 The agreed changes must be subject to the successful completion of a trial period after which a review must be undertaken to assess the viability of the change. Clear criteria need to be agreed at the beginning of the trial period to ensure that the effectiveness of such an arrangement can be measured.
- 8.5.2 A review meeting should be arranged for a suitable period after commencement agreed between the employee and manager. This is usually three months.
- 8.5.3 HR will issue the employee with a formal letter of notification about the trial period including an explanation of the impact on the individual's conditions of service and the agreed flexible working arrangements.

8.6 Refusing the Request

- 8.6.1 If it is considered that a post is unsuitable for the specific flexible working option proposed by the employee or group of employees, the reasons for this decision must be communicated to the employee(s), ideally by discussion and followed up in writing. Requests for flexible working should only be refused on one of the following 9 business grounds:
1. Burden of additional costs
 2. Detrimental effect on the ability to meet customer demand

3. Inability to reorganise work among staff
4. Inability to recruit additional staff
5. Detrimental impact on quality
6. Detrimental impact on performance
7. Insufficiency of work during the period the employee proposes to work
8. Planned structural changes
9. Other relevant business grounds
10. Working Time Regulations 1998 are not met

8.6.2 Managers should contact their HR Officer for advice if refusing a flexible working request.

8.7 Reviewing the Arrangement

8.7.1 A review meeting should be arranged at the end of the trial period (although it is important to discuss any difficulties or problems before this time). A successful trial period should be confirmed in writing stating that the arrangement is now permanent (please contact HR who will send a letter to the employee). If the trial period is unsuccessful, this must be explained to the employee and also confirmed in writing (please contact HR who will send a letter to the employee). It is the manager's responsibility to ensure this review takes place.

8.7.2 Individuals will have the right to revert back to their original pattern of working within the trial period subject to their giving appropriate notice.

8.7.3 If it is considered that the trial period has been unsuccessful, the reasons for this decision must be communicated to the employee(s), ideally by discussion and followed up in writing. Managers should use the reasons outlined in point 6.6.1 when explaining their decision.

8.8 Monitoring

8.8.1 Beyond the trial period, all flexible working arrangements are subject to a proviso that the individual may be required to revert back to their original pattern of working if there are identifiable and significant operational problems

identified at any time. Such action will not be taken unreasonably and will always be subject to full discussion with the individual(s) concerned and the giving of appropriate notice.

- 8.8.2 Once the trial period has concluded and the arrangement has been confirmed, individuals will have the right to request to further vary their pattern of working and managers should treat this as a new request for flexible working.

9.0 Appeal

- 9.1 Where an employee is dissatisfied with a decision in relation to a proposal they have made to work more flexibly, they can appeal the decision in accordance with the Council's Appeals Policy.

10.0 Policy Review and Amendment

- 10.1 This Policy shall be reviewed after two years or sooner in line with legislation and best practice to reflect the best possible level of support and management.

APPLICATION TO VARY AN EXISTING WORKING ARRANGEMENT

Note to the employee

It will help the Council to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the application form.

When completing sections 3 and 4, think about what effect your change in working pattern will have both on the work that you do, your service and on your colleagues.

Once you have completed the form, you should forward it to your Line Manager and send a copy to HR.

1. Personal Details:

Name:

Job Title:

Service:

Line Manager:

2a. Describe your current working pattern (days/hours/times worked):

2b. Describe the working pattern you would like to work (days/hours/times worked):

2c. I would like my new working pattern to commence from:

Date:

3. Impact of the new working pattern

I think this change in my working pattern will affect the Service and my colleagues as follows:

4. Accommodating the new working pattern

I think the effect on the Service and colleagues can be resolved as follows:

Signed

Dated... ..

EAST HERTS COUNCIL

LOCAL JOINT PANEL - 13 JUNE 2012

HUMAN RESOURCES COMMITTEE – 11 JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

REVISED REDUNDANCY AND APPEALS POLICIES

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To approved the revised Redundancy and Appeals Policies

<u>RECOMMENDATIONS FOR LOCAL JOINT PANEL: That:</u>	
(A)	The revised Redundancy and Appeals Policies are recommended for approval
<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE: That:</u>	
(A)	The revised Redundancy and Appeals Policies are approved

1.0 Background

- 1.1 The Council's Redundancy and Appeals Policies were last reviewed in 2009. The Council's programme of policy review is after two years or sooner in line with legislation and best practice.
- 1.2 The Council has been through a number of large restructures in the last twelve months. Areas where the policies could be improved were identified and these revised policies reflect those changes. The full policies can be found at **Essential Reference Paper 'B'** (Redundancy Policy) and **Essential Reference Paper 'C'** (Appeals Policy).

2.0 Report

Key changes – Redundancy Policy

- 2.1 The formal consultation process timeline has been improved. Formal consultation now takes place prior to a CMT report being submitted for approval. This is in line with both best practice and the practices of Stevenage Borough Council and North Hertfordshire District Council. This will ensure a smoother process for any restructures linked to shared support service.
- 2.2 It is proposed that the redundancy calculator is reviewed with Unison as part of the proposed shared services.
- 2.3 The process for applying for voluntary redundancy and criteria for approval have been more clearly explained and defined.
- 2.4 Suitable alternative employment and the process for agreeing/declining offers have been expanded to ensure clarity.
- 2.5 Notice periods for compulsory and voluntary redundancy have been clearly outlined.
- 2.6 The appointment and selection process has now been expanded and includes the selection methodology.

Key changes – Appeals Policy

- 2.7 New grounds for appeal have been added including ringfencing/slotting in; suitable alternative employment, dismissals for Some Other Substantial Reason (SOSR) and declining flexible working requests.
- 2.8 The Appeals Procedure will now apply to any formal appeal, even if it is not directly specified in the policy, unless it is already subject to a separate appeals process, e.g. job evaluation appeals.
- 2.9 Improvements have been made in the process, giving clarification on who will hear the appeal and confirming if an employee is working their notice period the appeal will run concurrently.
- 3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	The policies have been shared with UNISON and Heads of Service
Legal:	As detailed in the report
Financial:	None
Human Resource:	As detailed in the report
Risk Management:	None

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East Herts Council

Redundancy Policy

Policy Statement

**Policy Statement 6 (Issue No 3)
July 2012**

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1.0 Purpose

- 1.1 The Council, in consultation with the Trade Unions, will seek to avoid and minimise the effect of staff changes by endeavouring to find suitable alternative employment using the Council's Redeployment Procedures. Where ever possible reduction in the number of employees will be achieved through natural wastage.
- 1.2 Where compulsory redundancy is unavoidable the Council will handle the redundancy process in a fair, consistent and sympathetic manner in accordance with the Council's policy, under the requirements of the law.
- 1.3 This policy applies to all employees of the Council (except Chief Officer level and above) and takes into account relevant employment legislation, ACAS guidance and best practice. This policy does not form part of employees' terms and conditions of employment.
- 1.4 The policy will not apply where an employee's services are terminated in the following situations:
- At the end of a pre-determined limited or fixed term contract where the employee has less than two years continuous employment.
 - Retirement.
 - Contravention of an enactment (e.g. where an employee who requires a work permit does not have one).

2.0 Principles

- 2.1 The following principles underpin how organisational change will be implemented. The Council will:
- 2.1.1 Strive to avoid redundancies where possible and will always consider alternative options to achieve its objectives.
- 2.1.2 Seek to retain employees in accordance with the Redeployment Policy.

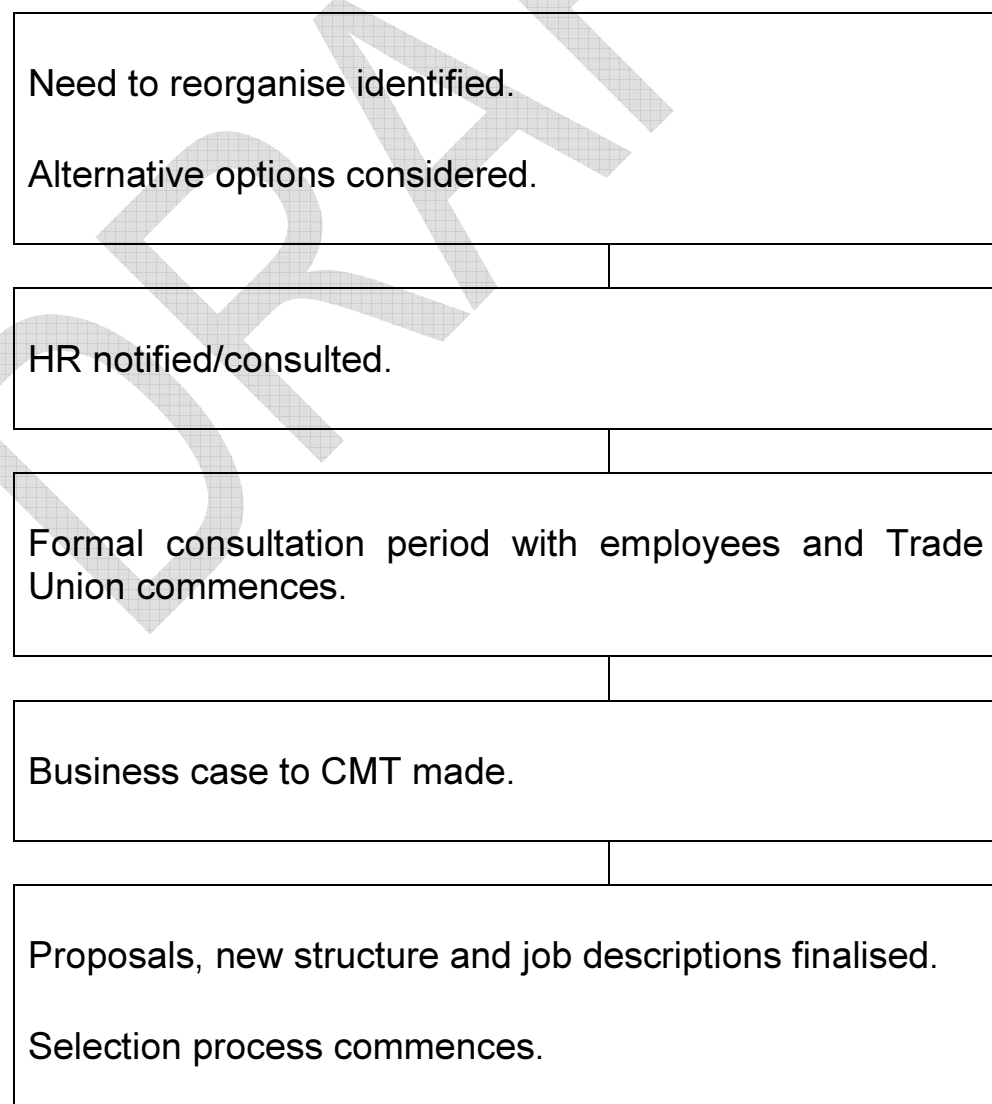
2.1.3 Seek to develop our employees to the maximum of their potential and to retain their skills within the Council wherever possible.

2.1.4 Provide a framework for the process of organisational change within which the Council's changing requirements of the workforce can be managed fairly and equitably.

2.1.5 Communicate and consult with employees and Trade Unions, keeping them informed about the changes and the implications of the changes for the Council and its employees.

3.0 An Overview

3.1 The following flowchart shows the key stages of the redundancy process:



Appointments made / redundancy confirmed.

Right of Appeal.

New structure implemented / Go Live date.

- 3.2 A more detailed outline of the stages and likely timescale for a service restructuring are set out in the form of a management planning tool at Appendix A.

4.0 Measures to reduce compulsory redundancies

- 4.1 A range of measures will be looked at to minimise the potential number of redundancies where there is the possibility of a reduction in the number of posts. Consideration will be given to the following alternative options:

- Redeployment or retraining of affected employees (in accordance with the Redeployment Policy)
- Restricting the use of outside agencies and the employment of contractors and temporary employees (where this does not adversely affect the efficient operation of Council services).
- Reduction/elimination of overtime working within the section.
- Review of working patterns, rotas and shifts.
- Exploring other options such as early retirement, voluntary redundancy (in accordance with the Council's policies).
- Restrictions on recruitment to certain posts.
- The use of temporary employees on short term contracts where the future of a service or role is uncertain.

5.0 Exploring Options

- 5.1 Having established that a business/service need has changed or a restructure is required, managers need to consider the option/s open to them to meet the needs of their service and how they might be implemented. This will include an early consideration of measures to reduce compulsory redundancies.
- 5.2 Managers are asked to arrange a meeting with HR to discuss the proposed business case, new structure and new job descriptions (where applicable). The manager should bring draft documents to this meeting.
- 5.3 HR will advise and support managers throughout the process.
- 5.4 If new job descriptions are required, these will need to be drafted by managers, with support and advice from HR. The new job descriptions will be evaluated in accordance with the Job Evaluation Policy and an indicative grade given.

6.0 Communication and Consultation

- 6.1 The Council is committed to on-going communication with employees and the Trade Union about organisational change and its processes.
- 6.2 The outcomes of change will also require communication on an individual basis. This will be facilitated by the line manager or Head of Service.
- 6.3 Communication will commence as soon as is reasonably practical and updated on a regular basis.
- 6.4 Formal consultation will commence with employees and the Trade Union on the business proposals as soon as is practical and will include the 30 days statutory consultation period required by law.

- 6.5 Consultation will provide an opportunity for employees and the Trade Union representatives to express their views and have these taken into account when alternatives are being considered as part of the decision making process.
- 6.6 The statutory consultation period where between 20 – 99 employees are to be dismissed on the grounds of redundancy is at least 30 days. The 30 day consultation period must end before the first redundancy notice is issued. (NB for 100 employees or more the consultation period must be at least 90 days).
- 6.7 Whilst the statutory requirement to commence formal consultation at least 30 days before the first redundancy notice is issued only applies if 20 or more employees are to be made redundant, there is a statutory requirement on employers to act reasonably if fewer than 20 employees are to be made redundant. In such cases the Council will therefore strive to commence formal consultation at least 30 days before the first redundancy notice is issued.
- 6.8 Formal consultation starts with the Trade Union being invited to a meeting with the Head of Service and a HR representative and being given the following information in writing:
- The reason for the proposed redundancies.
 - The number of posts affected and the likely number of redundancies.
 - The total number of similar posts within the Authority.
 - The selection criteria for redundancy.
 - The proposed method of carrying out the dismissals having regard to the agreed procedure including the period over which the dismissals are to take effect.

Formal consultation with the Trade Union must cover:

- Avoiding the dismissals
 - Reducing the numbers of employees to be dismissed
 - Mitigating the consequences of the dismissals
 - Selection criteria and method (this will include any “ring-fence” arrangements).
- 6.9 Formal consultation with employees will start with employees being invited to a team meeting and/or followed

with individual 121 meetings by the Head of Service and/or line manager. A representative from HR will also be present. The business proposals, reasons for change, proposed changes including new structure, draft job descriptions, process for selection and appointment will be discussed (if applicable).

- 6.10 Employees will have the right to be accompanied by a workplace colleague or a trade union representative during any of the 121 meetings throughout the consultation process.
- 6.11 Employees will be written to setting out the proposals and consultation process. The letter will confirm that they are at potential risk of redundancy and will detail the timescale of the process.
- 6.12 Payroll will be able to provide estimates of likely severance benefits for employees who have been told that they are at risk of redundancy.
- 6.13 Employees who are at risk of redundancy will be able to join the redeployment register early and take advantage of support available on a voluntary basis. If employees wish to explore these options they should contact HR.
- 6.14 As part of the consultation process employees will be able to request voluntary redundancy in accordance with this Policy (see 8.0).
- 6.15 Employees who wish to explore alternative working options such as early or flexible retirement; flexible working such as reduced hours should discuss this with their line manager and/or Head of Service as part of the consultation process (in accordance with the Council's policies).
- 6.16 Further consultation meetings with employees and Trade Union representatives will be held as necessary.

7.0 Obtaining Formal Approval for Proposals

- 7.1 Following the end of the consultation process, a report should be submitted for approval in principle by the Corporate Management Team (CMT).

- 7.2 A copy of the report will be given to employees and the Trade Union at least 5 working days before the submission deadline for the report, so that they may comment on its proposals.
- 7.3 The report will include the comments and feedback received by employees and the Trade Union during the consultation process (if applicable).
- 7.4 Should the Trade Union wish to submit a written summary as an appendix to the report, this must be sent to the Head of Service and a copy to HR before the submission report deadline.

8.0 Voluntary Redundancy

- 8.1 Part of the consultation process will include deciding if it is appropriate to ask employees if they want to volunteer for redundancy. When making this decision the points to consider are:-
- Is the manager seeking a reduction in the number of employees;
 - Retention of skills to deliver services;
 - Organisational priorities (and the skills that are needed to deliver these)
 - Cost of redundancy versus redeployment.
- 8.2 Applications for Voluntary Redundancy can be made at the Formal consultation stage and/or formally when employees will be asked to respond to the provisional letter sent after the formal consultation ends.
- 8.3 Voluntary redundancy may be available:
- If the employee is part of a ring fence in an area where there is significant pressure for available posts such that individuals within that ring fence may ultimately be declared 'at risk' of redundancy; and
 - If the employee's release presents no specific problems for continuity of services;
 - If the employee's release presents no specific problems in relation to the need to retain an

appropriate balance of skills and experience in the new structure;

- In the context of all of the above, the employee's release is affordable for the Service and the Council.

8.4 Employees that are interested in exploring voluntary redundancy will be provided with an estimate of the redundancy payment that will be payable on receipt of a written request. Employees aged 55 or over, will also receive an estimate for any retirement benefits if they are a member of the local government pension scheme.

8.5 Applications for voluntary redundancy will only be approved if it is considered to be in the Council's interest. There will be no right of appeal against a decision not to grant an application for voluntary redundancy.

8.6 Employees whose voluntary redundancy has been accepted will be given notice as detailed in section 13.1.

8.5 Employees may submit a request for an early release date to their Director of service. If a leaving date is agreed before the end of the contractual notice period, no payment of lieu of notice will be made.

9.0 Appointing Employees to the New Structure and Selection for Redundancy

9.1 Guidelines on the appointment and selection process should be followed by Managers in conjunction with this Policy (Appendix B: Appointment & Selection Process).

9.2 In cases where selection is required a management selection process may be used (Appendix C: Management Selection Matrix).

10.0 Redundancy Payment Calculation

10.1 Employees must have 2 years continuous service with East Herts Council to qualify for a redundancy payment.

10.2 In calculating entitlement to, and the amount of, redundancy payment the Council must count all continuous

local government service (and with other specified bodies) up to a maximum of 20 years.

- 10.3 For employees that have two jobs with the Council. Where they are made redundant from both jobs simultaneously their redundancy entitlement will be based on local government service (as stated in 10.2). If they are made redundant from one job their redundancy entitlement will also be based on their local government service (as stated in 10.2). If they are subsequently made redundant from their second job their redundancy entitlement will be calculated on their local government service provided the hours in that role have not increased. If they have increased their hours since last being made redundant or taken on another role within the authority the redundancy entitlement for the extra hours/new role will be calculated on their length of service in that role, not on their local government service.
- 10.4 The Council uses the Government's Department for Business Innovation and Skills (BIS) statutory redundancy pay calculation but increases the statutory multipliers of 0.5, 1 and 1.5 weeks by 2.6.
- 10.5 BIS use the following figures in their Statutory Redundancy Reckoner table:-
- 0.5 week's pay for each full year of service where age during year is less than 22
 - 1 week's pay for each full year of service where age during year is 22 or above, but less than 41
 - 1.5 weeks' pay for each full year of service where age during year is 41+.
 - The maximum number of years service with one employer that can be used to calculate redundancy is 20.
 - The Government sets out a statutory entitlement for weekly pay. The limit changes annually in line with the retail prices index (up or down) as appropriate.
 - The Council uses actual weekly pay for the purposes of redundancy payment calculations.
- 10.6 A copy of the statutory redundancy reckoner table can be found on the [Direct Gov website](#)

- 10.7 Estimates of possible severance payments should be requested from HR.
- 10.8 Employees over age 55 can apply for immediate payment of accrued pension on dismissal for grounds of redundancy.

11.0 Appeals

- 11.1 Employees will have the right to appeal in accordance with the Council's Appeal Policy on the following grounds:
- Their post is not redundant
 - They believe they should have been slotted in/ring fenced for a post
 - That the selection criteria during interview / management selection were unfairly applied
 - The post is not a suitable alternative
- 11.2 Employees will not be confirmed in post and notices of dismissal will not be sent until all appeals on slotted in/ring fenced or selection criteria have been heard as they may impact other employees.
- 11.3 Appeals against redundancy will be heard during an employee's notice period.

12.0 Suitable Alternative

- 12.1 The term "suitable alternative" derives from redundancy law, which dictates that if an employee is made redundant from a job, but an employer offers suitable alternative employment, the employee is bound to accept it, or leave and forgo any redundancy payment.
- 12.2 In considering whether employment is suitable, account will be taken of the employee's old job, earnings in the old and proposed posts, status of the post and the employee's training, qualifications and skills. It should be noted that some difference between the two posts would not necessarily make the proposed post unsuitable. However, the extent of the change is what is relevant, and that can only be judged in the particular circumstances.

13.0 Notice Periods

- 13.1 Employees who are made compulsorily redundant will be given a minimum of 12 weeks notice of termination of employment, regardless of their actual statutory or contractual entitlement to enable them to make full use of the Redeployment Procedure and identify alternative employment within the Council. (N.B. If the member of employees has a contractual entitlement to more than 12 weeks notice they will receive their contractual entitlement.)
- 13.2 Employees whose voluntary redundancy has been accepted will be given the same notice period as set out in 13.1.

14.0 Redeployment

- 14.1 Full details of the application of the Redeployment Procedure to employees under notice of redundancy are set out in the Redeployment Policy.

15.0 Counter Notice

- 15.1 If an employee finds employment with another employer during their notice period they may wish to terminate their contract earlier than the date on which their notice will expire. To do this they have to give the Council written notice to terminate the contract early; this is known as "Counter Notice".
- 15.2 The Council will, in the majority of cases, agree to such requests. There are, however, some specific employment law considerations that will need to be taken into account and managers who receive a written counter notice must contact HR for advice.

16.0 Trial Period

- 16.1 Employees under notice of redundancy have a statutory entitlement to a four-week trial period in a job offered as suitable alternative employment. The trial period allows

both the employee and the employer to assess the suitability of the offer of alternative employment.

- 16.2 The statutory four-week trial period may be extended only for the purpose of training the employee to do the job and the length of the trial period must be determined at the outset. The Trial Period can only be extended once it has been started by mutual consent.
- 16.3 Where the trial period is successful, the employee will not be entitled to receive a statutory redundancy payment, as there will have been no termination of employment and hence no redundancy. If, during or at the end of the initial agreed trial period, either the employer or the employee concludes that the job is not suitable for the employee, the position reverts back to that of redundancy and the employee's employment will terminate (assuming no other suitable alternative job is available). The employee will need to demonstrate why they cannot with suitable training, undertake the role. The date of the redundancy for the purposes of calculating statutory redundancy pay in these circumstances is the date on which the employee's original job ended, and not the date of termination of employment after the trial period.
- 16.4 The trial period can last beyond the date of dismissal and, if a suitable vacancy is identified very near the dismissal date, the trial period can start after the old contract has ended.

17.0 Time Off to Look for New Work or for Training

- 17.1 Managers must allow their employees a reasonable amount of time off to look for new employment or for training during the notice period. Requests for time off will have to be assessed on a case by case basis but some latitude should be extended to this group of employees during what is a very difficult period. HR will advise.
- 17.2 The sort of activities for which requests for time off will receive favourable consideration will include:
- Completing an application form
 - Attending career counselling

- Registering with employment agencies
- Conducting internet searches at work
- Attending interviews.

This is not an exhaustive list.

- 17.3 Employees that find new employment with Local Government (or an organisation on the modification order) within 4 weeks of their termination date will be required to return their redundancy pay.

18.0 Policy Review and Amendment

- 18.1 This Policy shall be reviewed after two years or sooner in line with legislation and best practice to reflect the best possible level of support and management.

Key Steps in Redundancy

The following table sets out the possible actions in implementing organisational change. Not all change initiatives will involve all of the steps and larger restructurings will inevitably take longer to take through them. A major restructuring could easily take over 6 months to implement. Thinking through how your change initiative is likely to proceed will allow you to plot the likely time-line.

Key Action	Associated Actions	Likely Timescale
Need to restructure identified and alternative options developed.	<ul style="list-style-type: none"> • Define business case for changes • Identify objectives of new structure. • Identify savings and impact on employees. • Discuss proposals with HR. 	1 week to 1 month
Notify/consult HR	<p>This may have been started at the previous stage – but needs to go further. HR will need to:</p> <ul style="list-style-type: none"> • Confirm the extent of any possible redundancies and advise on any legal requirements. • Review draft job descriptions and person specifications. • Do indicative JE's to ensure that grades being sought reflect duties • Outline consultation process. • Identify any potential problems with consultation (e.g. employees on maternity leave) and identify how they will be addressed. • Discuss options for selection criteria and processes – whilst these will be subject to consultation with employees and trade union during Formal consultation, it is important for management to be clear about their preferences and the reasons for those preferences early in the process. • If management selection is the preferred option confirm the availability and quality of management information on which to base decisions using the Management Selection Criteria template. 	2 weeks to 1 month
Commence Formal consultation with employees and TU.	<p>Commence formal consultation</p> <ul style="list-style-type: none"> • Set a date for the first meeting – tie in with 1-2-1 meetings with affected employees and general employees meeting immediately following TU meeting • Send “at risk” letters to employees potentially facing redundancy. 	30 days minimum

Key Action	Associated Actions	Likely Timescale
	<ul style="list-style-type: none"> • Send s188 letter to TUs. • Invite TU reps to further consultative meetings – number of meetings will vary depending on the nature and effects of the restructuring. • Work out likely timetable for the selection process and, if redundancies seem likely, any appeals. • Consider Voluntary redundancy requests. • Ensure that all suggestions from employees and TU are responded to with explanations. 	
New structure finalised and approved	<ul style="list-style-type: none"> • Write report for CMT identifying reasons for change, proposals and costs. • Send copy of report to TU and employees 5 working days before the submission report deadline • CMT consider and approve. • New job descriptions evaluated in accordance with Policy. 	3 weeks
Finalise selection criteria and method	<ul style="list-style-type: none"> • Write to employees and trade Union on the conclusion of the consultation process. Conforming new structure, job descriptions, grades and selection process. • Consider Voluntary redundancy requests. • Follow appointment and selection process • Ensure that all employees are aware of how the selection process will operate, what the timetable is and if they need to do anything to ensure that they are considered 	1 week
Implement new structure	<ul style="list-style-type: none"> • Make selection decisions • Decide how you will manage the crossover period • Tell employees in writing • Hold meetings with employees and advise them of the outcome in writing, including rights of appeal • If appeals are received, advise HR and CE and comply with requirements for exchange of documentation before appeal hearing • Once all appeals have been heard, confirm final decisions in writing, giving notice of termination to unsuccessful employees • Determine what action is necessary to ensure that all employees are aware of their new roles in the new organisation. • Consider team-building and training initiatives necessary to maximise the potential for successful change. 	1 to 2 months

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East Herts Council

Appeals Policy

Policy Statement

**Policy Statement No 5 (Issue No 2)
July 2012**

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APPEALS POLICY

1.0 Aims of the Policy

- 1.1 The purpose of this policy is to provide a standardised appeals procedure that applies to East Herts Council policies that include a right of appeal. This policy takes precedence over any appeals processes detailed in existing policies.

2.0 Policy Statement

- 2.1 This policy applies to all employees, except for Chief Officer level and above, where procedures set out in the Constitution are used.

- 2.2 The Appeals Procedure refers to the following policies:

- Disciplinary Policy
- Grievance Policy
- Managing Performance Policy
- Absence Management Policy
- Redundancy Policy (excluding voluntary redundancy)
- Flexible Working Scheme
- Ending of Fixed Term Employment Policy and Procedure
- Harassment and Bullying Policy

(Or any subsequent replacement/revision of such policy)

and,

- Process for dismissal for Some Other Substantial Reason (SOSR)

- 2.3 Any formal appeal that is not directly covered by any of the policies listed above and is not subject to a specific appeals process will also be dealt with following the procedure detailed in Section 5.

- 2.4 These procedures have been drawn up based on legislation, the ACAS code of practice and have been agreed by UNISON.

3.0 Who to Appeal To and Time Limits

- 3.1 An employee has a right to appeal against formal action taken in accordance with the stated policies.
- 3.2 The appeal must be submitted within 10 working days of the date of the written notification of the decision. The appeal should be submitted to the Head of Human Resources using the Appeal Submission form (Appendix A). An appeal submitted late will not be allowed to proceed.
- 3.3 Unless there are exceptional circumstances, the appeal meeting should take place within 10 working days of receipt of the Appeal Submission form by the Head of HR.

4.0 Grounds for Appeal

4.1 Appeals against Disciplinary Action

- 4.1.1 An employee can appeal against a disciplinary sanction on the following grounds:
- There was a significant breach of the procedure.
 - A reasonable person could not have reached the decision to find against the employee on the basis of the evidence submitted.
 - The Penalty was too harsh, taking into account the seriousness of the offence and any mitigating circumstances.
 - Significant new evidence has become available, and that evidence could not have been available at the time of the original hearing.

4.2 Appeals against Managing Performance Procedure

- 4.2.1 An employee can appeal against any formal sanction made under the Managing Performance Policy on the following grounds:
- There was a significant breach of the procedure.
 - The employee was given insufficient time in which to demonstrate that they could achieve the required standard.
 - The employee was not offered appropriate support and training.

- The employee was not offered suitable and available redeployment.
- That management have not acted reasonably.

4.3 Appeals against Absence Management Procedure

4.3.1 An employee can appeal against any formal sanction made under the Absence Management Policy on the following grounds:

- There was a significant breach of the procedure.
- The employee was given insufficient time in which to demonstrate that they could achieve the required standard.
- The employee was not offered suitable and available redeployment.
- That management have not acted reasonably.

4.4 Appeals against Grievance

4.4.1 An employee has the right to appeal against the outcome of the Grievance Procedure.

4.5 Appeal against Redundancy Decisions

4.5.1 Under the Redundancy Policy, employees can appeal against decisions on the following grounds:

4.5.2 **That their post is not redundant**

The employee needs to identify why they believe their role is not redundant and where their duties have transferred to.

4.5.3 **That they should have been slotted in to/ring fenced for a new post**

The employee needs to identify which post/s it would have been appropriate to slot them in to / ring fence them for and why, setting out the similarity of tasks carried out (this may be different to the employee's job specification) and any transferable skills not already identified.

4.5.4 **That the selection criteria during interview / management selection unfairly applied**

The appeal hearing will have available anonymised information on the assessment of the other candidates, which will be taken into consideration when reaching a decision. This information will be made available to both sides before the appeal hearing

and both sides will be invited to comment on how the appeal might impact on other staff. If the appeal is successful, the member of staff who is selected for redundancy in their place will also have a right of appeal.

- 4.5.5 **That the post offered is not suitable alternative employment**
The employee needs to identify why they believe the role that has been offered to them is not suitable alternative employment.

- 4.5.6 Where notice of redundancy has already been served, any appeals will run concurrently with the employee's notice period.

4.6 **Appeal against Harassment and Bullying Decisions**

- 4.6.1 If the manager decides that it is likely that there is some substance to the complaint and the matter should be resolved through informal means rather than formal means or finds that there is no case to answer, the complainant may appeal against the decision.

- 4.6.2 An appeal must be based on at least one of the following reasons:

- The investigator's investigation or report was inadequate.
- A reasonable person could not have reached the decision on the basis of the evidence provided.
- The manager's decision was inappropriate in the light of the conclusions of the investigator's report.
- Further evidence has come to light during the investigation period.

- 4.6.3 If the manager decides that there is a disciplinary case to answer neither party will have a right of appeal against this decision. There is a separate right of appeal regarding a sanction against an employee following a disciplinary hearing (see 4.1 Appeal against Disciplinary Action).

4.7 **Appeal against Ending Fixed Term Employment**

- 4.7.1 A member of staff who is not satisfied with the decision to terminate their fixed term employment should present their reasons using the Appeal Submission form.

4.8 Appeal against a Dismissal for Some Other Substantial Reason (SOSR)

- 4.8.1 A member of staff who is not satisfied with the decision to dismiss them for SOSR should present their reasons using the Appeal Submission form.

4.9 Appeal against Decisions in Relation to Flexible Working Applications

- 4.9.1 A member of staff who is not satisfied with a decision in relation to a proposal they have made to work more flexibly should present their reasons using the Appeal Submission form.

5.0 Appeal Meeting Procedure

- 5.1 Appeals will usually be heard by senior management who will be a Head of Service or Director who has not previously been involved in the case. The only exception to this will be in the case of appeals against dismissal, which will be heard by the Chief Executive in accordance with the Constitution.

- 5.2 For grievances concerning a Chief Executive or Chief Officer, appeals will be heard in accordance with the Constitution.

5.3 Step 1- Written Notification

- 5.3.1 Human Resources will send written notification to the employee of the appeal meeting date, time and location, giving them at least 7 working days notice and informing them of their right to be accompanied by a trade union representative or work colleague. A copy of the Appeals Policy will be included with the letter. The meeting should normally take place within 10 working days of receipt of the Appeal Submission form to the Head of HR.
- 5.3.2 No later than 5 working days prior to the meeting the employee must submit any new evidence or inform the Head of HR of any new witnesses they intend to call at the meeting.
- 5.3.3 The Manager/ Head of Service will be required to submit a response to the appeal. This should present the circumstances of the case and the action taken to date, and should include a full set of the key documents to be presented at the hearing, including witness statements, a full summary of the circumstances of the case, copies of all correspondence relating

to the case and the outcome found at previous stages of the procedure.

- 5.3.4 Copies of all relevant documents will be circulated by Human Resources to all those attending the appeal no later than 3 working days before the date of the meeting.

5.4 Step 2- Appeal Meeting

- 5.4.1 Appeal hearings will not rehear the whole case, but will focus on the grounds of appeal. Further evidence may be introduced by either side if it is relevant to the grounds for the appeal.

5.5 The Role of Human Resources

- 5.5.1 The Head of Service/ Director will be accompanied by an HR Officer. It is their role to advise on procedure, to advise on ensuring consistency and equity of treatment. They may also ask questions of clarification of either side. The HR Officer may also take notes at the hearing unless the Head of Service/ Director decides that an additional note-taker should be present. The HR Officer that attends the appeal hearing will not have previously been involved in the case.

5.6 Witnesses

- 5.6.1 It is not necessary to recall original witnesses to the appeal meeting. The employee can only recall witnesses or ask new witnesses to attend the appeal meeting if their contribution relates to new evidence that is relevant to the grounds of appeal. The employee must notify the Head of HR no later than three working days before the meeting if they intend to call a witness. Witnesses will only be present at the meeting when giving evidence.

5.7 Process

- 5.7.1 The Head of Service/ Director will ensure that all the parties have the relevant documents and ensure that both sides understand the grounds of appeal that are to be considered.
- 5.7.2 The employee or their representative will set out the grounds of the appeal, calling any witnesses and referring to the documents that have already been submitted.

- 5.7.3 At the conclusion of the case for the appeal, the Manager/ Head of Service, the Director and the HR Officer may question the employee or their representative.
- 5.7.4 The Manager/ Head of Service will then respond to the case for appeal in a similar fashion.
- 5.7.5 At the conclusion of their response they may be questioned by the employee or their representative, the Head of Service/ Director and the HR Officer.
- 5.7.6 The appellant must always have the right to sum up their case following the manager's responses.
- 5.7.7 The Head of Service/ Director will then close the meeting to consider the matter, advised by the HR Officer.

5.8 Step 3- Written Notification of Outcome

- 5.8.1 The decision will be confirmed to the employee in writing within 3 working days of the appeal meeting. If the decision can be made on the day the employee will also be notified verbally. The decision made at the appeal will be final and there is no further right of appeal within East Herts Council.
- 5.8.2 The employee cannot use the Grievance Procedure by way of further challenge to the decision.
- 5.8.3 No increased penalty will result from an appeal being raised.
- 5.8.4 When an appeal is against a decision to dismiss, the dismissal will have taken effect in accordance with the original decision, either summarily or by notice. Should the appeal be successful the member of staff will be reinstated with full back pay or, if it is considered that disciplinary action less than dismissal is appropriate this will be implemented.

5.9 Policy Review and Amendment

- 5.9.1 This Policy shall be reviewed after two years or sooner in line with legislation and best practice to reflect the best possible level of support and management.

Appendix A

Appeal Submission Form

Date.....

I am writing to appeal against the recent decision that was made to:

Please give details of which policy was used, what decision was made and who made the decision.

My grounds of appeal are:

Please outline your reasons for invoking the appeals process.

Resolution sought:

Please outline the outcome you are looking for.

(Name)

Please send the completed Appeals Submission form to the Head of Human Resources within 10 working days of the date of the written notification of the decision.

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MANAGEMENT SELECTION CRITERIA

The Council's Redundancy Policy states that where jobs in a new structure are significantly different to the jobs in the old structure, such that it cannot be assumed that all existing staff will have the necessary knowledge, skills and experience to do the new jobs, there will have to be a selection process. Selection may be done through a recruitment process (such as interviews), through management selection (based on an assessment of past performance), or a combination of both.

The following guidelines and selection grid should be used for the management selection process, in conjunction with the Council's Redundancy Policy (section 7.0 onwards).

Selection criteria must be discussed in advance with HR and UNISON to ensure it is objective, fair and consistent. Criteria must also be declared openly with employees during formal consultation. NB. Even though the criteria may satisfy the test of objectivity, the selection will still be unfair if they are carelessly or mistakenly applied.

Guidelines for assessment

To aid the objectivity of assessing each employee against the selection criteria a points matrix system which weights the factors considered to be important to the current and future needs of the Service and Council will be drawn up. The aim being to maintain the skills needed to support service delivery and organisational priorities and ensure a competent and balanced workforce. The selection matrix can be used in conjunction with a recruitment process as referred to in section 8.7 of the Redundancy Policy.

The assessment process will, where possible, be carried out independently by two managers who know all employees in the selection pool. The marks from the two assessors should then be added together to give a total score for each employee. The assessment will be in writing and, where possible, should be supported with documented and verifiable evidence and not depend solely upon the opinion of the assessors. i.e. Performance Development Review, attendance record, disciplinary record etc. Detailed notes must be kept at all stages of the assessment process.

The assessments will be referred to a Head of Service/Director and HR Officer who will review/audit them in relation to the Service, Directorate and Council as a whole. This will provide a means of ensuring accuracy and consistency of the assessments and non-discriminatory selection procedure. The managers involved will need to be able to justify their decisions and scores.

Appendix C

The assessment will normally be made under all, or a combination of, the factors listed below. A points matrix system which weights the factors according to their importance to the Council's business interests should be drawn up. For example, for a post which primarily involves customer contact, the "client/customer focus" criteria may be weighted x2 or x3 (i.e. twice/three times as importance as the other criteria).

Each individual employee should be rated within the range of scores for each factor according to;

Below acceptable	(0 Points)
Minimum acceptable	(3 Points)
Fully meets required standards	(7 Points)
Exceeds required standards	(10 Points)

The scores for each factor will be totaled and the employee(s) with the highest score(s) will be appointed to the post(s). Those with the lowest score(s) or those who do not meet the minimum criteria will be given notice of redundancy.

The actual selection criteria, weightings and score ranges will be subjected to consultation with UNISON and decided in advance on each occasion.

Factors / criteria for selection (not an exhaustive list)

Knowledge/Skills/Qualifications/Competencies

- These will differ for each service but will always include communication and customer relations
- Other factors might include whether or not the employee:
 - Has specialist knowledge or requirements for the role.
 - Demonstrates commitment to continued professional development.
 - Has professional and/or occupational qualifications (provided they are relevant to the type of work or the future needs of the business).
 - Delivers key competencies for the role i.e. team working, problem solving, staff management, communication, IT literacy.

Work Experience/Training

- Relevant training to the role.
- Breadth and depth of relevant experience.

Work Performance

- Has the experience, skill and ability to achieve and maintain high standards of performance in the job and achieve agreed objectives and targets.
- Is productive and is able to achieve good quality and accurate work.
- Aptitude for work, i.e. has a positive attitude about the service and continually strives to improve it, has effective relationships with colleagues, recognises the need for flexibility and is willing to adapt to change and

versatility (in terms of ability/willingness to perform different functions/duties).

Attendance Record

- Has a good record of attendance over the past 2 years, has good time keeping and is generally reliable.
- Has no unauthorised absences.
- Disability and pregnancy related absences should always be discounted.
- Before selecting on the basis of attendance it is important to know the reasons for and the extent of any absences.

Disciplinary Record

- Has no active disciplinary record.

MANAGEMENT SELECTION GRID – INDIVIDUAL ANALYSIS RECORD

The selection criteria that are being assessed should be inserted into the relevant criteria box once it has been agreed. All evidence to support rationale statements should be attached to this form.

Name: _____	Below acceptable	(0)
Post Title: _____	Minimum acceptable	(3)
Team: _____	Fully meets required standards	(7)
Assessed by: _____	Exceeds required standards	(10)

CRITERIA	POINTS	WEIGHT	SCORE	RATIONALE
<u>Knowledge/Skills/Qualifications/Competencies</u> •		X X X X X X		
• <u>Work Experience/Training</u>		X X X X X X		

[illegible]

CRITERIA	POINTS	WEIGHT	SCORE	RATIONALE
				made in accordance with policy = 0 Absence for maternity, disability, operations or rare occurrences (eg broken bones) will not be taken into consideration.
<u>Disciplinary Record</u> <ul style="list-style-type: none"> Has no active disciplinary record. 		X1		No record = 7 Written Warning, Final Written Warning = 0
TOTAL SCORE				
Signed: _____ Date: _____				



MANAGEMENT SELECTION GRID – SUMMARY SHEET

The following grid should be used to record results from individual analysis record sheets when assessing several employees for the same position (use one summary sheet per position).

Name	Job Title	Knowledge and Skills	Work Experience & Training	Work Performance	Attendance Record	Disciplinary Record	Total

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[SERVICE RESTRUCTURE] PROJECT

APPOINTMENT AND SELECTION PROCESS [MONTH & YEAR]

1. INTRODUCTION

- 1.1 The Protocol is agreed between the East Herts and UNISON, in line with the Council's agreed consultation process, and will apply for the whole of the transitional period until [date].
- 1.2 This protocol seeks to ensure that a fair and transparent process is followed in the appointment and assimilation of staff from the roles they currently hold to the (proposed) [name of service] structure.
- 1.3 The underlying principle is that by working together and through a combination of 'slotting in', 'ring fencing', 'open competition' processes, individual needs and preferences wherever possible and appropriate, all existing employees will be appointed to posts in the proposed structure.
- 1.4 In all cases the Council will follow the principle that the employees appointed to the new structure will be those that have the most appropriate combination of knowledge, skills and experience to make an effective contribution.
- 1.5 If it is necessary to redeploy an employee into a lower graded job, the employee's basic pay will be protected as set out in the Council's redeployment policy. If employees are offered lower graded jobs in the new structure or elsewhere in the organisation it will be for the employee to decide whether or not to accept the post. However, if an employee chooses to apply for a lower graded post and is offered it, this protection will not apply.
- 1.6 Voluntary redundancy may be available:
 - If you are part of a ring fence in an area where there is significant pressure for available posts such that individuals within that ring fence may ultimately be declared 'at risk' of redundancy; and
 - If your release presents no specific problems for continuity of services;
 - If your release presents no specific problems in relation to the need to retain an appropriate balance of skills and experience in

the new structure;

- In the context of all of the above, your release is affordable for the Service and the Council.

If you are interested you will be provided with an estimate of the redundancy payment that will be payable on receipt of a written request. If you are:

- Aged 55 or over, you will also receive an estimate for any retirement benefits as appropriate

Applications for voluntary redundancy will only be approved if it is considered to be in the Council's interest. There will be no right of appeal against a decision not to grant an application for voluntary redundancy.

- 1.7 The intention is to avoid making employees compulsorily redundant. Where existing employees do not find suitable posts within the (proposed) [name of service] structure through the processes referred to in this document, all parties will continue to work together to seek alternative work, firstly within the [name of service] and subsequently across the authority in accordance with East Herts Redundancy and Redeployment policies.

2. THE APPOINTMENT PROCESS

- 2.1 Posts in the new (proposed) [name of service] structure will be matched to the most appropriate level and filled, either by slotting in, ring fenced interviews or open competition by the Appointment Group as detailed in paragraphs 4, 5 and 6 below.
- 2.2 If the jobs in the new structure are significantly different to the jobs in the old structure, such that it cannot be assumed that all existing staff will have the necessary knowledge, skills and experience to do the new jobs, there will be a selection process. This will be by ring fenced interviews or open competition.
- 2.3 The role of the Appointment Group will be to decide the nominated levels of posts and whether the process will be slotting in, ring fenced or open competition. The Appointment Group will comprise:
- The Director/Head of Service**

- The [Senior Managers (if applicable)]
- HR Representative, acting in an advisory capacity to ensure consistency

**The exception to the above will be in the appointment of the [insert exception], where the [insert job title] will allocate the posts, with an HR Representative advising.

- 2.3 The selection and appointment of employees will usually be conducted in 'top down' order of the new [name of service] organisational structure where this is practicable.
- 2.4 Provisionally the '**nominated levels**' in rank order are
- Level 1 – [Generic Title i.e. Manager]
 - Level 2 – [Generic Title i.e. Assistant Manager]
 - Level 3 – [Generic Title i.e. Senior Officer]
 - Level 4 – [Generic Title i.e. Officer]
 - Level 5 – [Generic Title i.e. Assistant]
- 2.5 If appropriate a review of each ranked level will be undertaken to identify the number of positions in the new organisations structure compared with the number of existing employees that have been allocated to it (see paragraph 3 below).
- 2.6 A decision will be made as to whether the appointment processes to be followed will be slotting in, ring fenced interviews or open competition (see paragraphs 4, 5 and 6 below).
- 2.7 Appropriate advice and support will be provided throughout the process by the HR Team to both employees and management as needed.

3 ALLOCATION OF POSTS TO LEVELS

- 3.1 The allocation of posts process is optional and may only be of relevant to large restructures with a number of similar posts at each level.
- 3.2 The allocation of existing posts to a level within the new organisational structure will be undertaken by the Appointment Group.

- 3.2 There will be a direct correlation between the level that a post has been allocated too and the subsequent level that the incumbent post holder/s are allocated too.
- 3.3 UNISON will be advised on the allocation of existing posts.
- 3.4 All affected employees will be informed of the level to which they have been allocated and the posts in the new organisational structure that have been deemed to fall within that same level. Employees will be asked to confirm in writing which post(s) they wish to be considered for in their allocated level and what hours of work they would prefer (this is to ensure management take into consideration any requests in change of hours as part of the restructure). Voluntary redundancy requests may also be made at this stage.
- 3.5 Employees will have the right to discuss the level they have been allocated with the Appointment Group.

4. SLOTTING IN PROCESS

- 4.1 Slotting in will occur where either:
- The number of posts in terms of current role and relative salary within a nominated level are either the same or more than the number of existing postholders that have been allocated to that level.
- Or
- The similar post contains significant elements of the old post
 - The similar post does not involve a substantial change in grade
 - There is no other employee who could reasonably claim to be slotted into the same post
- 4.2 Where there are more eligible post holders than similar posts slotting cannot apply. In these circumstances the available posts will be ring fenced and there will be a competitive selection process. Only eligible existing post holders will be able to apply. See section 5 for more details.

- 4.3 The Appointment Group will compare the existing job descriptions with the new job descriptions when considering whether slotting in is possible. Both the job description and person specification will be referred to in this process. Where current job descriptions and person specifications are 'out of date' then the knowledge of the job role and scope that is the reality of the post holder will be used. Management or employee knowledge of the role may be requested.
- 4.4 Consideration will be given to employees stated preferences by the Appointment Group when slotting employees into individual posts. Consideration will also be given to any preference in working hours employees may have submitted as part of the allocation of levels to post process or as part of the consultation process.
- 4.5 The employee and trade union representative will be advised of the employee's nominated post in the new organisational structure. The employee will receive confirmation in writing and be required to declare their intention to either accept or decline the post within 10 working days.
- 4.6 In the first instance, employees will only be considered for their nominated post.
- 4.7 Those accepting their nominated post will receive confirmation in writing following the hearing of any appeals.
- 4.8 For employees not accepting slotting in to a nominated post, consideration will be given to the next steps and advice will be given to the employee on the implications (see paragraph 7 for more details).
- 4.9 Once the outcome of action in paragraph 4.5 is known, the Appointment Group will reconvene if necessary to identify any vacancies that have not been filled by slotting in and therefore can be opened up to staff via a competitive selection process (ring fenced interviews or open competition).
- 4.10 Employees will have the right to appeal in accordance with the Appeal Policy if they believe they should have been slotted in/ring fenced for a post.

5. RING FENCED PROCESS

Redundancy Policy (6.3) – Appendix B

- 5.1 The ring fenced process will be apply where there are more eligible post holders than similar posts or where the Appointment Group have defined the role to be ring fenced. Eligible post holders are defined as their current role includes elements of the new role and is similar in grade and level.
- 5.2 Ring fenced interviews will usually be carried out in a top down order, where this is practicable.
- 5.3 A competitive selection process can include an interview or an interview and management selection process and will be carried out by the Appointment Group. See appendix C of the Redundancy Policy for the template Management Selection Matrix. Trade Unions will be consulted about the process and their views taken into consideration
- 5.4 Management selection criteria will be completed by two members of the Appointment Group separately and scores will be added up and divided by two.
- 5.5 The Appointment Group will use agreed management selection criteria based on the person specification of the new roles. The PDRs for the previous two years full reviews will be used to support this process as well as the interview, absence record and disciplinary record. The following criteria will be considered:
 - Knowledge/Skills/Qualifications/Competencies
 - Work Experience/Training
 - Work performance
 - Attendance record
 - Disciplinary record

Individuals will be informed of their own individual analysis record (management selection criteria) on request.
- 5.6 The employee will receive confirmation of the selection process in writing. Those being offered a role will be required to declare their intention to either accept or decline the post within 10 working days.

- 5.7 Employees will have the right to appeal in accordance with the Appeal Policy if they believe they should have been slotted in/ring fenced for a post.
- 5.8 If any posts then remain unfilled at this stage then the post will be filled through open competition.

6.0 OPEN COMPETITION PROCESS

- 6.1 This process will be used where posts have not been filled through slotting in and ring fenced interviews. This process will also be used for new posts that do not currently exist in the structure.
- 6.2 These posts will be open to all staff at risk and on the redeployment list.
- 6.3 Employees will be asked to complete an application form to confirm their skills and experience and expressions of interest in any of the post/s, for which they wish to be considered.
- 6.4 The Appointment Group will follow the competitive selection process as outlined in paragraphs 5.5 to 5.9.
- 6.5 Employees will be informed of the outcome of the process in writing. Successful employees will be required to declare their intention to either accept or decline the post within 10 working days.
- 6.6 If an employee's decision is not to accept the offer of post, advice will be given on the implications for the individual (see section 7).
- 6.7 If still no appointment is made, the post will be advertised internally (including within the partner councils) and externally if appropriate.

7.0 DECLINING OFFERS OF EMPLOYMENT

- 7.1 If an employee decides not to accept an offer at either the slotting in, ring-fenced, open competition stages, no alternative post is available or a suitable alternative post has been declined then this will be confirmed in writing and a meeting will be convened between the

Redundancy Policy (6.3) – Appendix B
employee, **Director/Head of Service/[Job Title] and HR Representative. The employee may be accompanied by a Trade Union Representative or work colleague if they wish. The purpose of the meeting will be to discuss the redeployment opportunities available and to inform the employee that dismissal on the grounds of redundancy will be issued and to give the employee the right of appeal.

- 7.2 HR will write separately to employees under notice of redundancy setting out redundancy entitlements including time off to seek alternative employment, career advice and redundancy payments.
- 7.3 All employees that are not appointed into a new role will automatically be put on the Council's redeployment list in accordance with the Redeployment policy.
- 7.4 Any refusal of a suitable alternative post will remove any right to a redundancy payment.
- 8.0 These guidelines should be used in conjunction with the Council's Redundancy and Redeployment Policies.**

EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE - 11JULY 2012

REPORT BY HEAD OF PEOPLE, ICT AND PROPERTY SERVICES

BULLYING & HARASSMENT POLICY REVIEW

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To approve the revised Bullying & Harassment Policy and Dignity at Work Statement

<u>RECOMMENDATIONS FOR LOCAL JOINT PANEL: That:</u>	
(A)	The revised Bullying & Harassment Policy is recommended for approval
(B)	The Dignity at Work Statement is recommended for approval
<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE: That:</u>	
(A)	The revised Bullying & Harassment Policy is approved
(B)	The Dignity at Work Statement is approved

1.0 Background

1.1 The Council's Harassment and Bullying Policy was last reviewed in 2006. The Council's programme of policy review is after two years or sooner in line with legislation and best practice.

1.2 The Equality Act came into force in October 2010 which includes new provisions. A review of the policy was required to ensure it encompassed legislative and best practice changes.

2.0 Report

2.1 **Key changes**

- 2.2 The policy has been revised to focus on behaviour and a new Dignity at Work statement has been devised to support and encourage this.
- 2.4 The Confidential Advisor role has been removed, as support and guidance is now provided by line managers, Human Resources, union reps and the Council's confidential Employee Assistance Programme. In practice this role was not utilised in the past.
- 2.5 The Confidential Monitoring form has been updated to give greater emphasis to the informal stage of the procedure to encourage staff, where possible, to resolve any issues at this point.
- 2.6 The revised policy can be found at **Essential Reference Paper 'C'** and the new Dignity at Work Statement within the policy contained with **Essential Reference Paper 'B'**.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	The policies have been shared with UNISON and Heads of Service
Legal:	As detailed in the report
Financial:	None
Human Resource:	As detailed in the report
Risk Management:	None

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Dignity at Work Statement

Message from the Chief Executive/Director of Customer & Community Services

The Council is committed to creating a work environment of mutual respect and where everyone is treated with dignity.

Employees are required to treat any possible incidence seriously, to read the Harassment and Bullying Policy and this document carefully and consider whether their actions and behaviour are always appropriate in the workplace.

I would like to take this opportunity to reiterate the Council's commitment to supporting a culture where all staff are able to develop and feel valued.

George A Robertson
Chief Executive/Director of Customer & Community Services

Underlying principles

This statement is for everyone within East Herts Council, and applies to all members of staff including contractors, agency staff and anyone engaged to carry out work on the Council's behalf. It sets out the behaviours expected when dealing with each other and members of the public.

We need to listen to, value and respect each other as individuals with a contribution to make to ensure that East Herts Council achieves its aims.

Everyone is different and has something unique to offer. East Herts wants to respect and understand these differences and to make the most of everyone's talents.

The Council's Corporate Management Team and managers at all levels will demonstrate their commitment to promoting equality and diversity.

All staff have a personal responsibility to treat everyone with respect, consideration and without prejudice and to promote the same levels of behaviour in colleagues.

Discrimination, harassment, bullying and victimisation

The Council will not tolerate any form of unfair, discriminatory behaviour, nor harassment, bullying or victimisation by anyone. These are serious matters and the consequences of such behaviour adversely affect performance and morale. They may lead to disciplinary proceedings for the member of staff responsible. The

Council's [Bullying & Harassment Policy](#) explains how such issues should be dealt with.

The Council's responsibility

The Council has a responsibility under equality legislation to protect our staff from harassment by third parties (stakeholders and other external contacts). The Council will take all reasonable actions to ensure people are aware of this Dignity at Work statement, and take action in response to incidents of unacceptable behaviour towards employees.

Your responsibility as a Manager

Managers at every level are responsible for ensuring that they and their staff understand their responsibilities, that the equality and diversity policies are upheld in their area, and for ensuring fairness and impartiality in all aspects of managing staff and the work of the Council.

Managers are expected to:

- challenge unacceptable behaviours and create a climate where complaints can be raised without the fear of reprisal
- take firm action where unfairness or inconsistency exists
- encourage and support diversity within their teams
- demonstrate and promote considerate and fair behaviour
- treat staff with dignity and respect and recognise and value individual skills and contributions

Your responsibility as a member of staff

It is important for everyone to recognise and accept individual responsibility for equality and diversity within the Council. This includes our dealings with others outside of the Council, to ensure that our actions and words demonstrate and deliver dignity and respect for all.

Communication

The Council will ensure that this statement and supporting policies are accessible and understood by everyone.

Supporting Policies

[Bullying & Harassment Policy](#)
[Equality & Diversity Policy](#)



East Herts Council

Bullying & Harassment Policy

Policy Statement

Policy Statement No 17 (Issue No 2)
July 2012

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1.0 **Background**

- 1.1 East Herts Council strives to provide a good working environment for all staff in its employment and, indeed, the people it serves. This includes ensuring that everyone is treated equally and with respect. As an employer East Herts Council has both a legal and moral duty to protect their employees against harassment and bullying.
- 1.2 All employees should be given the opportunity to perform to their best abilities and therefore harassment or bullying at work will not be tolerated. Any such behaviour will be dealt with under the Disciplinary Procedure as a disciplinary offence that could lead to dismissal.
- 1.3 The Council has a Dignity at Work statement championed by the Chief Executive and managers of the Council (see Appendix A).
- 1.4 Despite cases of harassment or bullying being rare at East Herts Council, any such occurrence will be treated with due gravity. Incidents of discrimination, bullying and/or harassment need to be brought to the attention of East Herts Council to ensure that unacceptable behaviour is eliminated, and that a good environment can be maintained for the benefit of everyone. If such incidents are not reported they cannot be dealt with, and the alleged perpetrator may continue to subject others to similar treatment.
- 1.5 Employees are asked to treat this issue seriously, to read the Dignity at Work statement and this policy carefully and consider whether their actions and behaviour are always appropriate in the workplace.
- 1.6 All managers at East Herts Council have a duty to create a working environment where harassment and bullying are not acceptable and to take action to address harassment and bullying if it arises.

- 1.7 Throughout this policy the term harassment is taken to mean an all encompassing term, which includes harassment and bullying.
- 1.8 Where the Procedure refers to one perpetrator and one complainant, it should be interpreted to cover all other combinations.
- 1.9 This Policy applies to all Council employees including Chief Officers and above.

2.0 Harassment & Bullying – Definitions

2.1 Harassment

- 2.1.1 The current definition of harassment as set out in the Equality Act 2010 is ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating and intimidating, hostile, degrading, humiliating or offensive environment for that individual.’
- 2.1.2 The protected characteristics are; age, disability, gender reassignment, race, and sex. Whilst there is no specific harassment protection for pregnancy and maternity and religion and belief within the act direct discrimination protection prohibits treatment such as bullying and harassment which results in a person being treated less favourably.
- 2.1.3 The scope has been extended to include harassment based on association or perception and by a third party.
- 2.1.4 The essential characteristic of harassment is that the action(s) is unwanted by the recipient.
- 2.1.5 Forms of harassment include many kinds of unacceptable behaviour. For example:
- Uninvited, unreciprocated and unwelcome behaviour of a sexual nature, which is offensive to the person involved and causes that person to feel threatened, humiliated, or embarrassed.

- Action, behaviour, comment or physical contact which is found objectionable or which causes offence, including: offensive jokes, verbal abuse, language, graffiti or
- literature of a racist or sectarian nature, or offensive remarks about a person's skin colour, physical characteristics, age, sexual orientation, or any other personal characteristic.

2.2 Bullying

2.2.1 Bullying is not specifically defined in law, however ACAS gives the following definition:

'Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient'.

2.2.2 Bullying is often inextricably linked to the areas of harassment described above.

2.2.3 Examples of bullying include:

- Unjustified criticism of an individual's personal or professional performance,
- shouting at an individual, criticising an individual in front of others.
- Spreading malicious rumours or making malicious allegations
- Ignoring or excluding an individual from the team / group.
- Online bullying.

3.0 Harassment / bullying by contractors, agency staff, service users or other groups

3.1 The Council has a responsibility under equality legislation to protect our staff from harassment by third parties (stakeholders and other external contacts). The Council will

take all reasonable actions to ensure people are aware of the Dignity at Work statement, and take action in response to incidents of unacceptable behaviour towards employees. Management undertakes to investigate reported incidents and take appropriate action.

- 3.2 Employees have a duty to report incidents of harassment by people who are not East Herts Council employees. This should be done by advising their line manager of what happened and by completing an Incident Report Form on the intranet and returning it to the Health & Safety Officer. HR will also be informed of the incident to ensure any support the employee needs is provided.

4.0 Harassment / Bullying by elected members

- 4.1 Any dealing between Members and Officers should be conducted with mutual trust, respect and courtesy. Further guidance is available in the Council's Constitution and the Member/Officer Relations Protocol.
- 4.2 If an employee wishes to raise concerns about a member's behaviour towards them they should raise the complaint with the Head of Legal and Democratic Services or the Council's Monitoring Officer (Director of Neighbourhood Services) in accordance with the Constitution.

5.0 Harassment / bullying by East Herts staff

- 5.1 Employees that feel they are being harassed or bullied have a right to:
- Discuss any problems with their line manager where appropriate
 - Access to confidential HR advice in relation to support and the process
 - Contact PPC (the Council's Employee Assistance Programme) for confidential advice and support

- Access to Union/other advisor
- Access to an informal process to resolve issues
- Make a formal complaint about harassment or bullying at work
- Expect that every complaint will be fully investigated and dealt with appropriately.

5.2 Employees that are being harassed or bullied should keep a diary and written record of all incidents. This should include dates, time, details of what happened and how the person felt, and the names of witnesses, if any. A hard copy should be kept of any offensive e-mails or other communications. This is helpful to the investigators in looking into the complaint.

6.0 Informal action

6.1 Informal and formal cases of harassment and bullying are rare within East Herts Council, and it is hoped that if a case exists that it can be resolved satisfactorily at an early stage.

6.2 Employees that feel they are a target of bullying or harassment or an employee who witnesses an instance of bullying or harassment, is urged to seek advice as stated in 5.1 and try to resolve the matter on an informal basis before activating the formal procedure. They should contact HR in the first instance to discuss the incident and how they may wish to proceed.

6.3 Some people are unaware that their behaviour in some circumstances could be viewed as harassing or bullying. If it is clearly pointed out to them that their behaviour is unacceptable, the problem can sometimes be resolved.

- 6.4 Employees that feel comfortable doing so should raise the matter informally with the alleged perpetrator, stating which aspect of their behaviour is offensive and unacceptable, the effect it is having on you and making it clear that it should cease. This can be done either verbally or by means of a written communication, a copy of which you should keep. You may seek the support of a colleague, trade union representative or HR to accompany you at this discussion.
- 6.5 Employees should find a quiet place to discuss the issue confidentially and without interruption. The aim of this meeting, or action, is to ascertain whether the alleged harasser agrees that the behaviour occurred, irrespective of intention, and to obtain an agreement to cease the behaviour. The confidentiality of all parties must be maintained at all times.
- 6.6 Employees that do not feel able to approach the alleged harasser directly, or the alleged harasser does not respond to their concerns, should speak to their line manager. If it is the line manager who is accused of harassment, you should speak to their manager.
- 6.7 The line manager must take action to investigate as set out in 6.8 and respond to you within 10 working days (This time limit may be extended with your agreement).
- 6.8 The line manager will investigate and, if they feel that there is substance to the complaint, take action to address it, which may include:
- Talking to the alleged perpetrator about the issues
 - Discussing behaviour and requirements in a team meeting (without breaching confidentiality)
 - Coaching interviews with the alleged perpetrator to inform them of the effect of their behaviour and setting out expectations for the future. It may be appropriate to set targets with appropriate mechanisms to monitor progress and identify training needs.
 - Skills training
 - Interpersonal skills training (communication skills, assertiveness)

- Mediation
- Conciliation
- Arbitration
- Mentoring for the complainant or the alleged perpetrator

- 6.9 The parties should attempt to resolve their issues within one month. Where problems are long-standing and mediation is in progress, the issues may take longer to resolve. It is important that the parties feel that progress towards resolution is positive. However, where the parties have not been able to resolve their issues within two months, any of the parties can refer the matter to the formal procedure.
- 6.10 It should also be noted that disciplinary action and sanction may be taken against perpetrators of harassment and bullying. Disciplinary action may be taken only after a formal investigation has been conducted. Please see the disciplinary procedure for further information.
- 6.11 A record of the complaint must be recorded on the Confidential Monitoring form (see Appendix B). The line manager should record the informal action taken and return a copy to HR for monitoring purposes.

7.0 Formal action

- 7.1 The formal procedure will apply where:
- The informal procedure has proved ineffective and the complainant wishes to make a formal complaint.
 - The parties have not been able to resolve their issues under the informal part of this procedure within two months
 - An allegation has been made by a “third party”, who witnessed an incident
 - The nature of the allegation is serious enough to warrant formal action from the outset.
- 7.2 Throughout the formal part of this procedure, both parties have the right to be represented or accompanied by a Trade Union representative, or work colleague.
- 7.3 Employees who wish to raise a complaint under the formal procedure must complete the Confidential Monitoring Form (see Appendix B). This should be handed to your line manager and a copy sent to Human Resources. If the allegation is against your line manager the form can be handed to your Head of Service or Director (if the Head of Service is your line manager). In cases where a Director is the alleged perpetrator, the appropriate Executive Director should be notified.
- 7.4 The Confidential Monitoring Form will include the following:
- Details of the alleged harassment or bullying, including as much specific information as possible.
 - The name(s) of the alleged perpetrator(s)
 - What form of resolution you are seeking.
- 7.5 In cases where the employee has attempted to resolve the matter informally with their manager, Head of Service or Director, or has good reason to believe their concerns have not been taken seriously, they should send the completed Confidential Monitoring form to Human Resources. HR will ensure that the investigator’s terms of reference include assessing the suitability of the manager, Head of Service or Director to have any further involvement in the case. Alternatively, the Investigator may develop their own concerns about the suitability of the manager, Head of Service or Director to deal with the matter. In either circumstance the

Head of Service, with advice from Human Resources, will determine whether there is substance to the concerns and, if appropriate, will appoint an alternative manager to deal with the matter. In cases concerning a Head of Service the Director will make this decision with advice from the Head of Human Resources. Should the case involve a Director the Chief Executive will make the decision with advice from the Head of Human Resources

- 7.6 The manager on receipt of the Confidential Monitoring form should notify Human Resources immediately. If the matter has not previously been raised under the informal part of the policy. Human Resources will discuss with the employee and line manager whether it would be more appropriate to try and resolve the matter informally first. The decision to move to formal action under the policy will be in accordance with the reasons set out under 7.1.
- 7.7 Human Resources will appoint an Investigator once it has been decided the formal process should be invoked. Consideration will be given to the nature of the case and it may be appropriate for a case to be investigated by someone of the same sex, race or ethnicity etc. as the complainant.
- 7.8 Human Resources may appoint a note-taker to support the investigator. The investigator and note-taker will be from outside the department where the complainant and alleged perpetrator regularly work.
- 7.9 In exceptional circumstances, it may be more appropriate for an external investigation team to be commissioned. This would normally be for the following reasons:
- If the allegations are against a Chief Officer;
 - If the nature of the case is potentially a criminal act of harassment;
 - If at any stage of a case the matter becomes larger or more complex than foreseen;
 - In the case of internal resource shortages.

8.0 Investigation

8.1 Principles

8.1.1 An investigation is conducted in order to:

- Establish the truth of the situation.
- Uncover evidence and determine whether there is a case to answer.
- Determine whether there is a prima facie case for disciplinary action.
- Explore the acceptability and practicality of options for resolving the complaint, including an assessment of the commitment of the parties to achieving a practical resolution to the complaint.

8.1.2 Strict confidentiality must be maintained by, and for, everyone involved in the investigation and all parties will be treated with respect and fairness at all times.

8.1.3 Whilst every effort will be made to allow both parties to continue at work, it may be necessary to review working arrangements so that the complainant and the alleged harasser are separated. In such circumstances, the presumption will be that the complainant should not be moved from their normal work location. However, the line manager will also need to consider any impact on services and will consult with both parties on the options available. Whether the complainant, the alleged harasser, or both parties are moved to an alternative work location will be decided by the line manager, taking all of the circumstances into account. This decision will in no way be influenced by any perceptions of the validity of the case or the culpability of the alleged harasser.

8.1.4 In exceptional circumstances consideration may be given to granting either or both parties extended leave. Or depending on the circumstances of the case, and where the disciplinary procedure has had to be invoked, suspending the alleged perpetrator in accordance with the provisions of that procedure, while the case is in progress. Such circumstances may include:

- Cases where the allegations are so serious that gross misconduct is indicated.
- There are concerns that one or both of the parties may tamper with evidence.
- There are concerns that one or both of the parties may seek to bring improper influence upon potential witnesses.
- Where there are concerns that the complainant is finding the situation too stressful or difficult, paid time off from work should be considered for the duration or remainder of the investigation.

8.1.5 Investigative interviews will be conducted promptly, and investigations should normally be completed within 28 days of the receipt of the Confidential Monitoring form. If this is not possible, the reason should be recorded and both parties informed, in order to be transparent about the process. Formal records should be kept at all stages of the proceedings by the investigators.

8.2 Investigation preparation

8.2.1 Terms of reference specific to the case should be drawn up and agreed with the Head of HR. If, during the course of the investigation, the Investigator forms the view that the terms of reference need to be changed they must agree the revised terms of reference with the Head of HR.

8.2.3 The meaning of confidential needs to be defined in the context of the investigation within the terms of reference and communicated to all those involved in the investigation.

8.2.4 The Investigator will consider the complaint and decide how much information will be passed to the alleged harasser, consistent with protecting the complainant from personal detriment whilst providing the alleged harasser with sufficient information to begin preparing their response to the complaint. The investigator may add to the information given to the alleged harasser after they have spoken to the complainant.

8.2.5 The Investigator will write to the complainant and alleged perpetrator notifying them that they have been appointed and explaining the process, terms of reference and need for confidentiality. They will also be advised their right to be

accompanied throughout the process and asked if they wish to nominate any witnesses. Counselling for both parties will be offered at this stage and can be taken up at any point during the investigation.

- 8.2.6 The alleged perpetrator will also be given details of the allegation as determined above. They will not be told the names of any witnesses nominated by the complainant at this stage. They will also be informed of implications of any acts that may be construed as victimisation.

8.3 Investigation interviews

- 8.3.1 The investigator will interview and take statements from the complainant and the person against whom the complaint has been made. Any witnesses will also be interviewed.
- 8.3.2 Interviews should be conducted in a confidential context. The precise meaning of “confidential” should be explained at the beginning of each interview and be consistent.
- 8.3.3 Interviews to be conducted in a neutral/comfortable environment, with trade union reps/colleagues present for support/representation as requested.
- 8.3.4 Interviews should commence with a clear introduction of the purpose of the investigation and the terms of reference. It should also be explained that minutes will be taken but that these will not be verbatim.
- 8.3.5 After the interview the minutes will be sent to the interviewee. They will be asked to sign, confirming them as a fair and true record of the interview. If relevant, this statement may form part of the Management Case presented at a subsequent disciplinary hearing. If the interviewee disagrees with the minutes they may propose amendments. The minutes will either be amended accordingly or the proposed amendments will be placed on file.
- 8.3.6 It may be necessary to interview an individual more than once, in order to ensure that a complete understanding of the circumstances has been achieved. The questions asked during these interviews should be designed to ascertain all relevant facts, and should be consistent and fair to all parties.

8.4 Written Statements & Evidence

- 8.4.1 In addition to formal questions, as part of the investigation it may be appropriate to ask an individual to complete a written statement in his/her own words presenting the situation from their perspective.
- 8.4.2 Relevant documentary evidence, policies and procedures, internal documentation, training records, to be gathered and collated and perused by the investigator.

8.5 Investigation Outcome

- 8.5.1 The investigator will consider options on any action to rebuild effective working relationships and form a view on the commitment of both parties to resolving the complaint.
- 8.5.2 The investigator will produce a written report detailing the investigation, complaint, defence and evidence. The report must be confined to the agreed terms of reference. This will be made available to both parties (without supporting documentation e.g. witness statements etc).
- 8.5.3 The report should include:
- The Investigator's assessment of whether the alleged harassment took place, referring to evidence to support their findings.
 - Identify options for resolving the complaint, including an assessment of their practicality and acceptability to both parties.
 - Express an opinion on whether there is a case for disciplinary action.
- 8.5.4 The investigator may submit an additional report to management on issues outside the agreed terms of reference and/or not directly relating to the substance of the complaint, which may include recommendations on management action to reduce the possibility of similar complaints in the future.
- 8.5.5 The Investigator will advise the line manager that the investigation has been concluded and request a meeting.

8.5.6 The line manager will meet with the investigator and a representative from HR to consider the investigator's report. A disclosure of evidence gathered will be made at this meeting. Unless there are exceptional circumstances a decision will be taken on the appropriate action, which will be either:

- There is a case to answer and disciplinary action is appropriate invoking the Disciplinary Policy, or
- It is likely that there is some substance to the complaint and the matter should be resolved through informal means, or
- There is no case to answer.

8.5.7 Both parties to the complaint will be advised of the manager's decision in writing and given a copy of the investigator's report (without supporting documentation e.g. witness statements etc), no later than 3 working days after the meeting.

8.5.8 If the manager decides there is a disciplinary case to answer, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence. The matter will then be dealt with under the Council's Disciplinary Policy.

8.5.9 The line manager will present the case at any disciplinary hearing in accordance with the Council's Disciplinary Policy, using the investigator's report as their primary evidence. The supporting documentation (e.g. witness statements etc) from the original investigation will be used to support the case. The Investigator will normally be called as a witness at the Disciplinary Hearing. The Hearing Officer must be impartial and as far as possible have had no previous role in the investigation.

8.5.10 The complainant will be advised of the outcome of the disciplinary hearing and will be advised that the information is being given in the strictest confidence. Failure to keep the matter confidential will result in disciplinary action being taken against the complainant.

8.5.11 If the manager decides that there is some substance to the complaint, but that the issue is not serious enough to warrant

disciplinary action, the manager will decide on an appropriate course of action designed to:

- Remind the harasser of the standards of behaviour and conduct required by East Herts Council and advise them on how they should behave in the future to avoid further complaints.
- Rebuild the working relationship between both parties to the complaint.

8.5.12 The action plan will be initiated as soon as possible and, in any event within 10 working days of the meeting.

8.5.13 If the manager decides that there is no case to answer they will also form a view on whether the allegation was malicious. In any event the manager will take action to ensure that both parties resume normal working and facilitate rebuilding the working relationship, which may include mediation or personal development training. All parties will be expected to co-operate with this process.

9.0 Victimisation

9.1 Intimidation and/or victimisation of employees who have filed a complaint or been party to an investigation are itself regarded as a disciplinary offence and management will take necessary action to prevent this and protect staff. In the absence of corroborative evidence, conclusions may be drawn on the balance of probability i.e. something is more likely to be true than not true.

10.0 Monitoring following a formal Harassment/Bullying Complaint

10.1 The line manager of the complainant will monitor the working situation to ensure that no victimisation or recurrence takes place. The Line Manager will be expected to report back to Human Resources on the situation on a regularly basis.

11.0 Malicious Complaints

- 11.1 Malicious complaints are exceptionally rare. However, if it is felt that this policy is being abused with a malicious complaint, this will be treated as a disciplinary offence and pursued via the Disciplinary Policy.

12.0 Confidentiality

- 12.1 In order to protect all parties involved in any investigation and/or disciplinary process, it is essential that everyone concerned adheres strictly to the rules of total confidentiality; breaches of confidentiality will normally be treated as misconduct under the Disciplinary Policy.

13.0 Mediation and Conciliation

- 13.1 Mediation refers to neutral and objective facilitation by a third party to help the parties communicate with each other and come to an agreement. Conciliation refers to the process once a decision has been made, whether formally or informally, to facilitate the restoration of positive working relationships.
- 13.2 Any of the parties have the right to request the assistance of a mediator to assist in the resolution of issues arising from bullying and harassment.
- 13.3 Both parties must agree to mediation. If any of the parties does not agree to mediation, mediation cannot be used to resolve the issues.

- 13.4 Human Resources will ensure that mediators used are trained to deal with the issues between the parties.
- 13.5 If the parties are able to resolve the matter through mediation, no further action will be taken.
- 13.6 Conciliation may be appropriate to help restore working relationships where they have become strained as a result of attempts to resolve the issues.
- 13.7 The Mediator/Conciliator will provide the parties with a written statement outlining the issues to be addressed and agreed action to be taken by the parties to resolve the issue.
- 13.8 The parties are advised to keep their own notes of the actions taken following the mediation.

14.0 Support

- 14.1 The Council recognises that an employee who has been the target or has been accused of harassment or bullying may require counselling to enable her/him to deal with what has happened to them/assist in coping with being accused.
- 14.2 PPC, the Council's confidential Employee Assistance Programme is available to employees who feel they need such counselling support. Managers can refer employees if appropriate but it can also be accessed through self referral and without approval from managers, Occupational Health or HR.
- 14.3 Any counselling provided will be strictly confidential between the counsellor and employee; no details or records will be disclosed without the express written permission of the employee. In the event that an employee pursues counselling support independently of the Council's service, paid time off work will be facilitated, where possible, to ensure the employee can attend counselling appointments.

15.0 Appeals

- 15.1 If the manager decides that there is a disciplinary case to answer neither party will have a right of appeal against this

decision. There is a separate right of appeal regarding a sanction against an employee following a disciplinary hearing. Please see Appeals Policy for further details.

- 15.2 If the manager decides that it is likely that there is some substance to the complaint and the matter should be resolved through informal means or finds that there is no case to answer, the complainant may appeal against the decision. Please see Appeals Policy for further details.

16.0 Review

- 16.1 This procedure will be reviewed every 2 years, or sooner if there are any changes in legislation or best practice require amendments to be made.



Confidential Monitoring Form
Bullying & Harassment

This form should be completed when an informal or formal complaint is made or by an employee or manager raising informal or formal action.

Name: _____	Tel: _____
Line Manager: _____	Department: _____

Name(s) of alleged harasser(s): _____
Date or Period of incident(s) : _____

Please give an outline of the incident(s) (continue on a separate sheet if necessary)

Name(s) any witnesses to the behaviour complained of: _____
--

Have you discussed this matter with anyone (line manager, union rep, alleged harasser) _____
--



Please outline any informal action taken

Please state how you would like the issue resolved

Signed: _____ Date: _____

Person receiving form: _____

Signed: _____ Date: _____

Please hand this completed form to your line manager and ensure a copy is sent promptly to the HR Service.