



MEETING : HUMAN RESOURCES COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 12 FEBRUARY 2020
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillor R Bolton (Chairman)

Councillors A Alder, S Bull, J Dumont, M McMullen, S Newton and
P Ruffles (Vice-Chairman)

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
 - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
 - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
 - participate in any discussion or vote on a matter in which a Member has a DPI;
 - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

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AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes (Pages 7 - 16)

To receive the Minutes of the meeting held on 20 November 2019

3. Declarations of Interest

To receive any Member's Declaration of Interest.

4. Chairman's Announcements

5. Health and Safety Quarterly Review - October to December 2019 (Pages 17 - 26)

6. Gender Pay Gap Report (Pages 27 - 48)

7. Pay Policy Statement: 2020 - 2021 (Pages 49 - 62)

8. Human Resources Management Statistics - Quarterly Report (Pages 63 - 74)

9. Recruitment Audit 2019 (Pages 75 - 94)

10. Payroll Audit 2019 (Pages 95 - 104)

11. General Leave Policy Update (Pages 105 - 128)

12. Human Resources and Payroll Team Update (Pages 129 - 142)
13. Local Joint Panel - Minutes of the meeting: 5 June 2019 (Pages 143 - 148)
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 20
NOVEMBER 2019, AT 7.00 PM

PRESENT: Councillor Rosemary Bolton (Chairman)
Councillors A Alder, S Bull, J Dumont,
M McMullen, S Newton and P Ruffles

OFFICERS IN ATTENDANCE:

| | |
|--------------------|--|
| Lorraine Blackburn | - Democratic Services Officer |
| Simon O'Hear | - Head of Human Resources and Organisational Development |
| Peter Dickinson | - Health and Safety Officer |

231 MINUTES

The Minutes of Human Resources Committee on 3 July 2019 were submitted.

With regard to the provision of a defibrillator at Charrington's House, the Health and Safety Officer advised Members that the defibrillator had been ordered and that delivery was awaited.

In relation to Minute 61 – (Human Resources and Payroll Update) the Chairman asked for an update in relation to Charrington's House and its closure. The Head of Human

Resources and Organisational Development advised that this was tied to the development of the Old River Lane project in Bishop's Stortford. He estimated that the closure of Charrington's House was at least two years in the future.

The Democratic Services Officer provided an update in relation to work which had been undertaken and which would be done in relation to Member Training and protocols.

232 DECLARATIONS OF INTEREST

Councillors R Bolton, S Newton and P Ruffles asked that their (non-pecuniary) interests be recorded in relation to Agenda Item 9 (HR Payroll and Update) in view of the HR support given by the Council to Hertford Town Council by virtue of the fact that they were all Hertford Town Councillors.

233 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the current functions of both the Local Joint Panel and Human Resources Committee. She reminded Members that the Local Joint Panel was advisory and that it comprised Officers from the Staff side (UNISON) and the Employer's side. The Chairman explained that there was a need to be more efficient in relation to how these two bodies interacted and suggested that policies be sent to both bodies at the same time so that amendments could be resolved at the LJP and thereby expedite the consultation process.

It was noted that any suggestion to alter the structure of the Panel or Committee or to subsume one into the other would require a change to the Constitution and approval

by Council. The Head of HR and Organisational Development undertook to review processes in other authorities. The Head of Human Resources and Organisational Development assured Members that any questions or comments would be considered and responded to and incorporated as appropriate.

The Democratic Services Officer agreed to refer to the matter to the Democratic Services Manager to establish whether any changes might be required to the Constitution on the change in process referred to above.

With the consent of Members, the order of the agenda was changed. Agenda Item 8 (Human Resources Quarterly Management Statistics) would be considered as the first substantive item on the agenda.

234 HUMAN RESOURCES QUARTERLY MANAGEMENT STATISTICS

The Head of Human Resources and Organisational Development submitted a report which detailed management statistics for Quarter 2 (July – September 2019). Officers welcomed questions from Members.

Councillor A Alder expressed concern about the support offered to staff returning to work after a long term absence. The HR Officer explained the process and the support given and assured Councillor Alder that the Council worked closely with the Occupational Health Service. The Head of HR and Organisational Development explained the difficulties that the Council had encountered with one particular Occupational Health Service.

Councillor A Alder referred to the Council's Duty of Care.

She stressed the need for staff to feel supported and hoped that any long term absence would not impact negatively on their long term prospects. The Head of HR and Organisational Development explained that the HR service could only work within its policies and that it took a cautionary approach in relation to working with the medical professional to ensure that lines were not crossed.

Councillor S Newton commented that she felt that staff were well supported at East Herts.

In response to a query by the Chairman, the HR Officer explained the processes in place for those staff covering vacancies and those who received an honorarium. The issue of agency workers, their use in hard to recruit roles (e.g. Planning and Legal) and how the salary differentials could impact on long term staff was debated. The Head of HR and Organisational Development explained the incentives in place to encourage applications into hard to recruit roles.

Councillor A Alder queried the impact on staff acting up and sought assurances that they were properly remunerated. The HR Officer explained that staff covering higher level roles could be paid retrospectively at full or part of the salary, or could receive a responsibility allowance or honorarium. The HR Officer confirmed that this could be paid with immediate effect and that staff could challenge this process. Councillor A Alder praised the Council's staff and the need for fairness and consistency adding that staff welfare was at the root of what the Council did.

Councillor S Newton referred to the difficulties in the planning service and the impact of IT on this service and

the pressures which might have come about because of a lack of staff continuity and knowledge. She stressed the need for a mix of competencies.

The Chairman welcomed the report commenting on the number of applications for a Communications Manager and the drop in staff turnover and a reduction in absences.

Councillor A Alder referred to the numbers attending the violence and aggression event and asked that all Town and Parish Councils be advised of learning and development courses. The Head of HR and Organisational Development assured the Member that they would be invited depending on what spaces were still available.

The Committee noted the report, as detailed.

RESOLVED - that the Human Resources Management Statistics for Quarter 2 (July – September 2019) be noted.

235 HEALTH AND SAFETY QUARTERLY REVIEW

The Head of Human Resources and Organisational Development submitted a report summarising the Health and Safety (H&S) Management Statistics for Quarter 2 (July – September 2019) which provided an update on projects and policy work being carried out. The Health and Safety Officer provided a summary of the report.

In response to a query the Health and Safety Officer provided an explanation of the use of safety devices.

In response to a query from Councillor S Bull the health and safety implications were debated regarding the

closure of Westmill Landfill; the fact that Buntingford Service Centre would be taking residual waste and the changes proposed by the contractor in dealing with this change.

Councillor P Ruffles referred to the Young People at Work policy arrangements. The Health and Safety Officer explained the protocols in place in relation to older persons which differed from those for younger people and the protections afforded to those under 18.

The Chairman referred to the table within paragraph 7.2 (Work related accidents) and queried whether any interactions were needed. The Healthy and Safety Officer explained that trends were monitored. She suggested that a phrase or wording be inserted within future reports should any interventions be required and that figures be incorporated based on the Council's current headcount so that a clearer picture was provided. This was supported.

The Chairman referred to Health and Safety Training for Members. The Head of HR explained that training was historically provided within the remit of HR (learning and development) but that this was now within the remit of the Member Development Group. H&S E-learning and other E-learning programmes developed that were suitable for members will be rolled out to ensure annual refreshers and support ongoing development needs. The Democratic Services Officer who would be taking up the role of Scrutiny Officer agreed to refer the matter to the next Member Development Group (4 December 2019).

The Committee approved the report, as amended.

It was moved by Councillor A Alder and seconded by

Councillor S Newton that the report, as amended, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the report be noted.

(B) in relation to Work Related Accidents, should any interventions be required then some form of wording or explanation of what this was or what was intended be incorporated within the report including numbers based on the Council's current headcount (this would include a statement where applicable that no interventions were required to ensure clarity either way).

236 SAFETY COMMITTEE: MINUTES

The Minutes of the Safety Committee meeting held on 30 September 2019 were submitted for information.

In response to a query from Councillor P Ruffles, the Health and Safety Officer explained what inspections were carried out and what these entailed. He referred to a visit to Hillcrest which had resulted in the need to change the width of a door to ensure compliance with planning and building regulations to allow wheelchair access.

RESOLVED – that the Minutes of the meeting held on 30 September 2019 be received.

237 ORGANISATIONAL DEVELOPMENT - STRATEGY REPORT

The Head of Human Resources and Organisational Development submitted a report on the progress made in relation to the Council's Organisational Development (OD)

Strategy 2015 – 2019 and the work underway on a new strategy and staff transformation programme.

In response to a query from Councillor A Alder, the Head of HR and Organisational Development explained how the staffs' views and comments were sought and taken into account. Assurances were provided that the plan was evolving and that staff would be actively engaged in the process and that views via staff briefings, were cascaded up. Councillor Alder explained that she was very concerned about the "worker bees" and the need to adopt a "bottom up" approach in terms of responding to staffs' views. She did not want to see changes imposed on staff but rather their views fed into the system.

Councillor J Dumont referred to training and the levy pot and how this was allocated. The Head of HR and Organisational Development explained how and on what the Apprenticeship Levy could be utilised.

In response to Councillor A Alder, an update was provided in relation to Dementia Friendly training. She sought assurances that both Wallfields and Charrington's House buildings were Dementia Friendly. The Head of HR and Organisational Development agreed to seek a response from the Facilities Management and Community Wellbeing and Partnerships Teams and advise Members. The Committee noted the report, as detailed.

RESOLVED – that (A) the key progress made in delivering the Council's Organisational and Development Strategy 2015 – 2019 be noted; and

(B) the planned works to be undertaken to develop a new HR and Organisational Development Strategy

and Staff Transformation Programme be noted.

238 HR PAYROLL -TEAM UPDATE

The Head of Human Resources and Organisational Development submitted an update report on the HR and Payroll team. The Head of HR and Organisational Development provided a summary of the report.

Councillor J Dumont referred to the use of agency staff and the costs the Council incurred in 2018/19. The Head of HR and Organisational Development explained the basis of a new framework which should halve agency fees and provide a saving of £180,000 based on a spend of £1.2Million.

The Head of HR and Organisational Development referred to the problems with the payroll transition and ongoing work to resolve issues.

The Committee noted the report, as detailed.

RESOLVED – that the HR and Payroll Team Update report be noted.

239 ANNUAL EQUALITIES REPORT 2018/19

The Head of Human Resources and Organisational Development submitted a report detailing the results of the Annual Equalities Report 2018/19. The Head of HR and Organisational Development explained that the report had been reviewed by Leadership Team and that no changes had been suggested. He explained that more work needed to be done in relation to workforce / succession planning

given the Council’s above average and ageing workforce.

The Committee approved the report, as detailed.

It was moved by Councillor J Dumont and seconded by Councillor S Newton that the report be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the annual equalities report 2018/19 be noted.

(B) the recommendations set out in the Action Plan 2019/20 be approved.

The meeting closed at 8.45 pm

| |
|----------------|
| Chairman |
| Date |

East Herts Council Report

Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of HR and Organisational Development

Report title: Health and Safety Quarterly Review – October to December 2019

Ward(s) affected: N/A

Summary

RECOMMENDATIONS FOR (Human Resources Committee):

(a) That the report be noted

1.0 Proposal

- 1.1 This report sets out the collation of Health and Safety (H&S) Management Statistics for Quarter 3 (October – December 2019) and an update on the projects and policy work being carried out.

2.0 Background

- 2.1 This report outlines the current work being undertaken by the Health and Safety Officer for the quarter October to December; including quarterly statistics. This report will be sent to the Executive and to the Leadership Team for information along with minutes of the Safety Committee.

3.0 Safety Committee

3.1 Safety Committee reviewed and agreed the following:

- Health and safety policy responsibilities and organisation section
 - Health and safety Policy Core Policy – Statement of Intent
- Both will be submitted to full council in March for approval.

3.2 The operational policy for Driving was also agreed and is ready to be published on the intranet.

4.0 Contract Management and Compliance

4.1 In order to fulfil its duty of care all contracts are overseen by a contract manager who is responsible for ensuring the contract is being delivered safely and the contractor has the appropriate safety procedures in place. The Health and Safety Officer works with the service contract managers to improve the information reporting processes and to ensure pertinent information is being reported to Safety Committee, Leadership Team and Human Resources Committee. The following updates should be noted:

Buntingford Service Centre

4.2 On the 1st January the new grounds maintenance contractor moved onto the site. The Head of Operations asked the Health and Safety Officer and the Insurance and Risk Business Advisor to carry out a range of site observation to ensure vehicle and pedestrian movement and site procedures were fit for purpose due to the changes in waste management processes. The findings and recommendations were

reported to the Head of Operations. As a result of these observations it has been agreed to appoint a Depot Health and Safety Supervisor to ensure that the depot operates in accordance with H&S regulations, agreed procedures and site safety rules are adhered to.

Parking Enforcement Contract

- 4.3 There are no health and safety concerns to report this quarter.

Sport and Leisure Management Contract

- 4.4 The Health and Safety Officer and Leisure and Parks Development Officer (Leisure) have arranged health and safety compliance monitoring visits for 2020 at the five swimming pools operated by Sport and Leisure Management. The visits enable the Health and Safety Officer to monitor the compliance and relationship of the contract. Pool water testing has been undertaken in line with requirements. Health and Safety monitoring has been undertaken to verify that compliance is in place and this is ongoing. There are no areas of concern or intervention action required to report this quarter.

Parks and Open Spaces Management Contract

- 4.5 The Health and Safety Officer has been invited to attend the client/contractor meeting with Glendale the new grounds maintenance contractor to discuss contract compliance and monitoring and explain what will be reviewed. Glendale welcomed the inclusion of the Health and Safety Officer as they are eager to embrace a proactive working relationship with the Council. The contract commenced on the 1 January 2020.
- 4.6 Glendale have provided the Health and Safety Officer

access to their in-house health and safety compliance platform which will allow the Officer to view data on incidents, near misses and accidents and for these to be reported to the safety committee.

Lone Worker Devices – Guardian 24

- 4.7 The Health and Safety Officer is meeting with Officers from Stevenage Council on 29 February to discuss options for a possible joint procurement exercise for the provision of the Lone Worker service. The current device is the Guardian 24 product and this is being further supported by an e-learning tool to support effective use and ensure safe working practice.

5.0 Contract and Development Support

- 5.1 The Health and Safety Officer has been invited to participate in the following planned leisure projects:
- Hartham swimming pool and gym - upgrade and refurbishment
 - Grange Paddocks swimming pool and gym - new build
 - Ward Freman Swimming Pool and gym- upgrade and refurbishment
 - Hertford Theatre – Redevelopment and expansion.
- 5.2 The work will involve reviewing plans, identifying potential weakness and/or risks, ensuring contract documentation contains the required Health and Safety elements e.g. risk assessments, method statements, safe systems of work etc.

6.0 Learning and Development – Partnership training and future events.

- 6.1 During the period 1 October and 31 December, 10

Health & Safety specific events were held; 61 members of staff participated. Shared training was undertaken with Dacorum BC on Electrical Safety Awareness. The Health and Safety Officer and Human Resources Officer continue to explore shared training opportunities with neighbouring authorities.

| Event/Course | No of participants | Type/ number of sessions held |
|----------------------------------|---------------------------|--------------------------------------|
| Ladder Use and Working at Height | 20 | 2 |
| Electrical Safety Awareness | 10 | 1 |
| Fire Marshal Refresher | 27 | 6 |
| First Aid at Work (Refresher) | 4 | 1 |
| TOTAL | 61 | 10 |

Events currently being organised include:

- Asbestos and Legionella Awareness
- First Aid at Work (Qualifier) 3 day
- Defibrillator Awareness (Charringtons House)
- Evacuation Chair User

6.2 E-Learning Development

The following E-learning modules are now live on the Skillsbuild platform:

- Health and Safety Refresher
- Lone Working

A module on Fire Safety Awareness will be introduced in 2020.

The HR Officer responsible for Learning and Development and the Health and Safety Officer will be working with Democratic Service who are responsible for Member development to roll

out appropriate e-learning courses to members which include the annual Health and Safety Refresher and agreed with the Executive.

7.0 Policy Development - future policies for committee

7.1 The review of the Health and Safety policy is nearing completion and reflects the organisational changes and dovetails into the Human Resources policies.

7.2 Policies have been reviewed to ensure accuracy, give clarity and where possible harmonisation has taken place to ensure one point of reference.

7.3 The following arrangements were reviewed and agreed by Safety Committee in January 2020

- Core Policy Statement of Intent*
- Core Policy Organisation and Responsibilities*
- Operational Policy Driving

* As covered above both of these require full council approval before the revised versions are published, both Leadership Team (and the Leader who jointly signs the Statement of Intent) and the Safety Committee which includes Unison have approved these ready for Council to consider.

7.4 The table contains the list of health and safety policy arrangements that are currently under review/development. Policies will be reviewed at any time when there are changes to current legislation.

| Policy arrangement |
|-------------------------------------|
| Lone Working |
| Infection Control |
| Unusual, Adverse and Severe weather |
| Young People at Work |

| |
|--|
| Bomb Threats and Premises Evacuation |
| Manual Handling |
| Risk Assessment and Safe Systems of Work |
| Workplace Environment |

7.5 The following operational policy arrangements will be reviewed with proposed changes submitted to Safety Committee on the 20th April 2020

- Risk Assessment and Safe Systems of Work
- Unusual, Adverse and Severe Weather
- Infection Control

8.0 Project Work

8.1 The Health and Safety Officer is supporting the Property Services, asset and estates Management and Facilities Management Teams with a number of ongoing projects:

- Hertford Theatre development
- Ware Library car park
- Accommodation review

8.2 Individual reviews of Display Screen Equipment and Workstation Assessments for new starters, occupational health referrals or where required due to changes in circumstances, continues on an ongoing basis.

8.3 The Council Risk assessments are now complete with the exception of planning; these are delayed due to the recent planning enquiries and judicial review.

8.4 Defibrillator

A defibrillator has been installed in the reception area at Charringtons House, Bishops Stortford.

The Health and Safety Officer is liaising with the Community Heartbeat Trust to deliver the awareness training sessions, provisionally arranged for February 2020 at Charringtons House (although it should be noted that use of Defibrillator has been provided to First Aiders as part of their training and the machine will instruct and guide a user on how to use through the voice system).

9.0 Work-related accidents

- 9.1 There were 48 accidents recorded during the period 1 October and 31 December 2019; all accidents have been reviewed and appropriate follow up action taken, we can confirm there has been no unusual increase, abnormal patterns or traits identified.
- 9.2 There were no accidents reportable under the Reporting of Incidents Diseases and Dangerous Occurrence Regulations (RIDDOR) or any accidents or incidents that required investigation or intervention during this reporting period.
- 9.3 1 accident reported in October did not identify the type of accident; further clarity has been sought to confirm it as minor, the full detail and recording of it will be checked at the facility during the first site inspection visit round commencing in February 2020.
- 9.4 The Health and Safety Officer is discussing benchmarking options with neighbouring authorities and will utilise the survey resources of the East of England Local Government Assembly to enquire how other authorities report their data this will then be used to provide comparison with the annual safety report which will be provided in May.

10.0 Options

N/A

11.0 Risks

As stated in the report where health and safety risks have been identified appropriate assessment has been made with relevant controls or mitigation put in place.

12.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

Yes – as described in the report

Human Resources

Yes – Health and Safety is part of the HR & OD Service

Human Rights

No

Legal

No

Specific Wards

No

13.0 Background papers, appendices and other relevant material

N/A

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East Herts Council Report

Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of HR and Organisational Development

Report title: Gender Pay Gap Report 2019

Ward(s) affected: N/A

Summary

RECOMMENDATIONS FOR (Human Resources Committee):

(a) To note the Gender Pay Gap Report 2019

1.0 Proposal

- 1.1 This report sets out the outcome of the Gender Pay Gap report 2019, reports progress on last year's action plan and outlines new actions for this year. The report and resulting action plan was agreed by Leadership Team on 20 January 2020.

2.0 Background

- 2.1 In 2017 the government introduced legislation that made it statutory for organisations with 250 or more employees to report on their gender pay gap by 30 March 2018 and annually thereafter. As well as publishing our gender pay gaps we follow the best practice in terms of sharing the full report by providing a link so that the public can view our analysis and the actions we are taking to address the gap.
- 2.2 East Herts Council published its first gender pay gap

report in March 2018 for the snapshot date of 31 March 2017. This is the council's third gender pay gap report for the snapshot date of **31 March 2019**.

- 2.3 The gender pay gap is a measure of the difference between men's and women's average earnings across an organisation. It is expressed as a percentage of men's earnings.
- 2.4 The data the council is required to provide includes mean and median pay gaps; mean and median bonus gaps; the proportion of male and female employees who received bonuses; and the proportion of male and female employees in each pay quartile.
- 2.5 The gender pay gap is different from equal pay. Equal pay deals with the pay differences between men and women who carry out the same jobs, similar jobs or work of equal value. It is unlawful to pay people unequally because they are a man or a woman. All jobs at East Herts are put through a 'Hay' job evaluation scheme to ensure the right grade and pay is given to jobs.

3.0 Report

Review of action plan

- 3.1 In our last gender pay report published in January 2019 we prioritised areas for action to reduce our gender pay gap. Here we report our progress.
- 3.2 We have not been able to progress name-blind recruitment due to limitations of the current online recruitment system. This may be revisited if the

recruitment module of the HR system is implemented. However, it must be noted that there is no evidence in 18/19 of gender bias or indeed discrimination based on gender. The percentages of male and female applicants are closely aligned in terms of applications through to shortlisting and then appointment which does not suggest any bias or discrimination. In 18/19 34% of applicants were male, 36% were shortlisted and 36% were appointed.

- 3.3 A guidance document about avoiding unconscious bias is now included in all shortlisting packs and HR Officers are also providing recruitment panel briefings from February 2020.
- 3.4 An audit was conducted of gender diversity of interview panels (to analyse where panels consisted of a mix of both genders) which found that 60% of interviews in 2018/19 did not have gender diverse interview panels. The fact that over 70% of the council's workforce is female does mean that all-female interview panels are more likely due to there being less male employees available to sit on interview panels. As panels have tended not to be mixed or balanced in terms of gender HR will remind recruiting managers to try to achieve more balanced panels going forward. The data was limited as recruitment is devolved to services, this has been tackled meaning that more data will be available next year as HR will insist on data being returned before conditional offers are made. However, as noted above there is no evidence of gender bias or discrimination, the main factor is that the council attracts more women in part due to a number of services being contracted out which traditionally attract men (Waste, Grounds Maintenance and IT).
- 3.5 The refurbishment of our building is now complete. The

planned move to hot desking was not fully implemented but several breakout spaces have been created for informal meetings as well as a new staff hub. The formal meeting rooms have had TVs and webcams installed to allow video conferencing. The council already substantially supports flexible working through a flexi-time scheme, part-time working, home working and approving flexible working requests where possible.

- 3.6 HR approached a number of male staff to consider if they were willing to provide case studies of their flexible working to help encourage more men to apply but unfortunately this did not lead to any case studies being produced. In terms of shared parental leave this has been widely communicated however the uptake in the employment market has been low and this is same for the council, again as we are 73% female this will only have a limited impact internally and it is still (based on case law) more favourable for the women to take maternity leave. A review of the recruitment messages has however, been undertaken with revised content being used from January 2020 to promote the full range of benefits available (including flexible working and wellbeing programmes) and to further encourage a wider range of equality based applications in particular from Men, BAME and Disabled people.

2019 figures

- 3.7 As can be seen in the report (Appendix A), the mean gender gap has increased by 6 percentage points from 9% to 15% and the median gender pay gap has increased by 7 percentage points from 12% to 19%. This is because the distribution of men across the pay grades has changed, although the change is slight (see below) it has had a significant impact to the gap; the percentage of men in the upper two pay quartiles has increased

slightly and the percentage in the lower two pay quartiles has decreased. The most notable decrease is in Q4 where the percentage of men has decreased by 9 percentage points. This has caused both the mean and median pay gaps to increase. It is important to note that due to the small numbers, a change of just a few employees can noticeably impact on the percentages. For example, the increase in number of men at Q1 and Q2 is 4 employees and the decrease in Q3 and Q4 is 10 employees. The number of women in Q1 and Q2 has decreased by 9 employees and the increase in Q3 and Q4 is 5 employees. In addition, a Director post that was held by a female employee became vacant after the 2018 report and the post has been deleted. As one of the top 5 highest paid posts in the council this will have been a significant cause of the change to the mean gender pay gap figure since 2018. There is also an additional Head of Service post on the payroll that is male, this employee is currently seconded to another council but remains on the council's payroll and therefore included in the data but is surplus to the establishment as his role has been filled on a fixed term basis and that employee is also included in the data.

- 3.8 We are confident that the gender pay gap does not stem from paying men and women differently for the same or equivalent work. All jobs are evaluated using the HAY job evaluation method and the council has a pay and grading structure agreed with Unison.
- 3.9 The council's mean gender pay gap is slightly less than median gender pay gap because there are more women than men employed in senior roles and the mean is more skewed by the extremes. The median figure represents the 'typical' man or woman (i.e. the man/woman in the middle of the male/female pay range) and is higher because of the greater

proportion of men in the upper pay quartiles compared with lower pay quartiles, and a greater proportion of women in the lower pay quartiles compared with the upper pay quartiles. This is partly due to our organisational structure. The council has outsourced services such as refuse and grounds maintenance which are predominately male dominated areas of work. If these services remained in-house the proportion of male and female employees in the lower pay quartiles would be much more even. The types of roles typically found in the council in the lower quartiles tend to be customer facing or administrative in nature and currently are occupied predominately by women.

Action plan for 20-21

- 3.10 As outlined above this report has been to the Leadership Team who were asked to consider and agree to the proposed actions below:
- 3.11 The recruitment message has been reviewed to better sell the council's offer and in particular encourages applications from the three most underrepresented equality areas (males, disabled people and BAME). The success of this will be measured in the annual equalities report which provides equalities data for job applicants through to shortlisting and interview. In terms of the Gender Pay Gap, encouraging more male applications would only be successful in reducing the gap if this leads to more male employees in the lower quartiles where as if this leads to an increase in Men in the upper quartiles the gap will actually increase.
- 3.12 We will explore using a range of case studies on the jobs and careers page on our website to encourage diversity. These will include men in roles in the lower quartiles (especially in Customer Services and Administration)

and higher graded female employees. Willing employees would need to be identified to become case studies (which proved difficult last time) but we need role models to try to break down more traditional stereotypes and career norms.

- 3.13 We will explore making it a requirement that selection panels always have both genders but it would be difficult to include BAME and Disabled in every panel based on current numbers. It is also important to note again that there is no evidence of bias and the main issue is not at the interview stage but instead with the applications received which will not be influenced by the make up of the panel. Managers who have been recruitment trained will be put on a shared Recruitment Panel List available on the intranet to allow more flexible support across services and to provide support for greater balance on panels. The list will also allow any gaps to identified and actioned.
- 3.14 The unconscious bias guidance from HR will continue to be issued to each recruitment panel. HR Officers will also provide briefings to recruiting staff who are new to recruitment at East Herts to ensure they are clear on EHC processes and sufficiently trained/briefed to be part of a panel without where appropriate having to attend a full days training. This will be in addition to recruitment training which will only run when there are sufficient numbers to ensure all panel members are suitable before being on a panel and to allow training elsewhere to recognised and built upon.
- 3.15 Name blind recruitment is not likely to be progressed in 19/20 or 20/21 as the software is not scheduled to be implemented and there are concerns it is not suitable and issues with East Herts self-hosting the software. Improvements are however going to be made to the

shortlisting form and selection decision form to make it more user friendly and increase timely completions. This will help increase the data available for analysis.

- 3.16 We will explore an increased range of apprentices from different service areas to try and attract males into the organisation at the lower pay grades and create progression routes/career paths for these apprentice roles where possible to retain the investment and skills within the organisation.

4.0 Options

N/A - publishing the Gender Pay Gap figures on an annual basis is a statutory requirement.

5.0 Risks

N/A

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

Yes – as described in the report

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

Yes – as described in the report

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – Gender Pay Gap Report 2019

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East Herts Council - Gender Pay Gap Report


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Appendix A



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Introduction

In 2017 the government introduced legislation that made it statutory for organisations with 250 or more employees to report on their gender pay gap by 30 March 2018 and annually thereafter. East Herts Council published its first gender pay gap report in March 2018.

The gender pay gap is a measure of the difference between men's and women's average earnings across an organisation. It is expressed as a percentage of men's earnings.

The data the council is required to provide includes mean and median pay gaps; mean and median bonus gaps; the proportion of male and female employees who received bonuses; and the proportion of male and female employees in each pay quartile.

The gender pay gap is different from equal pay. Equal pay deals with the pay differences between men and women who carry out the same jobs, similar jobs or work of equal value. It is unlawful to pay people unequally because they are a man or a woman.

This is East Herts Council's report for the required snapshot date of 31 March 2019.

The figures set out in this report have been calculated using the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

Review of action plan

In our last gender pay report published in January 2019 we prioritised three areas for action to reduce our gender pay gap. Here we report our progress for each area.

Recruitment

We said we would:

Explore introducing 'name-blind' recruitment (where names and genders are removed during the shortlisting process to avoid gender bias) in 2019. If introduced, impact will be measured in the 19/20 Annual Equalities Report where shortlisting data is analysed by sex and other protected characteristics.

Finalise the guidance document on avoiding unconscious bias to be included in all shortlisting packs in early 2019.

Conduct an audit of how gender diverse our interview panels are in early 2019 and take action if issues are identified.

Our progress:

- We have not been able to progress name-blind recruitment due to limitations of the current online recruitment system. This may be revisited if the recruitment module of the HR system is implemented. However, it must be noted that there is no evidence in 18/19 of gender bias or indeed discrimination based on gender. The percentages of male and female applicants are closely aligned in terms of applications through to shortlisting and then appointment which does not suggest any bias or discrimination. In 18/19 34% of applicants were male, 36% were shortlisted and 36% were appointed.
- A guidance document about avoiding unconscious bias is now included in all shortlisting packs and HR Officers are also providing recruitment panel briefings from January 2020.
- An audit was conducted of gender diversity of interview panels (to analyse where panels consisted of a mix of both genders) which found that 60% of interviews in 2018/19 did not have gender diverse interview panels. The fact that over 70% of the council's workforce is female does mean that all-female interview panels are more likely due to there being less male employees available to sit on interview panels. As panels have tended not to be mixed or balanced in terms of gender HR will remind recruiting managers to try to achieve more balanced panels going forward. The data was limited as recruitment is devolved to services, this has been tackled meaning that more data will be available next year as HR will insist on data being returned before conditional offers are made. However, as

noted above there is no evidence of gender bias or discrimination, the main factor is that the council attracts more women in part due to a number of services being contracted out which traditionally attract men (Waste, Grounds Maintenance and IT).

Flexible working

We said we would:

Complete the refurbishment of our building by mid-2019 to create a more agile and collaborative work environment enabling further flexible working across the council.

Our progress:

- The refurbishment of our building is now complete. The planned move to hot desking was not fully implemented but several breakout spaces have been created for informal meetings as well as a new staff hub. The formal meeting rooms have had TVs and webcams installed to allow video conferencing. The council already substantially supports flexible working through a flexi-time scheme, part-time working, home working and approving flexible working requests where possible.

Breaking down gender stereotypes

We said we would:

Continue to review and update our commitment to promote flexible working for men and to encourage the uptake of shared parental leave by working collaboratively with our Communications team.

Our progress:

- HR approached a number of male staff to consider if they were willing to provide case studies of their flexible working to help encourage more men to apply but unfortunately this did not lead to any case studies being produced. In terms of shared parental leave this has been widely

communicated however the uptake in the employment market has been low and this is same for the council, again as we are 73% female this will only have a limited impact internally and it is still (based on case law) more favourable for the women to take maternity leave. A review of the recruitment messages has however, been undertaken with revised content being used from January 2020 to promote the full range of benefits available (including flexible working and wellbeing programmes) and to further encourage a wider range of equality based applications in particular from Men, BAME and Disabled people.

Gender Pay Gap Analysis

Mean and Median Gender Pay Gap Figures

Table 1.0 shows that the council's mean gender pay gap is 15% and the median gender pay gap is 19%. Table 2.0 shows that there is no bonus pay gap as the council does not make bonus payments.

Table 1.0 Gender pay gap

| | Gender pay gap 2019 | Gender pay gap 2018 | +/- percentage points |
|-----------------|---------------------|---------------------|-----------------------|
| Mean (Average) | 15% | 9% | +6% |
| Median (Middle) | 19% | 12% | +7% |

Table 2.0 Gender bonus gap

| | Gender bonus gap 2019 | Gender bonus gap 2018 |
|-----------------|-----------------------|-----------------------|
| Mean (Average) | 0% | 0% |
| Median (Middle) | 0% | 0% |

Table 3.0 Proportion of employees receiving a bonus

| Proportion of employees receiving a bonus | |
|---|----|
| Men | 0% |
| Women | 0% |

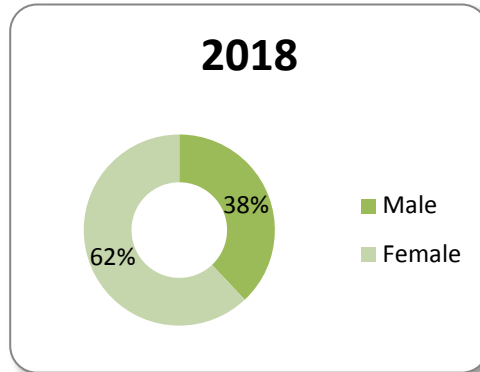
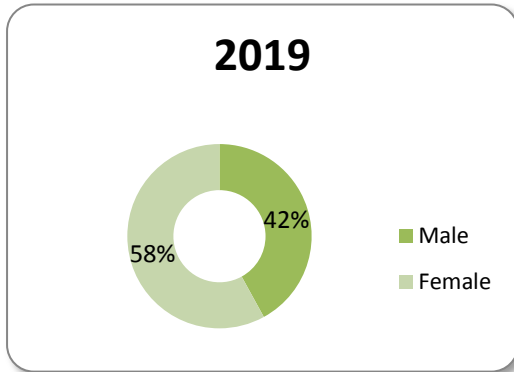
The council's mean gender pay gap is slightly less than median gender pay gap because there are more women than men employed in senior roles and the mean is more skewed by these extremes. The median figure represents the 'typical' man or woman (i.e. the man/woman in the middle of the male/female pay range) and is higher because of the greater proportion of men in the upper pay quartiles compared with lower pay quartiles, and a greater proportion of women in the lower pay quartiles compared with the upper pay quartiles.

The mean gender gap has increased by 6 percentage points and the median gender pay gap has increased by 7 percentage points from the 2018 figures. This is because the distribution of men across the pay grades has changed; the percentage of men in the upper two pay quartiles has increased and the percentage in the lower two pay quartiles has decreased. In addition, a Director post that was held by a female employee became vacant after the 2018 report and the post has been deleted. As one of the top 5 highest paid posts in the council this will have been a significant cause of the change to the mean gender pay gap figure since 2018. There is also an additional Head of Service post on the payroll that is male, this employee is currently seconded to another council but remains on the council's payroll and therefore included in the data but is surplus to the establishment as his role has been filled on a fixed term basis and that employee is also included in the data.

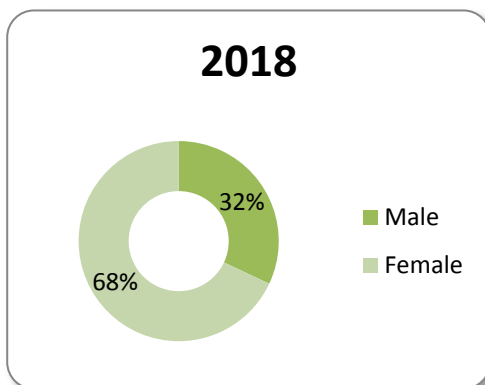
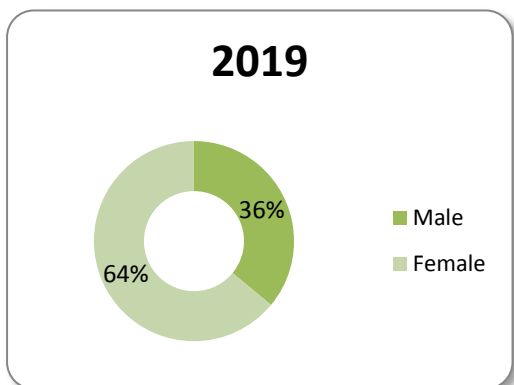
The council is committed to the principle of equal opportunities and equal treatment for all employees. We have a clear policy of paying employees equally for the same or equivalent work, regardless of their sex (or any other protected characteristic). As such, we have a pay and grading structure agreed with Unison; have a published pay policy statement and evaluate all jobs using the HAY job evaluation method. The council is confident that its gender pay gap does not stem from paying men and women differently for the same or equivalent work.

Pay quartiles

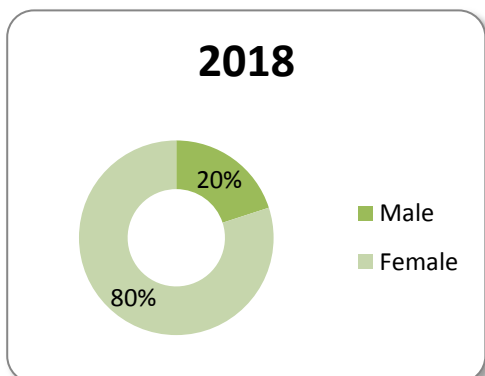
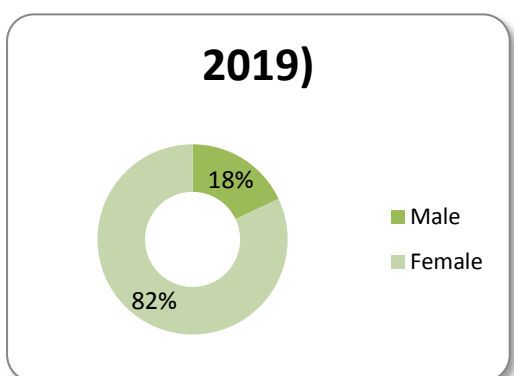
Quartile 1 (upper quartile)



Quartile 2 (upper middle quartile)



Quartile 3 (lower middle quartile)



Quartile 4 (lower quartile)

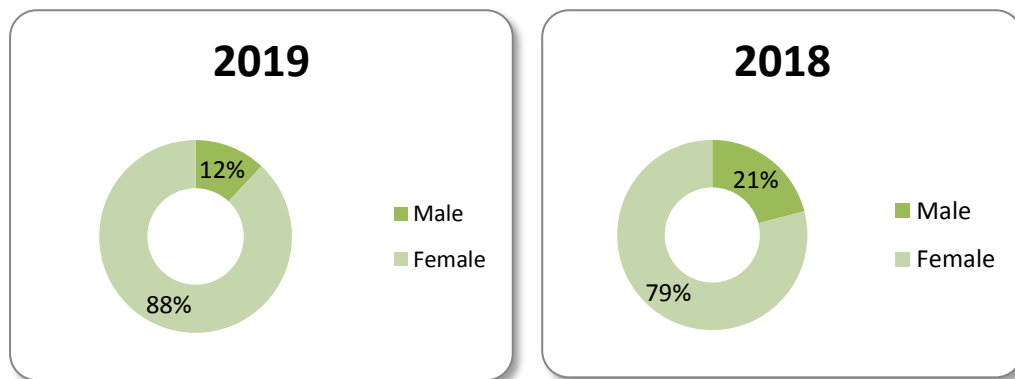


Figure 1.0 Pay quartiles by gender

Figure 1.0 above depicts pay quartiles by gender. This shows the council's workforce divided into four equal-sized groups based on hourly pay rates, with Q1 including the highest-paid 25% of employees (the upper quartile) and Q4 covering the lowest-paid 25% (the lower quartile). In order for there to be no gender pay gap, there would need to be an equal ratio of men to women in each quartile.

Given that 73% of the council's workforce is female, women outnumber men at every quartile. This year's data shows increases in the percentage of men in the Q1 and Q2 and a decrease in the percentage of men in Q3 and Q4. The most notable decrease is in Q4 where the percentage of men has decreased by 9 percentage points. This has caused both the mean and median pay gaps to increase. It is important to note that due to the small numbers, a change of just a few employees can noticeably impact on the percentages. For example, the increase in number of men at Q1 and Q2 is 4 employees and the decrease in Q3 and Q4 is 10 employees. The number of women in Q1 and Q2 has decreased by 9 employees and the increase in Q3 and Q4 is 5 employees.

In order to reduce the gender pay gap there would need to be an increase in the proportion of men in Q3 and Q4. The types of roles typically found in the council in these quartiles tend to be customer facing or administrative in nature and currently are occupied predominately by women. The council has outsourced services such as IT, Waste and Grounds Maintenance which are predominately male dominated areas of work but also more likely to be paid in Q3 and Q4. If these services remained in-house the proportion of male and female employees in the lower pay quartiles would be much more even.

The gender segregation in some occupation groups that we experience at the council is typical for many organisations. In the UK men have a high employment

share in skilled trade and high-skill occupation groups (chief executives and senior officials, and managers and directors). In contrast, women have the highest employment share in caring, leisure and other service occupations. Women are also more likely than men to have had breaks from work that have affected their career progression, for example to bring up children (ONS, 2018).

Closing the gap (actions for 20-21)

The council is in an unusual position in that the gender pay gap is not due to fewer women working in more senior roles than men but because at the lower grades there is a much higher percentage of women than men. The council remains committed to trying to reduce the gap but this is an ongoing challenge due to the gender dominance in certain occupation groups, as mentioned previously.

We have already taken forward several actions since the 2018 report and will continue to build on these as follows (a number of actions are also supported by the general equalities action plan):

(It should be noted that the first two actions relate to applications which is where the council needs to focus efforts to close the gap i.e. we need to attract more men into jobs in the lower quartiles, the other actions are predominately dealing with potential bias at the shortlisting or interview stage but it should be noted that there is no evidence of bias at these stages which is positive and the main issue is with attracting more men into the lower quartile roles.)

- The recruitment message has been reviewed to better sell the council's offer and in particular encourages applications from the three most underrepresented equality areas (males, disabled people and BAME). The success of this will be measured in the annual equalities report which provides equalities data for job applicants through to shortlisting and interview. In terms of the Gender Pay Gap encouraging more male applications would only be successful in reducing the gap if this leads to more male employees in the lower quartiles.
- We will explore using a range of case studies on the jobs and careers page on our website to encourage diversity. These will include men in roles in the lower quartiles (especially in Customer Services and Administration) and higher graded female employees. Willing employees would need to be identified to become case studies but we need role models to try to break down more traditional stereotypes and career norms.

- We will explore making it a requirement that selection panels always have both genders but it would be difficult to include BAME and Disabled in every panel based on current numbers. Managers who have been recruitment trained will put on a shared Recruitment Panel List available in the intranet to allow more flexible support across services and to provide greater balance on panels. The list will also allow any gaps to be identified and actioned.
- The unconscious bias guidance from HR will continue to be issued to each recruitment panel. HR Officers will also provide briefings to recruiting staff who are new to recruitment at East Herts to ensure they are clear on EHC processes and sufficiently trained to be part of a panel. This will be in addition to recruitment training which will only run when there are sufficient numbers to ensure all panel members are suitable before being on a panel and to allow training elsewhere to be recognised and built upon.
- Name blind recruitment is not likely to be progressed in 19/20 or 20/21 as the software is not scheduled to be implemented and there are concerns it is not suitable. Improvements are however going to be made to the shortlisting form and selection decision form to make it more user friendly and increase timely completions. This will help increase the data available for analysis.
- We will explore an increased range of apprentices from different service areas to try and attract males into the organisation at the lower pay grades and create progression routes/career paths for these apprentice roles where possible to retain the investment and skills within the organisation.

Statement

I, Richard Cassidy, Chief Executive of East Herts Council, confirm that the information in this statement is accurate.

Signed

Date

?

(To be signed and dated once reviewed by HRC)

References

Office for National Statistics (ONS), 2018. *Understanding the pay gap in the UK* [online] Available at: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/understandingthegenderpaygapintheuk/2018-01-17>

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East Herts Council Report

Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of HR and Organisational Development

Report title: Pay Policy Statement 2020/21

Ward(s) affected: N/A

Summary

RECOMMENDATIONS FOR (Human Resources Committee):

- a) The Pay Policy Statement 2020/21 is recommended for approval to Council.**

1.0 Proposal

- 1.1 Members are invited to recommend to Council approval of the Pay Policy Statement 2020/21.

2.0 Background

- 2.1 A pay policy statement is required to be produced annually under sections 38 of the Localism Act. Regard is to be had to guidance section 40 from the Secretary of State in producing this statement.
- 2.2 A pay policy statement for a financial year must set out the Authority's policies for the financial year relating to:
- the remuneration of chief officers
 - the remuneration of the lowest paid employees
 - the relationship between chief officers remuneration and that of other officers

2.3 “Remuneration” for the purposes of this statement includes three elements:

- basic salary
- pension
- all other allowances arising from employment

2.4 The objectives of the report are to:

- a) ensure a capable and high performing workforce;
- b) ensure simplicity, clarity and fairness between employees and between the council and the community;
- c) differentiate between remuneration and other employee related expenses.

3.0 Report

3.1 The Pay Policy Statement 2020/21 can be found at Appendix 1.

4.0 Options

N/A - publishing the Pay Policy Statement on an annual basis is a statutory requirement.

5.0 Risks

N/A

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

Yes – The Pay Policy Statement has been shared with the Head of Strategic Finance and Property and budgets set have been based on the pay changes agreed.

Health and Safety

No

Human Resources

Yes – Policy Statement produced by Head of HR&OD

Human Rights

No

Legal

Yes – Head of Legal and Democratic Service has confirmed that statutory requirements have been met.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – Pay Policy Statement 2020/21

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Pay Policy Statement 2020/2021 April 2020

Introduction

A pay policy statement is required to be produced annually under Section 38 of the Localism Act 2011. Guidance from the Secretary of State has been taken into account when producing this statement.

Any decision under powers delegated in the council's Constitution with regard to remuneration from 1 April 2020 to 31 March 2021 will be bound by and must comply with this statement.

This statement supports the requirements under the Local Government Transparency Code to publish data on Senior Salaries and Pay Multiple.

The Head of Human Resources and Organisational Development must be consulted prior to any decision impacting on remuneration to ensure compliance with this pay policy statement.

Scope

This statement sets out the council's policy with regards to:

- the remuneration of Chief Officers
- the remuneration of the lowest paid employees
- the relationship between Chief Officers' remuneration and that of other officers

"Remuneration" for the purposes of this statement includes three elements:

- basic salary
- pension
- all other allowances arising from employment

The council's constitution regards the following as its "Chief Officers"

Chief Executive
Deputy Chief Executive

The council, also has Statutory officer roles (Head of Paid Service; S151 Officer; Monitoring Officer, Data Protection Officer)

There is a statutory requirement that for the purposes of producing this statement the following posts (Leadership Team) be covered by the policy statement as well as the above posts and statutory roles.

Head of Strategic Finance and Property (S151 Officer)
Head of Legal and Democratic Services (Monitoring Officer)
Head of Human Resources and Organisational Development
Head of Shared Revenues and Benefits Service
Head of Operations
Head of Communications, Strategy and Policy
Head of Housing and Health
Head of Planning and Building Control

In this policy statement the term “Chief Officers” refers to the Chief Executive and Deputy Chief Executive roles in that where there are any differences in terms of the policy it is between this group and all other employees.

This policy statement applies to all Council employees, but not to other workers such as casuals, agency workers, etc.

This pay statement does not include the Returning Officer payment. The fees payable to the Returning Officer are set by statute for national elections, and are paid by central government. Fees are, also, payable to the Councils’ Returning Officer for local elections. These fees are payable as required and can be made to any senior officer appointed to fulfil the statutory duties of this role. The Returning Officer is an officer of the Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the Council, the role of the Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from his/her duties as an employee of the Council. As Returning Officer, he/she is paid a separate allowance for each election for which he/she is responsible.

Objectives

East Herts Council recognises the importance of having a clear written policy statement on pay in order to ensure that employees are fairly rewarded and there is proper public accountability.

In respect of Chief Officers and all other employees the council’s policy is to set remuneration sufficient to attract and retain adequately experienced, trained and qualified individuals to deliver the council’s priorities.

The council aims to be transparent on pay to its employees, prospective employees and the wider community and uses and maintains an effective job evaluation system and procedures to provide equity and consistency in pay, whilst adhering to the basic principles of the national Local government Single Status pay agreement.

Remuneration subject to national and local determination

The council is a member of the Local Government Employers' Association for national collective bargaining in respect of Chief Officers and other employees.

Changes from national negotiations generally take effect from 1 April each year and are retrospective to 1 April if agreements are finalised after 1 April. It is the council's policy to implement national agreements.

The Chief Executive and Deputy Chief Executive are under the JNC conditions of service including pay. All other employees are under the NJC national agreement on pay and conditions of service.

The national pay award (the NJC national agreement) has not yet been agreed for 2020-2021, the JNC award has also not yet been agreed as this tends to be informed by the NJC award. Both have been delayed due to Brexit and then the General Election. A one year pay agreement is expected. This Pay Policy Statement will therefore need to be amended by the Head of HR & OD to reflect the agreement once this is confirmed. East Herts will implement increments for applicable staff from the 1st of April 2020 but the national pay award is not expected (due to the delay in negotiations) to be implemented in the April 2020 payroll and will instead be processed as a backdated payment once the award is agreed.

As previously set out in addition to the NJC award applicable for April 2019 East Herts Council negotiated and agreed further investment in pay for all staff through collective bargaining with the recognised trade union Unison. Previously staff could be awarded a local award of an additional 2% payment once they had completed 3 years' service with East Herts. East Herts commissioned EELGA to review the current pay and grades and this demonstrated that the council was below market rates in a number of areas and this was supported by recruitment difficulties therefore an investment in pay was required as was the need to improve the grading structure.

The negotiated local agreement consolidated the previous 2% local award into the basic salaries of all staff regardless of service to improve recruitment and retention (the local 3 year (retention) award has therefore ceased from 1/4/19). Staff were assimilated to the closest new scp point within the revised NJC rates e.g. an old scp 6 has been assimilated to a new scp 4 rather than a scp 1. The local negotiated agreement also addressed undesirable significant overlaps between grades and to reduce the number of increments in grades so progression through grades and differences between grades became more meaningful and fair. This meant that the base of grades increased along with some additional headroom created where this was appropriate as well as reducing the number of increments within grades. As part of the local

collective agreement the terms around Redundancy and Disturbance have been reduced: the previous redundancy multiplier has reduced from 2.6 to 2 and the previous protection on pay when redeployed to a lower paid role has reduced from 3 years to 1.5 years and the same was applied to disturbance allowances (again from 3 years to 1.5 years).

General Pay Policy

All employees other than Chief Officers have their basic pay determined by a job evaluation scheme to ensure that different jobs which have the same value are paid on the same grade. Grades have between 4-7 spinal column points (increments).

The Chief Executive is paid a fixed spot salary with no set incremental progression. Performance is measured through the Leadership Team 360° performance review process.

Heads of Service and the Deputy Chief Executive's progression through the pay range (incremental points) is based on performance (measured through the LT 360° performance review process) rather than by annual time served increments and this can lead to drop of one increment if poor performance has been established.

The Deputy Chief Executive is paid on incremental scale points between a pay range of £90,020 to £99,757 base pay, with set incremental progression also based on performance.

There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments, emergency call rota, etc, paid to these senior staff (Chief Officers and Leadership Team), as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.

Basic pay is calculated on a pro-rata basis for part-time employees.

All employees (except chief officers) receive local weighting which is called an outer fringe payment which is determined by the NJC, for 2019-2020 this is currently £609pa for a full time employee but will be revised in 2020-2021 once the pay award has been agreed and the increase will be backdated to 1 April 2020.

Setting Salaries

For the posts of

Chief Executive
Deputy Chief Executive

The council will use robust recruitment processes when making an appointment to these roles, ensuring the best candidate for the role is appointed. In determining the appropriate salary, market testing and benchmarking from peer authorities will be considered. Both the Chief Executive and Deputy Chief Executive salaries were benchmarked for 2019-2020 and this has led to a revised spot salary for the Chief Executive appointed from 3 June 2019 in line with market expectations as advised by EELGA and a revised salary range for the Deputy Chief Executive.

Pay ceilings

For 2020/21 the basic pay ceiling for Chief Executive post will be £120,000 per annum (including an additional payment of £10,000 for Head of Paid Service) plus the percentage agreed by the JNC.

The basic pay ceiling (i.e. including additional payments, salary protection and professional fees where appropriate) for Deputy Chief Executive will be £99,757 plus the percentage agreed by the JNC.

As noted above national agreed pay settlements will be applied to the Chief Officer posts with effect from 1 April 2020 once agreed.

For other posts covered by this statement the basic pay ceiling for grade 13 will be £73,305 plus the (Cost of Living) percentage agreed by the NJC (the outer fringe area allowance is paid in addition to these posts):

Grade 13 Posts:

Head of Legal and Democratic Services*
Head of Strategic Finance and Property*
Head of Human Resources and Organisational Development
Head of Operations
Head of Housing and Health
Head of Communications, Strategy and Policy
Head of Planning and Building Control
Head of Shared Revenue and Benefits Service **

* Both of these posts are statutory posts designated as the council's Monitoring Officer and S151 Officer respectively (see additional payments below for further details).

** Head of Shared Revenues and Benefits Service post receives an additional 10% of base salary per annum for shared services role.

Pay floor

The pay floor is the remuneration of the lowest paid employees. "Lowest paid" is defined as the average pay of employees paid on grade 2. Grade 2 are the lowest grades paid by the council. This year the figure is 0.59% (2 part-time employees) of the council's employees. Where any employee is less

than full time their pay is multiplied up to full time and the aggregate full time equivalent pay for the group divided by two to determine the average.

As at 1 April 2020 this average will be £19,370 per annum (full time).

The council will not pay basic pay less than the amount applicable to the bottom point of the national pay scales as agreed from time to time by the Local Government Employers (apprenticeships are excluded). Employees in this group will be entitled to all other benefits – local weighting, pension, redundancy as all other employees.

Pay multiples

The council does not explicitly set the remuneration of any individual or group of posts by reference to a simple multiple of another post or group of posts.

In terms of overall remuneration packages the council's policy is to differentiate by setting different levels of basic pay to reflect differences in responsibilities.

The council would not expect the remuneration of its highest paid employee to exceed 10 times that of the lowest group of employees. In the case of East Herts Council, the pay of the Chief Executive is 6.2 times the value of the lowest paid employee (calculated using salaries at 1st April 2020).

The council does not belong to the Living Wage Foundation but as our staff salaries (excluding apprenticeships) start at scp 4 which is currently £9.55 per hour plus outer fringe the council (this will increase once the NJC award is agreed) is significantly above the required £9.30 per hour set in November 2019.

Pay ranges are as follows as set on 1 April 2019

| Grade | Minimum £ | Maximum £ | Median £ | Number of employees in the grade * |
|-------|--------------|--------------|-------------|---------------------------------------|
| 2 | 18,426 | 19,945 | 19,171 | 0.84 |
| 3 | 20,344 | 22,021 | 21,166 | 19.96 |
| 4 | 22,021 | 23,836 | 22,911 | 29.16 |
| 5 | 23,836 | 26,999 | 25,295 | 82.46 |
| 6 | 26,999 | 29,636 | 28,345 | 18.18 |
| 7 | 29,636 | 32,878 | 31,371 | 44.81 |
| 8 | 32,878 | 35,934 | 34,294 | 17.32 |
| 9 | 35,934 | 38,813 | 37,363 | 29.89 |
| 10 | 40,760 | 44,632 | 42,683 | 16.74 |
| 11 | 44,632 | 50,228 | 47,072 | 9.68 |
| 12 | 50,228 | 58,149 | 54,406 | 10.00 |
| 13 | 62,803 | 73,305 | 67,831 | 6.81 |

| | | | | |
|-------------------|--------|--------|--------|--------|
| Deputy Chief Exec | 90,020 | 99,757 | 94,763 | 1.00 |
| Total | | | | 286.85 |

* Full Time Equivalent (excludes Casual staff) as at 28/1/20

The minimum apprenticeship pay rate set by East Herts is £4.70 for year one, the national living wage rate is paid as appropriate to an individual's age range thereafter (i.e. from year 2).

Additional payments and Variations

Additional Payments

The council's policy is not to normally pay any form of "signing on" fee or incentive payment when recruiting. Exceptions may occasionally be agreed for hard to recruit posts.

The statutory posts designated as the council's S151 Officer, Monitoring Officer and Head of Paid Service will receive a payment of £10,000 per year. No officer will receive more than one additional statutory post payment.

Acting Up and Honorarium payments

The council will ensure that acting up and honorarium payments are paid in a fair and consistent manner across the council.

Acting up payments can be made when an employee undertakes either some or all of the duties of a senior post, for a continuous period of four weeks or more (payment will then be backdated to the beginning of the cover).

Acting up payments do not apply for periods of less than four weeks or when an employee is providing cover for another employee's annual leave

Honorarium payments can be made where an employee has completed an important project or produced major work output to a high standard that is significantly above and beyond the scope of their normal duties, for significant additional duties not commensurate with the employee's current job description/grade or for work which is exceptionally onerous (e.g. difficult and/or demanding situations or working to extremely tight timescales).

Honorarium payments do not apply where additional work undertaken is of a like nature to the individual's existing job description; for project work or tasks that are an expected part of the employee's job role; for work above and beyond the employee's contracted hours.

Permanent changes to job roles should be dealt with through the job evaluation process.

The Head of Service with advice from the HR service have the responsibility for implementing and monitoring these arrangements.

Professional fees and subscriptions.

The council will meet the cost of a legal practicing certificate for all those employees where it is a requirement of their employment. No other professional fee or subscription is paid.

Market Supplements

Market supplements are only paid in exceptional circumstances where several attempts have been made to recruit and usual recruitment processes have not resulted in an appointment. Market rate will be established by reference to soft market testing, external advice and dialogue with peer authorities.

Pension

Pension provision is an important part of the remuneration package.

All employees (except those employees over the age of 75) may join the local government pension scheme. The scheme is a statutory scheme with contributions from the employee and from the employer.

All employees will automatically be enrolled into the LGPS pension scheme unless the contract of employment is less than 3 months' duration, although the employee does have the option to 'opt in'.

For more comprehensive details of the local government pension scheme see: <https://lgpsmember.org>

Neither the scheme nor the council adopt different policies with regard to benefits of employees, the same terms apply to the Chief Officers and other employees (although higher paid staff are required to pay a higher contribution in terms of the percentage of pay deducted as a pension contribution).

East Herts Council as an employer is under a legal duty to prepare and publish a written statement of its policy relating to certain discretionary powers under the Regulations which apply to the Local Government Pension Scheme ("the LGPS"). The scheme provides for the exercise of discretion that allow for retirement benefits to be enhanced. The council will consider each case on its merits but has determined that its usual policy is not to enhance benefits for any of its employees. The Policy on Exercise of Employer Discretions reaffirms this in respect of Chief Officers and other employees.

The pension scheme provides for flexible retirement. In applying the flexible retirement provision no distinction is made between the Chief Officers and other employees. The scheme requires that a minimum permanent reduction in working hours of 25% is made and/or there is a reduction in grade and that any consequential payments to the pension fund are recoverable in three years with the discretion to extend the three years in exceptional circumstances. The council's Human Resources Committee will consider requests from a Chief Officer and Leadership Team will consider requests from other employees.

Annual Leave

Annual leave entitlement is related to both an individual employee's spinal column point and length of continuous service in local government.

The council awards five days additional annual leave for employees that reach five years' local government service.

| Spinal Column Point (SCP) | Annual leave entitlement | Annual leave entitlement after 5 years in continuous local government service |
|---------------------------|--------------------------|---|
| 4-22 | 25 days | 30 days |
| 23-25 | 26 days | 31 days |
| 26-28 | 27 days | 32 days |
| 29-59 | 28 days | 33 days |
| Chief Officers | 30 days | 35 days |

Annual leave entitlement is calculated on a pro-rata basis for part-time employees.

Occupational Sick Pay

Entitlement to sick pay is related to continuous service, measured in complete months or years at the start of the period of absence. Any previous absences in the twelve months before the start of any absence are deducted from the entitlement.

Entitlement to sick pay is in accordance with the provisions of the NJC for Local Authorities, as follows:

| | |
|-------------------------|--|
| During 1st Year | 1 month's full pay and (after completing 4 months service) 2 months half pay |
| During 2nd Year | 2 months full pay and 2 months half pay |
| During 3rd Year | 4 months full pay and 4 months half pay |
| During 4th and 5th Year | 5 months full pay and 5 months half pay |
| After 5 Years | 6 months full pay and 6 months half pay |

Expenses

The council will meet or reimburse authorised travel, accommodation and subsistence costs for attendance at approved business meetings and training events in accordance with the council's Expenses policy. The council does not regard such costs as remuneration but as non-pay operational costs. This policy is applied consistently to Chief Officers and other employees.

The council pays car mileage in accordance with HMRC approved rates which are the same for Chief Officers and other employees. The current rates are:

| Mileage | HMRC Rates |
|--|---------------------------|
| Car* (first 10,000 business miles per annum) | 45p per business mile |
| Car (after 10,000 business miles per annum) | 25p per business mile |
| Electric Car Rate | 4p per business mile |
| Motorcycle Rate | 24p per business mile |
| Bicycle Rate | 20p per business mile |
| Passenger Rate (employee/member) | 5p per passenger per mile |

*A Hybrid car falls under the Car HMRC rate of 45p per business mile.

Redundancy payments and payments on termination

The council has a single redundancy scheme which applies to all employees without differentiation. The council does not provide any further payment to employees leaving the council's employment other than in respect of accrued leave which by agreement is untaken at the date of leaving.

The redundancy payment is based on the length of continuous local government service as set out in the employee contract, the council follows the statutory process in terms of age multipliers and a maximum of 20 years' service, however, no statutory cap is applied to weekly pay and actual weekly pay is used in all cases and the council then further enhances the redundancy payment by applying a multiplier of 2. Details of the full scheme can be found in the council's Redundancy Policy.

Future appointments

In the event of a vacancy to either a Chief Officer or other employee post the arrangements set out above in regards to pay will apply in respect of permanent appointments.

Publication and access to information

The publication of and access to information relating to remuneration of Chief Officers' is set out in this document and published on the council's website.

East Herts Council Report

Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of Human Resources and Organisational Development

Report title: Human Resources Management Statistics for Quarter 3 (October – December 2019)

Ward(s) affected: None

Summary

RECOMMENDATIONS FOR Human Resources Committee:

- (a)** Human Resources Management Statistics for Quarter 3 (October – December 2019) be noted.

1.0 Proposal(s)

- 1.1 Members are invited to consider the Human Resources (HR) Management Statistics for Quarter 3 (October – December 2019).

2.0 Background

- 2.1 This report outlines the current performance against the annual HR targets as approved by the HR Committee.

3.0 Report

3.1 Vacancy Data and Recruitment

- 3.1.1 Table 1 below shows the vacancy position across the council as at 31 December 2019.

Table 1 – Vacancies

| | Number of posts |
|-----------------------------------|------------------------|
| Posts actively being recruited to | 3 |
| Posts on hold | 16 |
| Other | 4 |
| TOTAL | 23 |

3.1.2 Posts being actively recruited to include those that are currently being advertised, at shortlisting or interview stages, pending pre-employment checks, or applicants have received an unconditional offer and have not yet started at the council.

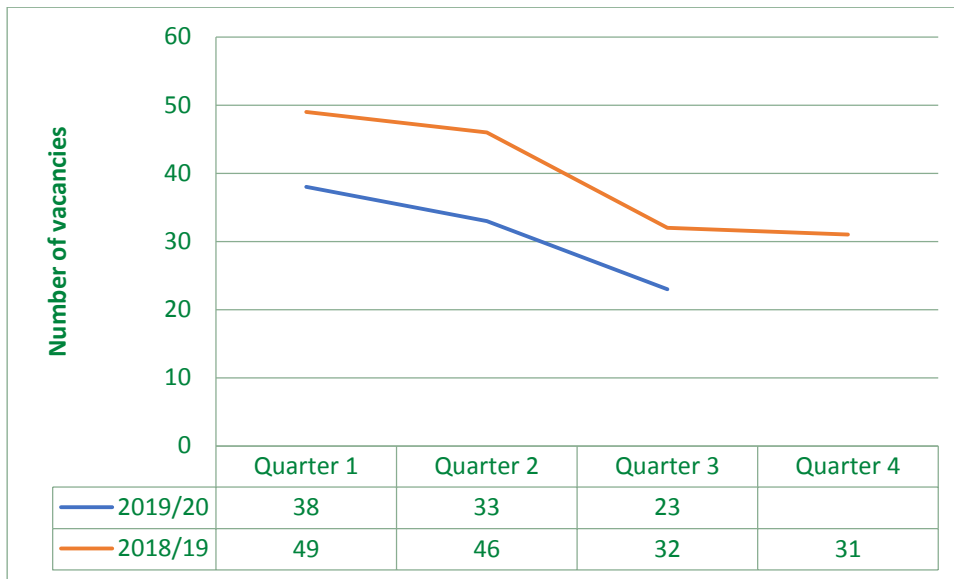
3.1.3 Sixteen posts were on hold. Eleven of these are Planning posts that are being held due to an imminent review of the structure and are being covered as appropriate by agency staff. The remaining five posts that were on hold were due to e.g. posts moving to the single customer services team or potentially for digital East Herts savings.

3.1.4 Five of the posts on hold are difficult-to-recruit-to-posts of which three are Principal Planning Officer posts and two are solicitor posts. The Principal Planning Officers posts are being temporarily covered by agency staff. The solicitor roles are being covered by legal support from Barking and Dagenham Council on a 6 month trial basis which will be reviewed by the new Head of Legal and Democratic Services who begins in February.

3.1.5 Four posts were vacant due to 'other' reasons (e.g. being covered by an honorarium arrangement, or the manager is looking at redesigning the job).

3.1.6 Figure 1 shows that vacancies in Quarter 3 have fallen since Quarter 2 (33 vacancies) and are significantly lower compared to the same period last year (32 vacancies).

Figure 1 – Number of overall vacancies



3.1.7 During Quarter 3 seven posts were advertised. Six posts (86%) were successfully filled (one on the second attempt), three with internal candidates and three with external candidates. The Electoral Services Officer post was put on hold due to the December election however shortlisting will recommence in the new year.

3.1.8 Particularly successful recruitment campaigns during Quarter 3 include the Head of Legal and Democratic Services where fourteen applications were received, eight applicants were interviewed, and one appointment was made and the Democratic Services Officer post where twelve applications were received, six were interviewed and one appointment was made. The Head of Legal and Democratic Services is due to start in post on 3 February 2020 and the Democratic Services Officer has already started in post.

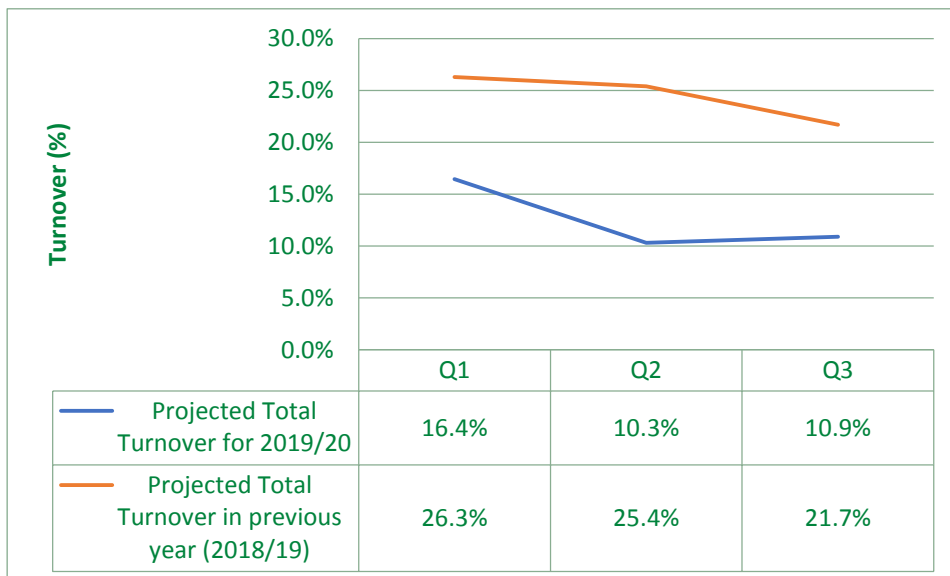
3.2 Employee Turnover

3.2.1 There were 10 leavers in Quarter 3, making the total number of leavers for the year so far (April – December 2019) 27.

| Quarter | Number of leavers |
|--------------|-------------------|
| Quarter 1 | 12 |
| Quarter 2 | 5 |
| Quarter 3 | 10 |
| TOTAL | 27 |

3.2.2 Projected annual turnover for 2019/20 is estimated to be 10.9% which is considerably lower than for the same period last year (21.7% in Quarter 3 in 2018/19) and lower than the local government average (14% for 2018/19 for Local Authority districts in the UK).

Figure 2 – Projected Turnover for 2019/20



3.3 Sickness Absence

Overall absence

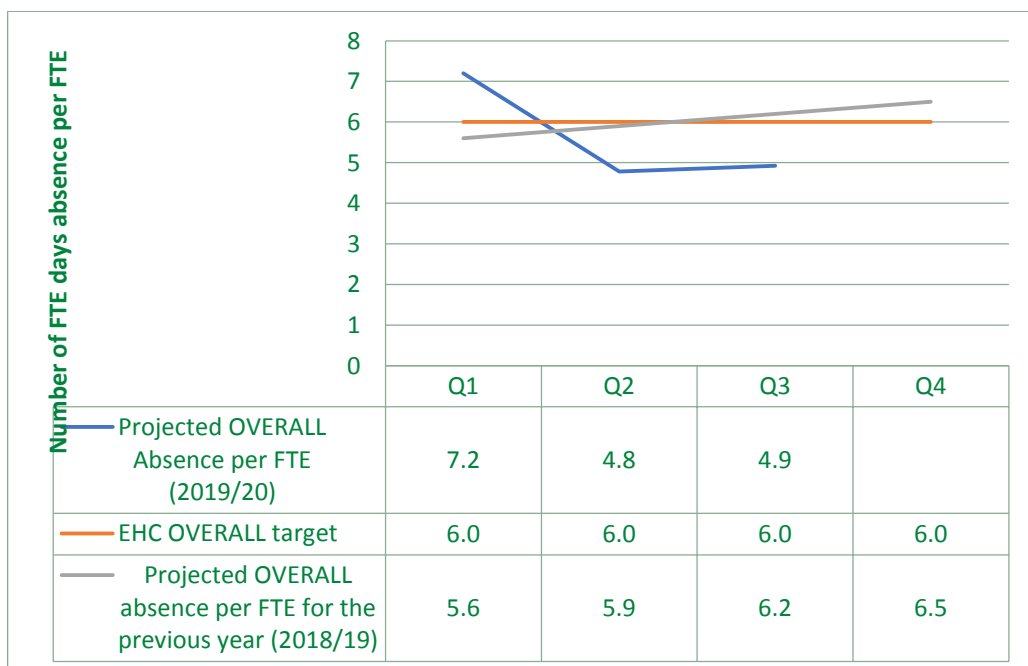
Quarter 2 overall absence data

3.3.1 In Quarter 2, the total number of sickness days taken was 368.47 full time equivalent (FTE) days. Of these, 251.18 FTE days (68%) were due to short term sickness and 117.29 FTE days (32%) were due to long term sickness. The percentage of time lost due to short term sickness is 1.3% and the percentage of time lost due to long term sickness is 0.6% which equates to an overall percentage lost time rate of 1.9%.

Projected overall absence for 2019/20

3.3.2 Figure 3 below shows that projected overall absence for the annual period of 2019/20 is estimated to be 4.9 days per FTE which is below the council's overall annual target of 6 days and lower than the same period last year (6.2 days).

Figure 3 – Projected OVERALL absence for 2019/20



Short term absence

3.3.3 Absences of less than four weeks are considered to be short term sickness absence.

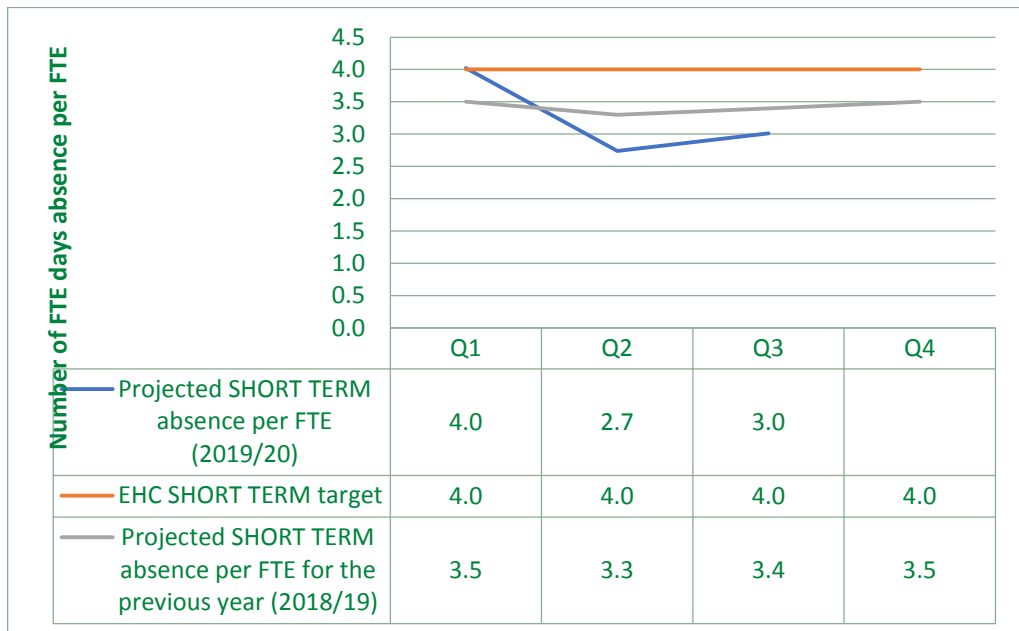
Quarter 3 short term absence data

3.3.4 One hundred employees (29.9% of the total headcount) had short term sickness absence during Quarter 3 totalling 251.18 FTE days. This represents a percentage lost time rate of 1.3% due to short term absence in Quarter 3.

Projected short term absence for 2019/20

3.3.5 Figure 4 below shows that projected short term absence for the annual period of 2019/20 is estimated to be 3 days per FTE which is below the council’s short term target of 4 days and lower than the same period last year (3.4 days).

Figure 4 – Projected SHORT TERM absence for 2019/20



Long Term absence

3.3.6 Absences in excess of 4 weeks/28 consecutive calendar days are considered to be long term sickness absence.

Quarter 3 long term absence data

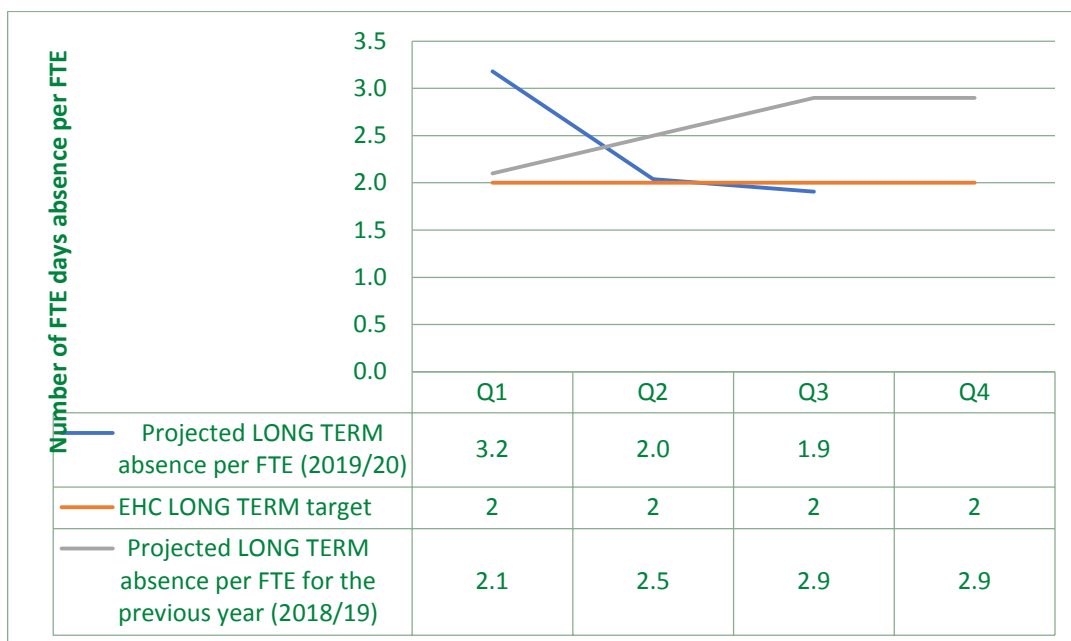
3.3.7 Six employees (2% of the total headcount) had long term sickness absence during Quarter 3 totalling 117.29 FTE days. This represents a percentage time lost rate of 0.6% due to long term absence.

3.3.8 All six employees have been offered support through the employee assistance programme and through referrals to Occupational Health. The reasons for long term absence were for mental health issues, stress (both personal and work related), acute medical conditions (e.g. heart attack, cancer) and reoccurring medical conditions (e.g. angina, allergies). Absences continue for all but one employee.

Projected LONG TERM absence for 2019/20

3.3.9 Figure 5 below shows that projected long term absence for the annual period of 2019/20 is estimated to be 1.9 days per FTE which is lower than the council's long term target of 2 days and lower than the same period last year (2.9 days).

Figure 5 – Projected LONG TERM absence for 2019/20



3.4 Learning and Development

3.4.1 From April to December 2019, there were 47 learning and development events held and there were 355 participants.

| Event/Course | No of participants | Type/ Number of sessions held |
|-----------------------------------|--------------------|-------------------------------|
| Introduction to Procurement | 18 | 2 |
| First Aid at work refresher | 8 | 2 |
| Safeguarding | 84 | 5 |
| Corporate Induction | 12 | 3 |
| E Car Training | 27 | 4 |
| Attending meetings and networking | 5 | 1 |
| My View Sickness | 6 | 1 |

| | | |
|--|------------|-----------|
| Dementia Friend | 7 | 1 |
| Difficult conversations | 9 | 2 |
| Recruitment | 7 | 1 |
| HR Court Training | 17 | 1 |
| First Aid at Work | 9 | 1 |
| Hertfordshire County Council (Introduction to Personal Financial Planning) | 10 | 2 |
| Hertfordshire County Council (Retirement - Half Day) | 8 | 1 |
| Dealing with violence and aggression | 42 | 4 |
| Democratic Services Drop In | 11 | 2 |
| Ladder User and Working at Height | 20 | 2 |
| Fire Marshall Bitesize | 27 | 6 |
| Electrical Safety Awareness | 2 | 1 |
| Budget Monitoring | 6 | 1 |
| Intend procurement | 4 | 1 |
| Project Management Bitesize | 6 | 1 |
| Managing the Tender Process | 7 | 1 |
| Risk Management Bitesize | 3 | 1 |
| Total | 355 | 47 |

3.5 Performance Management

3.5.1 Data for the completion of Performance Development Reviews (PDRs) in 2019/20 will be reported on at the end of the PDR year – i.e. at HRC in May 2020.

3.6 Equalities Monitoring Indicators

3.6.1 The table below shows a summary of equalities data for

employees as at 31 December 2019.

| | Target | EHC Percentage |
|--|---------------|---------------------------|
| Disability | | |
| Leadership Team with a disability | 5% | 0.0% |
| Employees with a disability | 5% | 4.6% |
| Ethnicity | | |
| Leadership Team members from BAME groups | 4.5% | 13.0% |
| Employees from BAME groups | 4.5% | 7.7% |
| Gender | | |
| Leadership Team members who are female | 51% | 50.0% |
| Employees who are female | 51% | 72.7% |
| Full Time/Part Time | | |
| Employees who are part time | 27% | 36.2% |
| Employees who are part time and female | 21% | 33.1% |
| Employees who are part time and male | 6% | 3.1% |

The Leadership Team comprises the Chief Executive, Deputy Chief Executive and Heads of Service. N.B There were 8 employees in the Leadership Team as at 31 December 2019 as the Head of Strategic Finance and Property and the Head of Legal and Democratic Services had left the council and their permanent replacements had not yet started.

4.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

As detailed in the report

Human Rights

No

Legal

No

Specific Wards

No

5.0 Background papers, appendices and other relevant material

None

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Report Author

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East Herts Council Report

Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of Human Resources

Report title: Recruitment Audit 2019

Ward(s) affected: None

Summary

RECOMMENDATIONS FOR:

- (a) HR Committee to note the findings, recommendations and management responses in relation to the Internal Audit Report on the East Herts Council's Recruitment Process in Appendix 1.

1.0 Proposal(s)

- 1.1 This report sets out the findings and recommendations from the recruitment audit conducted by the Shared Internal Audit Service (SIAS) in December 2019. The Council operates a devolved recruitment model, which transfers accountability for the selection process and related administration as well as the responsibility for decision-making to services. The Management Action Plan was therefore reviewed, amended and agreed by Leadership Team on 20 January 2020 to ensure the organisational wide commitment to the agreed actions.

2.0 Background

- 2.1 The audit took place in December 2019. A random sample of 9 employees who joined the council between 1 October 2018 and 31 September 2019 were selected and HR provided evidence to demonstrate compliance with the council's recruitment processes.

3.0 Audit Outcome

- 3.1 The overall audit outcome is that the council has provided “overall **satisfactory assurance** that there are effective controls in operation for those elements of the risk management processes covered by this review.”
- 3.2 It is pleasing to note that the council scored a compliance rate of 100% on its pre-employment check process (i.e. seeking the appropriate references, checking candidates’ right to work in the UK etc.) which is managed centrally by HR.
- 3.3 The key risk area was services being able to provide appropriate shortlisting and interviewing documentation (which would be relied upon as evidence if there was a dispute).
- 3.4 The recommendations and management actions are outlined in the Management Action Plan in Appendix 1.

4.0 Conclusion

- 4.1 To ensure that the council can continue to provide satisfactory assurance regarding its recruitment processes and to minimise the risks identified by SIAS in their report, the management actions will be implemented and monitored. The main area where controls are not operating consistently and therefore effectively is the devolved element of shortlisting and the selection process. HR previously would not send out conditional offers without these processes being evidenced and sent back to HR, the previous Chief Executive relaxed this but it is clear that it needs re-instating and Leadership Team have fully supported this action going forward.

5.0 Risks

- 5.1 The risks of not following the recommendations are outlined in the Audit Report in Section 2 and Appendix

B.

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

As covered by the report

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 The audit report is attached at Appendix 1.

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Draft Internal Audit Report

East Herts Council – Recruitment Process 2019/20

December 2019

| | |
|---------------------------|---|
| Issued to: | Simon O’Hear – Head of HR & OD Vicki David – HR Officer |
| Copied to: | Isabel Brittain – Head of Strategic Finance and Property and Interim Head of Operations Performance, Audit and Governance Oversight Committee Members Executive Member for Financial Sustainability |
| Report Status: | Draft |
| Reference: | E24/19/001 |
| Overall Assurance: | Satisfactory |

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1. EXECUTIVE SUMMARY

Introduction

- 1.1 Internal Audit provides East Herts Council with an independent and objective opinion on the organisation's governance arrangements, encompassing internal control and risk management, by completing an annual risk-based internal audit plan. The audit of the Recruitment Process derives from the Council's approved 2019/20 Internal Audit Plan.
- 1.2 Recruitment is a process to appoint staff to permanent roles vacant in the establishment. It encompasses several interrelated stages to reach the end goal of employing the most suitable person available from within the marketplace. In sequential order the stages are approval to recruit, advertising a vacancy, shortlisting applications, interviewing candidates and pre-employment checks on the preferred candidate.
- 1.3 The Council operates a devolved recruitment model, which transfers accountability and responsibility for decision-making to departments. In this way of working, Human Resources (HR) is a supporting player in the recruitment process, involved at fixed points and on an ad hoc basis when required. The framework, setting out the key controls within each stage of the recruitment process, is clearly defined in the corporate recruitment policy and supplementary guidance for recruiting managers. These, together with staff training, are the main directive features to ensure departments conduct recruitment in a consistent manner and adhere to all relevant legal requirements regarding non-discrimination, etc.
- 1.4 Recruiting permanent staff presents several risks from both the internal and external environments. For example, difficulties in filling professional and specialist posts and carrying long-term vacancies could impact upon the achievement of core service objectives. In addition, poor recruitment practices could result in people not suitable or entitled to work in the UK being appointed, or complaints of bias or discrimination being made and taken through to an employment tribunal.
- 1.5 Between October 2018 and September 2019, a total of 59 recruitments were completed. This equates to an average of five recruitments each month over the period.
- 1.6 The purpose of the audit was to provide management with assurance on the corporate recruitment process, primarily in terms of compliance and consistency with the key controls contained in the corporate recruitment policy and guidance for recruiting managers and the transparency of decision-making. We have tested the application of key controls by reviewing a ten percent sample of the total recruitments completed between October 2018 and September 2019. Our sample was selected to include as broad a representation as possible, with nine departments being included. The results of the testing have informed the overall level of assurance and levels of assurance provided for each detailed area of focus.

Overall Audit Opinion

- 1.7 Based on the work performed during this audit, we can provide overall **Satisfactory Assurance** that there are effective controls in operation for those elements of the risk management processes covered by this review. These are detailed in the Assurance by Risk Area Table in section 2 below.
- 1.8 For definitions of our assurance levels, please see Appendix C.

Audit Commentary

- 1.9 The results of the audit testing of key controls in the corporate recruitment process are summarised in the table at Appendix A. The following paragraphs provide additional context to support the overall level of assurance and levels of assurance provided for each detailed area of focus.
- 1.10 Before a planned recruitment advances to the advertising stage, the appropriate head of service is required to confirm in writing that there is sufficient budget to fill the vacancy either on a fixed-term or permanent basis. There is a standard corporate form in use to record the approval and this is in effect the first key control point in the recruitment process. The results of our testing indicated a compliance rate of 67%, with a correctly approved recruitment request form being present on file for six of the nine recruitments in our sample.
- 1.11 In regard to the three exceptions identified, we acknowledge that two recruitments did have a recruitment request form available on file, but an issue existed with each one. There was an instance where a form was signed by a department manager rather than the appropriate head of service and another did not contain either a physical or electronic signature on it. For the final exception no form could be located centrally or locally. HR made emails available to us to demonstrate approval to recruit had been provided for the final exception, however, we are of the view that the evidence provided was not explicit enough and therefore we do not consider it to be reliable as a compensatory control.
- 1.12 The corporate guidance for recruiting managers sets out the key controls for the shortlisting and interviewing stages. Essentially, these are around forming a panel to shortlist and interview and record decision-making at each stage. Panels should be balanced and include one person who has completed the internal recruitment training. Competence to participate in shortlisting and interviews is not defined using any other criteria, such as current role, level of seniority, experience, qualifications or previous recruitment training with another employer.
- 1.13 Our testing identified four exceptions linked to the above. We noted recruitment was conducted on two occasions without an officer who has completed the internal recruitment training. For the other recruitments there were no records available, either locally or on the HR system to confirm the panel details. We were therefore unable to comment if a trained officer was involved as required.
- 1.14 In regard to recording decision-making during the shortlisting and interview stages, recruiting managers are required to forward the relevant documentation to HR for

central retention. Our testing identified a mixed outcome of results. For seven of the nine recruitments selected there was no written record available, either locally or centrally, to support the shortlisting. This suggests that shortlisting was either not documented or the documentation produced did not reach HR. Similarly, there were gaps with interview records. For five of the nine recruitments audited there were no interview records retained centrally, suggesting that recruiting departments had not documented interviews or not forwarded the documentation to HR. We noted that where interview records were available locally and centrally, invariably the documentation was only for the candidate appointed and not all candidates interviewed.

- 1.15 We followed up on the outstanding shortlisting and interview records by contacting the recruiting managers. This prompted three recruiting managers to supply interview records, of which only one set included a complete record of the interview stage. No additional shortlisting records were supplied.
- 1.16 Our testing also focused on pre-employment checks, which are split out between recruiting managers and HR. For all nine recruitments selected there was a 100% compliance rate for entitlement to work in the UK test we performed, indicating that no new starters had commenced employment without evidence having been supplied and verified beforehand. There was also a 100% compliance rate for references, and we noted that evidence existed centrally to confirm that recruiting managers had seen and signed off references before candidates had commenced employment.
- 1.17 We did identify one instance where the recruiting manager served as one of two referees for a candidate, which is not common practice. Ideally, we would have expected to see two external references on file. However, the circumstances were checked, and we found that the candidate was already in the role on a temporary contract, which had prompted the recruiting manager in this particular instance to accept one external reference to expedite the appointment. It should be noted that neither the corporate recruitment policy nor the supplementary guidance for recruiting managers is explicit regarding the use of an internal reference. This is perhaps an area which requires greater clarity to avoid similar situations of ambiguity arising in future.
- 1.18 The final area we focused on was starting salaries. It is expected that new starters will commence employment at the bottom of the pay grade for the post unless there is a compelling reason to justify higher pay i.e. experience or specific qualifications. Negotiation of the starting salary with the preferred candidate is the responsibility of recruiting managers and not HR. We understand that historically recruiting managers have had full autonomy and outcomes of a starting salary at the mid or top of the pay grade have not been subject to internal challenge by HR. However, effective from June 2019, the Head of HR & OD has introduced an additional control that is designed to offer a robust challenge. This is primarily to ensure consistent practice across departments rather than to question the integrity of decision-making. From our sample we found that six out of the nine new starters received a starting salary above the bottom of the pay grade. The reasons for the higher starting salaries have not been reviewed retrospectively, primarily because there is now a control in place to challenge the award of higher salaries in future.

Summary of Recommendations

- 1.19 This report contains nine recommendations over five areas for management to consider. Eight recommendations are prioritised “Medium” priority and one as “Low / Advisory” priority.
- 1.20 Please see Management Action Plan at Appendix A for further detail.

Annual Governance Statement

- 1.21 This report provides satisfactory levels of assurance to support the Annual Governance Statement.

2. ASSURANCE BY RISK AREA

2.1 Our specific objectives in undertaking this work, as per the Terms of Reference, were to provide the Council with assurance on the adequacy and effectiveness of internal controls, processes and records in place to mitigate risks in the following areas:

| Risk Area | No | Limited | Satisfactory | Good |
|--|----|---------|--------------|------|
| Establishment Control – The Council’s establishment is appropriately monitored. Changes, additions and deletions to established posts are correctly approved in writing by management | | | | |
| Approval to Recruit – Planned recruitment exercises are correctly approved in writing by management before services publish job adverts | | | | |
| Interviewing – Interview panels comprise at least one person who is appropriately trained in the corporate recruitment policy and process | | | | |
| Pre-Employment Screening – The appropriate pre-employment checks are performed regarding employment history, qualifications, criminal record and right to work status in a timely manner | | | | |
| Starting Salaries – Candidates are offered employment at the appropriate starting salary commensurate to their experience and qualifications | | | | |
| Audit Trails – Services maintain appropriate written records in support of the shortlisting and interviewing stages, so that complaints from unsuccessful applicants can be robustly defended | | | | |
| Overall | | | | |

2.2 See definitions for the above assurance levels at Appendix B.

Appendix B – Management Action Plan

| <u>SUMMARY OF AUDIT TESTING RESULTS</u> | | | | | | | |
|--|-----------------------------------|------------------------------------|---------------------------------|------------------------------------|----------------------------------|-----------------------------------|-------------------------------|
| <u>Post</u> | <u>Approval to Recruit</u> | <u>Shortlisting Records</u> | <u>Interview Records</u> | <u>Recruitment Training</u> | <u>Minimum References</u> | <u>Right to Work in UK</u> | <u>Starting Salary</u> |
| Customer Services Advisor | Pass | Fail | In Part | Fail | Pass | Pass | Bottom Point |
| Herts Sustainability Forum Co-ordinator | Pass | Fail | Fail | Fail | Pass | Pass | Bottom Point |
| Democratic Services Manager | Pass | Fail | Pass | In Part | Pass | Pass | Top Point |
| Arboricultural Officer | In Part | Pass | In Part | Pass | Pass | Pass | Mid-Top Point |
| Ass. Front of House Manager | Pass | In Part | Fail | Fail | Pass | Pass | Bottom Point |
| Personal Assistant | In Part | Fail | In Part | Pass | Pass | Pass | Top Point |
| Principal Planning Officer | In Part | Pass | In Part | Pass | Pass | Pass | Middle Point |
| Revenue Officer | In Part | Fail | In Part | Pass | Pass | Pass | Top Point |
| Property Services Manager | Pass | Fail | Pass | Pass | Pass | Pass | Mid-Top Point |
| <u>Compliance Rate</u> | 56% | 22% | 22% | 56% | 100% | 100% | N/a |

Appendix B – Management Action Plan

| No. | Finding / Associated Risk | Priority | Recommendation | Management Response | Target Date |
|-----|--|----------|--|--|-------------|
| 1. | <p>Establishment Control</p> <p>HR maintains a central establishment record, which serves as the key point of control for information on current posts and the staff currently employed in them. The establishment control record is informed and updated by various sources of information originating from heads of service and line managers (i.e. recruitment request forms and termination forms).</p> <p>We understand that the establishment control record is not reconciled to cost centre budgets and staff salaries held on the corporate finance system on an ad hoc basis to ensure accuracy and completeness is maintained. Without an ad hoc reconciliation process the possibility that the establishment control record is incorrect, and either under or overstated, becomes greater.</p> <p>Associated Risk: Departments could recruit staff without there being appropriate budget available, due to differences between establishment information held by Finance and HR, resulting in a potential overspend on salaries.</p> | Medium | We recommend that there should be an ad hoc reconciliation process of the establishment control record maintained by HR to cost centre and staff salary records on the corporate finance system. | <p>Responsible Officer: Heads of Service/HR Officers/Finance Business Partners</p> <p>Staff budget dialogue/changes to include HR from 1 Feb 2020 onwards alongside Finance so that non-employment of staffing budget is captured in HR and is up to date</p> | 1/2/2020 |

Appendix B – Management Action Plan

| | | | | | |
|----|--|--------|--|--|--|
| | | | We recommend that the current criteria for approving recruitment request forms is reviewed to consider incorporation of contingency arrangements for when heads of service are out of the office and not contactable. | LT did not want to allow a deputy to sign off. | |
| 3. | <p>Recruitment Training</p> <p>The corporate recruitment guidance for recruiting managers requires panels set up to shortlist and interview to have a minimum of one officer who has completed the internal recruitment training course. The training is not a time bound learning experience and there is no current need for staff to undertake a mandatory refresher course after a fixed period has elapsed.</p> <p>The guidance does not consider that some existing staff could be sufficiently competent to carry out recruitments without needing to complete internal training, by virtue of experience, seniority, qualification, role or previous training completed with another employer.</p> <p>Having audited nine recruitments we found four exceptions, indicating in each instance that the panel did not include an officer who has completed the internal training.</p> | Medium | We recommend that the current criteria to participate in recruitments, as either the lead or a support officer, is reviewed to consider if formal training must be completed by all staff regardless of their experience, seniority, role, qualifications and previous training completed with another employer. | <p>Responsible Officer:</p> <p>Head of HR and OD to revise the Recruitment policy to include recognising the previous recruitment experience of recruiting managers so that they only have to have a briefing on the EHC process.</p> <p>No refresher is required but HR are always able to re-brief or support as appropriate.</p> | In line with East Herts Together roadmap |
| | | Medium | We recommend that HR puts in place an appropriate control to detect early on in recruitment, any exercises that will involve staff who do not meet the minimum criteria to participate | HR will ensure that the recruitment request form is revised to ensure it includes the name of the chair of the panel and confirmation of their training. | 1/2/20 |

Appendix B – Management Action Plan

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|--|-----------------------|--|---|---|
| <p>Associated Risk: Discrimination or bias occurs in recruitments, due to poor quality training or staff not attending training, potentially resulting in claims for unlawful treatment being made and going to employment tribunal.</p> | <p>Low / Advisory</p> | <p>as either the lead or a support officer. For example, the recruitment request form could be modified to include a section to provide information on the intended panel to shortlist and interview.</p> <p>We recommend that consideration is given to the delivery of recruitment training in future, potentially moving away from one-to-one and group sessions to online interactive tutorials.</p> | <p>HR will provide a basic process briefing to staff with previous training or experience where appropriate so they become EHC trained to grow the list and ensure compliance. E-learning will be considered in the medium term but untrained or inexperienced recruiters are likely to need face to face training.</p> | <p>2020/21</p> |
| <p>4. Shortlisting and Interviewing</p> <p>The corporate recruitment policy and the supplementary guidance for recruiting managers clearly set out the requirement to record decisions at the shortlisting and interview stages and forward the documentation to HR for retention centrally. There are standard generic templates available to help this and ensure consistency.</p> <p>Having audited nine recruitments we found multiple gaps of information concerning the</p> | <p>Medium</p> | <p>We recommend that the current generic templates for shortlisting and interviewing are reviewed to consider if they continue to be fit for purpose or are too inhibitive.</p> <p>We recommend that HR issues a corporate message reminding recruiting manager of the importance of fully recording decision-making at the shortlisting and interview stages</p> | <p>Responsible Officer:</p> <p>A review is underway by HR to make the shortlisting and interviewing templates more user-friendly.</p> <p>An email will be sent to managers, along with the revised template forms, making it clear that a conditional offer will not be</p> | <p>1/2/2020</p> |
| | | | | <p>Revised form to be implemented from 1/2/20</p> |

Appendix B – Management Action Plan

| | | | | | |
|-----------|---|---------------|---|---|---------------------------------|
| | <p>availability of shortlisting and interview records, suggesting that these stages of the corporate recruitment process are not working as well as management would expect and require.</p> <p>Associated Risk: The Council could struggle to defend the legality of recruitment decisions, if there is a lack of quality documentation to support the shortlisting and interview stages, resulting in a claim being made and going to tribunal.</p> | | <p>and also the need to forward records for both successful and unsuccessful candidates to HR for central retention and coordinated disposal in line with data protection requirements.</p> | <p>made unless both the shortlisting and interview paperwork has been sent to HR</p> | |
| <p>5.</p> | <p>Post-Employment Follow Up</p> <p>The corporate recruitment policy and the supplementary guidance for recruiting managers clearly set out that recruiting managers are required to send all relevant documentation generated during the recruitment process to HR for central retention.</p> <p>However, our testing results identified gaps of information within the files held on the HR system. This would suggest that some recruiting managers overlook the requirement, perhaps due to workload pressures or incorrect assumptions, and either retain records locally or dispose of them post-appointment. Failure not to forward records to HR for central retention</p> | <p>Medium</p> | <p>We recommend that HR does not send out conditional offer letters until recruiting managers have supplied all relevant documentation and this is confirmed to be appropriate and complete.</p> <p>It is advisable that an escalation procedure for outstanding information is devised, setting out the route, steps and timeframe involved.</p> | <p>Responsible Officer:</p> <p>As above - HR will send an email providing clarity.</p> <p>HR will escalate after 2 working days to the recruiting officer's line manager</p> | <p>1/2/2020</p> <p>1/2/2020</p> |





Appendix B – Management Action Plan

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| | <p>increases the risk that data protection requirements could be overlooked, with personal data being stored for too long.</p> <p>We have been informed that HR has arrangements in place to ensure that the appropriate records are received from recruiting managers. However, based on our testing results, we would suggest that this is not entirely effective and in need of improvement.</p> <p>Associated Risk: Errors in the recruitment process could be overlooked or missed, due to essential documentation not being seen and checked by HR, resulting in employment of individuals not entitled to work in the UK or suitable for a specific role.</p> | | | | |
|--|---|--|--|--|--|

Appendix C – Definitions of Assurance and Finding Priorities

| Assurance Level | Definition |
|-----------------|--|
| Good | The design and operation of the internal control framework is effective, thereby ensuring that the key risks in scope are being well managed and core objectives will likely be achieved. There are minor reportable audit findings. |
| Satisfactory | The internal control framework is largely working well in managing the key risks in scope, with some audit findings related to the current arrangements. |
| Limited | The system of internal control is only partially effective, with important audit findings in key areas. Improvement in the design and/or operation of the control environment is necessary to gain assurance risks are being managed to an acceptable level, and core objectives will be achieved. |
| No | The system of internal control has serious gaps, and controls are not effective in managing the key risks in scope. It is highly unlikely that core objectives will be met without urgent management intervention. |

| Priority Level | | | Definition |
|----------------|----------------|---|--|
| Corporate | Critical |  | Audit findings which, in the present state, represent a serious risk to the organisation as a whole, i.e. reputation, financial resources and / or compliance with regulations. Management action to implement the appropriate controls is required immediately. |
| Service | High |  | Audit findings indicate a serious weakness or breakdown in control environment, which, if untreated by management intervention, is highly likely to put achievement of core service objectives at risk. Remedial action is required urgently. |
| | Medium |  | Audit findings which, if not treated by appropriate management action, are likely to put achievement of some of the core service objectives at risk. Remedial action is required in a timely manner. |
| | Low / Advisory |  | Audit findings indicate opportunities to implement good or best practice, which, if adopted, will enhance the control environment. The appropriate solution should be implemented as soon as is practically possible. |

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Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of HR and OD

Report title: Payroll Audit 2019-20

Ward(s) affected: None

Summary

RECOMMENDATIONS FOR:

- (a) HR Committee to note the findings and outcome of the payroll audit conducted by the Shared Internal Audit Service (SIAS) for 2019-20.

1.0 Proposal(s)

- 1.1 This report sets out the findings and outcome of the payroll audit conducted by the Shared Internal Audit Service (SIAS) for 2019-20. As there were no management actions arising from the report it was not taken to a formal Leadership Team meeting but was sent to them by email for information.

2.0 Background

- 2.1 The audit sought to provide assurance on the design and operation of the key controls relating to systems access, amendments to standing data, the processing of starters, leavers, amendments to pay, payroll processing and payments made.

3.0 Audit Outcome

- 3.1 The overall audit outcome is that the council has provided "overall **good** assurance that there are effective controls in operation for those elements of the risk

management processes covered by this review.”

3.2 No recommendations were made as a result of the audit work undertaken and therefore no Management Action Plan was produced.

3.3 The full audit report can be found at Appendix 1.

4.0 Risks

4.1 None – the audit report acknowledges that there are consistent and robust controls in place covering all risks relating to the processing of the Council's payroll.

5.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

As covered by the report

Health and Safety

No

Human Resources

As covered by the report

Human Rights

No

Legal

No

Specific Wards

No

6.0 Background papers, appendices and other relevant material

7.1 The audit report is attached at Appendix 1.

Contact Officer

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Report Author

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Final Internal Audit Report

East Herts Council – Payroll Audit 2019-20

January 2020

Issued to: **Gill Coleman** – Payroll Manager
Simon O’Hear – Head of Human Resources and Organisational Development

Copied to: **Bob Palmer** – Interim Head of Strategic Finance and Property
Members of the Performance, Audit and Governance Oversight Committee
Executive Member for Financial Sustainability

Report Status: Final

Reference: **E32/19/001**

Overall Assurance: Good

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1. EXECUTIVE SUMMARY

Introduction

- 1.1 Internal Audit provides East Herts Council (the Council) with an independent and objective opinion on the organisation's governance arrangements, encompassing internal control and risk management, by completing an annual risk-based internal audit plan. This audit forms part of the Council's approved 2019/20 Internal Audit Plan.
- 1.2 Payroll is a key financial system and as such management need to be satisfied that it is soundly controlled and can be relied upon to meet its objectives. The work of internal audit in reviewing the design and operation of controls within the system will provide a source of assurance in this respect.
- 1.3 Pay expenditure forms a significant part of the Council's overall expenditure, amounting to approximately £650,998 per month on average for period April 2019 to December 2019. The number of employees paid in September 2019 was 395. It is therefore important that there is a robust process for ensuring staff are paid at the correct rates and that complete and accurate deductions are made.
- 1.4 This audit seeks to provide assurance on the design and operation of the key controls relating to systems access, amendments to standing data, the processing of starters, leavers, amendments to pay, payroll processing and payments made.

Overall Audit Opinion

- 1.5 Based on the work performed during this audit, we can provide overall **good assurance** that there are effective controls in operation for those elements of the risk management processes covered by this review. These are detailed in the Assurance by Risk Area Table in section 2 below.

Audit Commentary

- 1.6 In arriving at our overall assurance opinion, we have acknowledged that there are consistent and robust controls in place covering all risks relating to the processing of the Council's payroll.
- 1.7 Systems access is restricted to specific employees and they have appropriate user access rights.
- 1.8 Statutory parameters set at the start of the year are determined by the payroll system provider NGA (now called Zellis). The parameters are thoroughly tested by the Payroll Manager for accuracy. Any pay rises, either at the start of the year or in-year, are tested to help ensure staff receive the correct pay.
- 1.9 All starters, leavers, amendments and additional payments tested had supporting evidence and were appropriately authorised. We identified good levels of separation of duties for the input and checking of both the starters and leavers processes, as well as through the processing of expense claims and the pay run.

- 1.10 We noted that Payroll payments were subject to appropriate management checks, made in accordance with an agreed timetable and authorised in accordance with Council policy. Payments were also made to HMRC for income tax and national insurance contributions and to Hertfordshire County Council for pension deductions in accordance with statutory requirements.
- 1.11 For definitions of our assurance levels, please see Appendix A.

Summary of Recommendations

- 1.12 We have not made any recommendations as a result of the audit work undertaken and therefore no Management Action Plan is appended.

Annual Governance Statement

- 1.13 This report provides good levels of assurance to support the Annual Governance Statement.

2. ASSURANCE BY RISK AREA

2.1 Our specific objectives in undertaking this work, as per the Terms of Reference, were to provide the Council with assurance on the adequacy and effectiveness of internal controls, processes and records in place to mitigate risks in the following areas:





| Risk Area | No | Limited | Satisfactory | Good |
|--|----|---------|--------------|------|
| System access - access to payroll data is appropriately controlled. Access is restricted to business need. | | | | |
| Statutory parameters - system parameters are set up in accordance with statutory rates. | | | | |
| Starters, leavers and amendments - new starters are accurately set up on the payroll system. Amendments to pay are authorised and consistent with policy. Staff leaving the authority have pay processed in a timely and accurate manner, ensuring that final payments are correct. | | | | |
| Additional payments, overtime and expenses – payments made are correct and consistent with policy, authorised prior to processing and supporting documentation had been retained. | | | | |
| Payroll runs - appropriate management checks are performed to verify the accuracy of the payroll prior to transmission. | | | | |
| Third party payments - payments to pension providers and HMRC are made on a timely and accurate basis. | | | | |
| Overall | | | | |

2.2 See definitions for the above assurance levels at Appendix A.

Appendix A - Definitions of Assurance and Finding Priorities

EHC Payroll Audit 2019-20

| Assurance Level | Definition |
|-----------------|--|
| Good | The design and operation of the internal control framework is effective, thereby ensuring that the key risks in scope are being well managed and core objectives will likely be achieved. There are minor reportable audit findings. |
| Satisfactory | The internal control framework is largely working well in managing the key risks in scope, with some audit findings related to the current arrangements. |
| Limited | The system of internal control is only partially effective, with important audit findings in key areas. Improvement in the design and/or operation of the control environment is necessary to gain assurance risks are being managed to an acceptable level, and core objectives will be achieved. |
| No | The system of internal control has serious gaps, and controls are not effective in managing the key risks in scope. It is highly unlikely that core objectives will be met without urgent management intervention. |

| Priority Level | | | Definition |
|----------------|----------------|---|---|
| Corporate | Critical |  | Audit findings which, in the present state, represent a serious risk to the organisation, i.e. reputation, financial resources and / or compliance with regulations. Management action to implement the appropriate controls is required immediately. |
| Service | High |  | Audit findings indicate a serious weakness or breakdown in control environment, which, if untreated by management intervention, is highly likely to put achievement of core service objectives at risk. Remedial action is required urgently. |
| | Medium |  | Audit findings which, if not treated by appropriate management action, are likely to put achievement of some of the core service objectives at risk. Remedial action is required in a timely manner. |
| | Low / Advisory |  | Audit findings indicate opportunities to implement good or best practice, which, if adopted, will enhance the control environment. The appropriate solution should be implemented as soon as is practically possible. |

Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of Human Resources and Organisational Development

Report title: Updated General Leave Policy

Ward(s) affected: None

Summary

RECOMMENDATIONS FOR:

(a) To note the Updated General Leave Policy which has been published on the intranet in January 2020

(b) To note the removal of Carers Policy from January 2020 (which duplicated sections of the General Leave Policy and the Family Friendly policy which had caused confusion).

1.0 Proposal(s)

- 1.1 The proposals are set out in the recommendations above. The General Leave Policy has been updated with Unison agreement to ensure it is clear and up to date with East Herts practice including clarity previously only made in the Carers Policy which had created an opportunity for inconsistent practice. The updated General Leave Policy and the deletion of the Carers Policy will ensure duplication is removed along with any previous confusion between the policies.
- 1.2 The background and reasons sections below will outline the issues which led to the need for an updated General Leave Policy. The sections below will also set out the changes that have been made and incorporated in the organisation to ensure greater clarity and consistency going forward.

2.0 Background

- 2.1 Early in the autumn the Head of HR & OD was asked to attend the Carers support group which meets on a monthly basis to explain what support was available for Carers. At the previous Carers meeting the group had identified that the support they had as individual carers from their line managers and Heads of Service varied and was not consistent and staff wanted to know if there was any paid dependency leave provision available.
- 2.2 The Head of HR & OD with support from an HR Officer reviewed the Carers Policy, the General Leave Policy and the Family Friendly Policy. The review identified that there was duplication between the Carers Policy and both of the other policies (General Leave Policy and the Family Friendly Policy). However, the main issue identified was that whereas the Carers Policy made it clear that there was a provision for eligible staff for 5 days paid Dependency Leave (further such leave would be unpaid) the General Leave Policy only referred to Dependency Leave in the unpaid leave section but did refer elsewhere to 5 days paid discretionary leave.
- 2.3 It was clear from the review that although East Herts like similar organisations/sectors had a provision for paid dependency leave it was not in the main known to our employees/managers as a form of paid support available in such circumstances and very little use had therefore been made.
- 2.4 The Head of HR & OD attended the Carers support group and the differences were shared along with the need to seek clarity from Leadership Team and agree actions going forward which included the need to manage the use of such paid leave through the self-service HR system called MyView.

- 2.5 The issues were then raised at Leadership Team and it was agreed that Head of HR & OD would revise policies to provide clarity and ensure Unison agreed any changes. HR would also add the provision to MyView for managers to be able to administer and so that the system could process such leave to unpaid if the discretionary 5 day provision had been utilised (the 5 days would be pro-rata for part-time staff).

3.0 Reason(s)

- 3.1 The review identified that apart from the 5 days paid dependency provision established in the adopted Carers Policy all other provisions were contained elsewhere meaning that the best option was to remove duplication by deleting the Carers policy and ensure the clarity was correct in the General Leave Policy.
- 3.2 The reference to a discretionary 5 days paid leave provision was therefore removed and replaced with the intended 5 days paid dependency leave provision.
- 3.3 As agreed with Leadership Team it was also determined that in line with other absences that a line manager could approve paid dependency leave through MyView and this was then set up. Employees cannot request such leave through the system (as is the case with sick pay) but the manager can log absence as dependency leave but the system will only allow up to 5 paid days within a 12 month period.
- 3.4 As the unpaid leave section only referred to dependency leave which had helped cause the confusion this was removed and dependency leave was moved up from the end section to section 7 so it was more visible to all.
- 3.5 The General Leave Policy was updated with more detail on dependency leave (see section 7 for full details) based on the detail previously set out in the Carers policy. This included a clearer definition of a dependent

in line with statutory guidance (unpaid dependency leave is a statutory right). The policy also makes clear that line managers should consult with HR over its' use to ensure consistency. Clear examples of when dependency leave would be applicable for employees to take have been incorporated to ensure it is used to support unplanned/emergency events and not for planned events that can be managed through planned leave (flexi or annual leave).

- 3.6 A sub-section (7.6) called 'Further support for Carers/Staff with dependents' was added to the General Leave Policy to replace information previously covered in the Carers Policy. This was also updated to ensure all was current i.e. details of the current EAP were added as well as useful links to external bodies/guidance provided to ensure it remains up to date.
- 3.7 Once the re-drafting had been completed and the provision set up and tested on MyView Unison were fully consulted. Subject to a few minor adjustments requested, Unison then agreed to the updated General Leave Policy and the deletion of the Carers Policy.
- 3.8 The revised policy has been published and a guidance email sent to line managers (who were also briefed over the changes that were being implemented at the last Service Manager Quarterly Meeting).
- 3.9 Where appropriate staff have been authorised for paid dependency leave and equally been asked to manage planned events through other provision. Managers are engaging well with HR to ensure consistency. The paid provision is also now outlined as part of the excellent terms and conditions available at East Herts as part of our recruitment literature.

4.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

Yes – the General Leave Policy support a number of equality areas i.e. those with dependents, career breaks, religious events

Environmental Sustainability

No

Financial

No (Paid provision was already established)

Health and Safety

No

Human Resources

Yes as set out this is an employment matter and the report has been produced by HR

Human Rights

No

Legal

As set out in the report unpaid dependency leave is a statutory right

Specific Wards

No

5.0 Background papers, appendices and other relevant material

5.1 The updated General Leave Policy is attached at Appendix 1.

Contact Officer

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East Herts Council

General Leave

Policy Statement

Policy Statement No 7 (Issue No 2) December 2019 (updated April 2019¹ and December 2019²)

¹ Minor updates made to reflect pay and terms and conditions changes agreed through collective bargaining in March 2019, this policy applies to situations which arise from 1 April 2019 onwards.

² Updated to ensure dependency leave is clear and no longer relies on a separate Carer's policy to provide clarity, Carer's Policy has been incorporated and deleted with General Leave updated to ensure consistency, changes were not material but have been agreed with Unison and will be reported to LJP/HRC.

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1.0 Introduction

- 1.1 The General Leave Policy provides employees and managers with information on the various types of leave entitlement.
- 1.2 This policy applies to all employees including Chief Officer level that are employed by East Herts Council.

2.0 Contractual Relationship during Absence

- 2.1 Having granted a period of paid or unpaid leave, the contract of employment between both parties remains in existence (except in the case of a Career Break) and therefore a commitment to maintain confidence, trust and act in good faith during the period of leave.
- 2.2 Employees on periods of extended leave will be required to maintain regular contact with their manager and, if appropriate, inform them of any changes in circumstance which may affect their intention to return to work.
- 2.3 Employees suspected of abusing the provisions of these procedures or fraudulently applying for leave will be subject to disciplinary investigation as detailed in the Disciplinary Policy.

3.0 Granting and Recording Leave

- 3.1 It is the Line Manager's responsibility to consider applications for special leave or approving and logging dependency leave and use the following information as guidelines (please contact HR for further guidance where appropriate and to ensure consistency).

4.0 Public Holidays

- 4.1 Employees are entitled to public holidays, irrespective of length of service. Part time employees are entitled to a pro rata entitlement to these holidays. This is calculated as a fifth of the employee's working week, for each bank holiday, regardless whether this is a working day or not. For example, an employee working 20 hours per week would be entitled to receive 4 hours for each bank holiday.

5.0 Annual Leave

5.1 Leave Year

5.1.1 The Council operates an anniversary leave period commencing on the date an employee commenced working for the Council. Those employees starting or leaving employment during the year are entitled to leave proportionate to the number of completed weeks of service during the year.

5.2 Part Time Staff

5.2.1 Annual Leave entitlement and any other leave allowances will be applied pro-rata for part time employees based on 37 hours full time working week. For example an employee with full time equivalent 25 days annual leave (7.4 hours x 25 days = 185 hours) entitlement working 20 hours per week will be entitled to 13.5 days/100 hours annual leave.

5.3 Approval for Taking Leave/Carrying Forward Leave

5.3.1 All leave is taken at the discretion of your Line Manager and requests will need to be looked at in the context of the cover available within the team to ensure that the service provided is not disrupted.

5.3.2 Managers should try and plan staffing arrangements well in advance so that peak holiday periods are adequately covered so that holiday requests can be treated equitably.

5.3.3 Where a late request is received, the employee should not expect or assume that it will be granted and managers should treat such requests, due to unexpected events, sympathetically. As a general rule, however, employees should give at least twice the amount of notice that they wish to take as leave. Therefore, if 5 days' holiday is being requested, at least 10 working days' notice is required.

5.3.4 As far as possible all employees should take their annual leave before the end of their leave year. Where this is not possible up to five days annual leave may be carried forward into the next leave year with the prior written consent of their Line Manager.

5.4 Cancelling Leave due to sickness

5.4.1 If an employee is due to go on annual leave or during their leave becomes unwell, any absence will be counted as sickness absence rather than annual leave if a fit note is provided. Employees must notify their manager as soon as possible to inform them that they are unwell. Details of the nature of the illness and an indication of the expected return to work should be provided.

5.5 Continuous Service

5.5.1 Employees who have 5 years' continuous local authority service with East Herts or another local authority are entitled to an extra 5 days annual leave.

5.6 Basic Leave Entitlement

5.6.1 The basic leave entitlement is dependent upon the scale point an employee has reached. It is banded as follows:-

| | |
|------------------|---------|
| SCP 4 - 22 | 25 days |
| SCP 23 - 25 | 26 days |
| SCP 26 - 28 | 27 days |
| SCP 29 and above | 28 days |

6.0 Bereavement

6.1 Bereavement of Immediate Family Members

6.1.1 When an employee suffers the loss of an immediate family member, for example, partner, child, parent or sibling, the employee will be entitled to 5 paid days leave. Leave may be taken at/or around the time of bereavement at the employees request.

6.1.2 If the employee has the same relationship with the deceased as described above, for example, having been brought up by the person, then the same provision of leave will apply.

6.1.3 Managers should endeavour to facilitate any requests for leave in these circumstances. However, if the Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

6.1.4 There may be circumstances where an employee requires more than the 5 days leave when an immediate family member has died. In this event the employee should make their Line Manager aware of the situation in order to arrange that annual leave or accrued flexi time can be added on.

6.2 Bereavement of Relatives / Friends

6.2.1 When an employee suffers the loss of a relative or friend, for example, grandparent, aunt/uncle or neighbour, the employee will be entitled to 1 day's paid leave to attend the funeral.

6.2.2 Line Managers should endeavour to facilitate any requests for leave in these circumstances. However, if the Line Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

6.2.3 There may be circumstances where an employee requires more than 1 day's leave when a relative or friend has died. In this event the employee should make their Line Manager aware of the situation in order to arrange that annual leave or accrued flexi time can be added on.

7.0 Dependency Leave

7.1 Dependency Leave

7.1.1 Eligibility to dependency leave:

7.1.2 Employees have the right to take dependency leave during working hours to deal with unforeseen/unplanned or emergency events.

7.1.3 The right applies to all employees regardless of length of service, hours worked, permanent or fixed term.

7.1.4 Employees are entitled to take reasonable time off in order to take action necessary in relation to the types of unplanned circumstances set out in 7.3 below.

7.2 What is a dependant?

7.2.1 A dependant is someone who relies on the employee for care. A dependant is defined for the purposes of this procedure as an employee's spouse, partner, child, parent, dependant relative or someone who lives in the same household as the employee but who is not his or her employee, tenant, lodger or boarder or someone else who is dependent on the employee. If a manager or employee requires further clarity on what a dependant is please contact HR.

7.3 When dependency leave may be taken

7.3.1 Employees may take reasonable time off during working hours in order to take action necessary to deal with the following types of unforeseen/unplanned or emergency events:

- To provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted;
- To make arrangements for the provision of care for a dependant who is ill or injured;
- Because of the unexpected disruption or termination of arrangements for the care of a dependant; or
- To deal with an incident that involves a child of the employee and which occurs unexpectedly in a period during which an educational establishment that the child attends is responsible for him or her.

7.3.2 These are examples of instances which may require dependency leave; however, the council will give consideration to requests for dependency leave which are not included above but may require the support of the council, **manager should consult with HR to ensure consistency.** Illness and injury do not necessarily have to be serious or life-threatening and may be linked to a dependant with a deteriorating condition requiring occasional support. The council will consider sympathetically each individual request for dependency leave considering the merits and circumstances of the specific case.

7.4 Procedure for taking dependency leave

7.4.1 The council will allow employees reasonable time to do what is necessary in any particular given situation. Employees will need to

notify their line manager who can approve dependency leave by logging it into MyView (the council's HR & Payroll system) which will ensure the paid allowance is managed. Up to five days in any twelve month period will be paid (this will be pro-rata for part time employees in line with all leave provisions). Further time required for dependency leave is to be taken as unpaid leave, again a manager can log this into MyView but will need to log it as unpaid with the reason of dependency chosen. Agreement should be reached regarding what time is required and for what purposes, though it is accepted that the employee may need to alter the initial agreement depending on the circumstances. Each request will be considered individually in the context of the particular circumstances.

7.4.2 There is no limit to the number of occasions on which an employee can exercise the right to take time off; however, such leave should normally be for genuine emergencies and unforeseen matters or in the case of paid provision for providing care. Employees should, therefore, utilise annual leave, or parental leave, for any planned absence as dependency leave is not intended for such purposes.

7.4.3 Permission for dependency leave should not be unreasonably refused. Employees who feel they have not been treated reasonably in relation to such leave should discuss the matter with HR and if it cannot be resolved they should access the council's grievance procedure.

7.5 Unpaid Dependency Leave (where entitlement to paid Dependency leave has been exhausted)

7.5.1 Paid dependency leave should be used to take the appropriate action necessary to resolve or deal with an emergency/unplanned event which has arisen because of a dependant. Once the employee has had reasonable time to make alternative arrangements for care provision, any further planned time off for that particular event should be taken as annual leave or flexi leave or unpaid if appropriate.

7.5.2 Where an employee has exhausted their entitlement to paid dependency leave (5 days pro-rata in a rolling year), any further time off required for dependency leave within a rolling 12 month period is to be taken as unpaid leave unless flexi or annual leave can be authorised.

7.5.3 Managers should log unpaid dependency leave on MyView as unpaid absence with the reason of dependency chosen.

7.6 Further support for Carers/Staff with dependents

7.6.1 East Herts Carers Group is self-organised staff group which meets on a monthly basis in staff own time (usually at lunch time) to provide support to fellow carers by sharing best practice and experiences. The group is open to any staff member to join and as well as supporting each other it also works with human resources to ensure staff feel supported by the council in line with the provisions made.

7.6.2 Other provisions

As set out in this General Leave Policy and the Family Friendly Policy in addition to providing an enhanced provision of paid dependency leave and operating a flexi-leave scheme for most staff:

The council also provides enhanced occupational paid leave in the following areas:

- Antenatal care
- Maternity
- Adoption
- Paternity
- Fostering
- Bereavement

The council also provides the opportunity to take unpaid leave in the following areas:

- Parental Leave
- Career Breaks which can be used to support a longer term caring arrangement
- Dependency leave
- Unpaid leave to provide planned care

7.6.3 Employee Assistance Programme (EAP) The council provides employees with an external EAP which provides proactive, practical information and emotional support to help you to manage and reduce the impact of all of life's events, both at home and at work. The service is available 24/7 and is completely free and confidential. The service provides a specially trained, legal and information team which can help to resolve issues around: debt, legal concerns, consumer and care etc. In addition to a helpline/ telephone service

and online support where appropriate employees will have access to up to 6 sessions of structured counselling.

7.6.4 Useful Links:

- Carers UK: <https://www.carersuk.org/>
- Herts Carers: <https://www.carersinherts.org.uk/> this site also provides links to many other useful sites
- Hertfordshire County Council:
<https://www.hertfordshire.gov.uk/home.aspx>
- Unison (Trade Union) Carers support/news:
<https://www.unison.org.uk/search/carers/>

8.0 Career Breaks

8.1 **What is a Career Break?**

8.1.1 A career break enables an employee with 2 years continuous service with the Council to take an unpaid break from work for personal reasons and maintain continuity of service with the Council. 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. On return, at an agreed date following the career break, the employee will be able to return to the same or similar post within the Council without competitive selection.

8.1.2 It is recognised that during an employee's working life there will be times when personal commitments may take priority over work for example, 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.

8.2 **What is the purpose of a career break?**

8.2.1 The purpose of a career break could be:

- To extend the maternity/ paternity leave period
- To extend a period of adoption leave
- 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 or divorce

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

8.3 How long is a career break?

8.3.1 The minimum break is 3 months and the maximum break is 1 year.

8.3.2 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.

8.4 Who can apply for a career break?

8.4.1 All permanent employees, with at least two years continuous service with the Council, regardless of the number of hours worked, are eligible to apply for a career break.

8.4.2 An employee must submit their request to their manager, with a copy to Human Resources stating when they would like their career break to commence, the reason for their career break and the durations of the requested break.

8.5 What happens to the employee's job?

8.5.1 After a career break the employee will have the right to return to their same or equivalent position (in terms of service area and pay) 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, within the definition used when employees are facing redundancy and would be in line with the Redeployment Policy regarding salary protection. (see Redundancy policy and Redeployment policy for more details)

8.6 Extending or cutting short the career break

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

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

8.7 Contract of employment

8.7.1 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.

8.8 Rate of Pay/Pension

8.8.1 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 or an alternative post has been agreed by all in lieu of the original post.

8.8.2 Employees considering career breaks should contact LPFA pensions for more information.

8.9 Disciplinary warnings

8.9.1 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.

8.9.2 Please also view the Flexible Working Policy for more information.

9.0 Citizenship duties

9.1 Elected Members of other Council Authorities

9.1.1 Employees who undertake duties as an Elected Member in another authority will be allowed to take up to a maximum of 10 days paid leave per annum. Leave must be used to attend official functions or meetings. Requests for leave must be accompanied by proof that attendance is required.

9.1.2 All employees paid on or above SCP 44 are politically restricted and therefore, unable to undertake these duties. Other employees may also be restricted from undertaking these duties. Guidance should be sought from their line manager or Human resources. In both circumstances the restriction will be detailed in the employee's contract.

9.1.3 It is the Line Manager's responsibility to approve and monitor requests for time off to undertake Civic Duties. However, if the Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

9.2 Magistrates

9.2.1 Employees who are Magistrates will be allowed to take up to a maximum of 10 days paid leave per annum. Leave must be used to attend court sessions. Requests for leave must be accompanied by proof that attendance is required.

9.2.2 It is the Line Manager's responsibility to approve and monitor requests for time off to undertake Civic Duties. However, if the Line Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

9.3 Court Attendance as a Witness/Jury Member

9.3.1 Employees summoned as a witness or jury member will be allowed the necessary time off to attend court. The employee should inform their Line Manager at the earliest convenience and pass on the summons document to Payroll for completion.

9.3.2 Any monies received by an employee to compensate for loss of pay must be declared to Payroll.

9.4 Court Attendance as the accused or to pursue a Personal Claim

9.4.1 Employees who are attending court as the accused or to pursue a personal claim will be required to take annual or flexi leave.

9.5 Active Citizen Duties

- 9.5.1 Employees who volunteer their expertise for public service may take up to 3 days paid leave per annum to attend formal meetings or functions.
- 9.5.2 Applications for leave must be accompanied by proof that attendance is required. Leave will be granted at the discretion of the manager.
- 9.5.3 The definition of active citizenship duties would include School Governors, Trustees of Charitable Trusts, Management Committee members of charitable trusts, members of publicly constituted watchdog organizations. N.B. This list is not exhaustive and other bodies may fall into this category.

9.6 Service in Reserve Forces

- 9.6.1 Employees who are members of the Reserve Forces may be required to attend summer camp on an annual basis. Two weeks' paid leave will be allowed in these circumstances.
- 9.6.2 Employees are required to give as much notice as possible for annual camp in order for the Line Manager to arrange appropriate cover. Leave may be refused if it would have a detrimental impact on service delivery.
- 9.6.3 In circumstances where a reservist employee is mobilised they will not be paid by East Herts Council and should be placed on a Career break for payroll purposes to ensure their continuous service is not broken.

10.0 Union duties

10.1 Time off to Undertake Trade Union Duties

- 10.1.1 Unison stewards and officers are entitled to reasonable time off for Unison activities in accordance with the Recognition and Procedural Agreement 2004. As much notice as possible must be given to their line manager of absence due to union duties.
- 10.1.2 When the Employer request Unison to attend meetings, the employees concerned will be allowed paid time off from their normal duties to attend. Any additional expenses incurred by attendance will be reimbursed under the normal Council guidelines subject to approval by the Employer before they are incurred.

10.2 Unison Annual General Meeting

10.2.1 The annual general meeting will be arranged in consultation with the Chief Executive who should be given at least one month's notice of the date of the meeting.

10.2.2 The meeting will generally be held at lunchtime and Unison members attending may credit flexi time up to the end of the meeting.

10.3 Executive and Safety Committee Meetings

10.3.1 Unison will hold monthly executive meetings at Wallfields, Hertford and occasionally other EHDC venues.

10.3.2 The meeting may commence any time after 16.00 hours and employees attending may credit the flexi system until the end of their attendance or until 17.30 hours whichever is first.

10.4 Other Trade Union Activities

10.4.1 Managers may allow reasonable time off for Unison Officers to attend training courses, regional meetings and the annual conference in accordance with the Recognition and Procedural Agreement 2004.

11.0 Training Courses and Day Release

11.1 Employees who are required by the Council to participate in training events and/or day release courses will be allowed paid time off.

11.2 Employees will not be required to work extra hours to compensate for time off to attend Council run training events or courses. If an employee attends a course the time should be recorded in flexi time in accordance with the Flexitime Policy and guideline.

12.0 Examination & Study Leave

12.1 Employees who are required by the Council to undertake training course examinations will be allowed paid time off to do so. The time should be recorded in accordance with the Flexitime Policy and guide line.

- 12.2 Employees may apply to take one day's study leave per exam at the discretion of their manager.
- 12.3 Time off to resit exams should be taken as annual leave or flexi leave.
- 12.4 Employees should inform their manager of dates and times of examinations in order that cover arrangements can be made.

13.0 Interviews in other Local Authorities

- 13.1 Employees will be able to take up to 5 days' paid leave per annum in order to attend interviews at other Local Authorities.
- 13.2 It is the Line Manager's responsibility to approve and monitor requests for time off to attend Local Authority Interviews. However, if the Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

14.0 Leave for Medical Reasons

14.1 Medical Screening

- 14.1.1 Employees will be entitled to paid time off for the purpose of medical screening as deemed necessary by their GP or any relevant medical body.
- 14.1.2 Employees should inform their Line Manager of date and times of the appointment and provide details of appointments as soon as practicable in order that cover arrangements can be made.

14.2 Hospital Appointments

- 14.2.1 Employees are entitled to paid time off to attend hospital appointments following referral by their GP or any relevant medical body.
- 14.2.2 Disability leave should be considered where a person needs time off every week, every few weeks, every few months or every year for medical appointments, treatments or rehabilitation relating to disability. Disability leave should not be counted towards trigger points. Please refer to the Absence Policy for detail.

14.2.3 Employees should inform their Line Manager of date and times of the appointment and provide details of appointments as soon as practicable in order that cover arrangements can be made

14.3 Fertility Treatment

14.3.1 An employee will be given reasonable time off to undertake fertility treatment.

14.3.2 Employees must agree their time off arrangements with their manager in advance of the appointments and produce their appointment card where appropriate.

14.3.3 Employees on flexi-time should record time to attend appointments as described in the Flexitime Policy in the section relating to hospital appointments.

14.4 GP and Dental Appointments

14.4.1 Normally employees should use flexi time to visit their GP or Dentist or arrange appointments outside work time.

15.0 Time off for Religious observance

15.1 Many religions or beliefs have special festival or spiritual observance days. Employees may request holiday in order to celebrate festivals or attend ceremonies. Line Managers should sympathetically consider such requests and grant leave out of holiday entitlement, flexitime or unpaid leave.

16.0 Review

16.1 This procedure will be reviewed every three years or sooner if there are any changes in legislation requiring amendments to be made.

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East Herts Council Report

Human Resources Committee

Date of Meeting: 12 February 2020

Report by: Head of HR and Organisational Development

Report title: HR and Payroll Team Update Report

Ward(s) affected: N/A

Summary

RECOMMENDATIONS FOR (Human Resources Committee):

(a) To note the HR and Payroll Team Update Report

1.0 Proposal

- 1.1 This report provides an update on what the HR and Payroll team have been working on during Quarter 3 (October to December 2019).

2.0 Payroll Service

- 2.1 Payroll continues to deliver its primary mission of ensuring all Staff, Councillors and Contractors on Payroll are paid accurately and on a timely basis.
- 2.2 Payroll have continued to review processes between HR and Payroll to improve effective use and automation through developing the system (Resourcelink). The Payroll Manager, the Head of HR & OD, the HR Trainee Officer (who is the team's key System Developer/Administrator) and the HR & Payroll Administrators met with colleagues at Three Rivers and Watford to share practice and review usage. The main development identified is to develop an online overtime claim form

this will be progressed in February.

- 2.3 The self service element of the HR and Payroll system (MyView) has now been developed so that it can be used by Members for payslips and expense claims as well as accessing and maintaining personal data, this will reduce the production of paper payslips and associated postage once fully rolled out. The Electric Car rate to claim mileage in personal electric vehicles has been added to system to process expense claims for both officers and members. The roll out of MyView to members was delayed whilst the electric car rate was set up and also to allow the new Democratic Services Officer (DSO) to settle into the role before the pilot begun. A pilot with a group of members will begin in February and then once reviewed will be fully rolled out.
- 2.4 The Trainee HR Officer has also created accounts for all casual staff on MyView again meaning that they can access their personal data and update it but also so that e-payslips can be provided again to reduce administration time as well as printing and postage costs. IT have now created accounts for all casuals and this is also being rolled out in February.
- 2.5 Payroll have been assisting with providing the evidence required from payroll as part of the annual statement of accounts external audit.
- 2.6 Payroll has also assisted external Audit with their fieldwork for the annual Payroll Audit (see separate report for full details). The team are proud to gain good overall assurance with no recommendations.
- 2.7 Following the snap general election on 12 December 2019 Payroll prepared for the additional payroll to be processed on behalf of the Returning Officer to pay all

due payments to individuals for election duties. This is ongoing due to the volume of calculations and processing required. The actual election payroll will run in February in line with expectations. Payroll are reviewing the process with the elections team to improve the process in the future.

- 2.8 Payroll has also begun the process of pension auto enrolment which is required by the pensions regulator every 3 years which includes writing to staff currently not in the pension scheme giving them notice that they will be (automatically) enrolled into the pension scheme in February 2020. The majority of staff are already enrolled, the task affects approximately 20 staff who can choose to opt back out if they wish to.

3.0 Learning and Development

- 3.1 Please see the HR Quarterly Management Statistics Report for details around recent learning and development events that have been held. As detailed in the report, a range of events have been delivered. There were 143 employees participating in 22 learning and development opportunities during the period 1 October - 31 December 2019.
- 3.2 During this quarter the training has had a Health and Safety and management focus. Bitesize sessions have been delivered to support the managers in understanding and executing our internal and management processes. A range of Health and Safety events run been run to support our staff across the Council which have included Ladder User & Working at Height, Fire Marshall Refresher, Electrical Safety Awareness and First Aid training.
- 3.3 The mandatory e-learning programmes have been updated and a new course has been added; Lone Working. The new e-learning programme will be rolled

out to staff by the end of January. These courses will be available to members and staff.

- 3.4 Work has commenced on the review of the corporate induction training and a 'Managing Induction' bitesize event has been delivered to support managers through the current induction process. The course content is being reviewed to ensure it reflects the staff handbook, key messages and contains information on the Council's key projects.
- 3.5 The review of the Learning and Development pages on the intra-net has started to ensure the most up to date information is available to all staff. This will ensure that staff are aware of all the development opportunities that are available to them, not just the face to face training events that are delivered.
- 3.6 The apprenticeship programme is still developing and interviews have taken place for two Town Planning Apprentices. The Council is currently supporting 5 apprentices through their qualification and training. The Human Resources Officer is looking at ways to support the on-going career development of the apprentices coming to the end of their training, taking into consideration the opportunities currently available at the Council.
- 3.7 The HR Officer responsible for Learning and Development has also worked with the Elections team to develop the required Poll Clerk, Presiding Officer and Inspector training. The HR Officer then delivered these sessions to appointed staff for the recent general election with support from the Financial Services Manager. The training was well received and resulted in a number of delegates praising the training provided.

4.0 Human Resources Update

4.1 Both the Trainee HR Officer and the HR Officer responsible for Learning and Development were nominated for a staff recognition award in December. The December winner was from Revenues and Benefits but it is pleasing to note the nominations for two members of the HR team which was relation to them supporting other services above and beyond their core role.

4.2 **East Herts Together Policy Development Update**

A full East Herts Together group has now been established with representatives from all services invited and first full meeting was held on Friday 10th of January. The group were asked to consider initial feedback gathered from across the organisation at the last Service Manager Quarterly Meeting. The group considered and agreed how all staff could be engaged in this transformation programme to ensure a bottom up approach. The Head of HR & OD is developing a engagement tool which can be used both in team meetings and also individually completed on line to ensure all can contribute.

4.3 Some initial 'housekeeping' actions were identified and have begun to be completed in the following areas:

- Supporting all staff to use the MiCollab telephone system consistently to support a one-team approach which allows staff visibility and connections to be more flexible.
- A consistent understanding of how staff are expected to use the outlook calendar and how to link this with MiCollab.
- To develop and implement a standard East Herts email signature.
- To ensure that all staff put photos of themselves on

corporate systems to allow staff to get to know the whole 'one-team'.

4.4 The group also agreed to develop a customer charter as another initial piece of work.

4.5 In terms of Policy development which had been put on hold the group agreed a set of Terms of Reference for HR to begin progressing this work which would be subject to the normal consultation processes which include LT, Unison, LJP and HRC stages:

Agreed TOR for HR/Employment policies

- To take the employee through their career journey
- Should be joined up, not in isolation to each other
- Include good examples and flow charts
- Legally compliant and best practice
- Include who to contact for more information

4.6 HR have agreed a priority policy list which will begin with focus on the formal HR/Employment Policies (the next LJP in April should therefore include a number of draft policies to consider subject to LT and Unison processes being completed at the relevant time). Policy development will also be subject to the core competency development work which will be produced through employee engagement over how we embed further our values and behaviours.

4.7 The quarterly staff briefings in February will be delivered under a new format which includes a HR update on Starters, internal moves, Staff recognition winners and East Herts Together work. Monthly East Herts together group meetings have been scheduled with the next session on Monday 10th of February.

5.0 Recruitment

- 5.1 The content of the 'Working for Us' page on the council's website is being updated to better sell the benefits of working for the council.
- 5.2 In addition, the job application form is being revised to be more user friendly. It will now have two parts whereby if a CV is submitted with the application (this is not permitted under our current processes) only Part 2 of the application form needs to be completed by the applicant. The Part 2 section will ensure the candidate provides all the information required that is not normally covered by a CV e.g. any employment gaps, referee details etc. and of course demonstrating how they meet the person specification. We are also working with the Web Admin team with the aim of making the form fully accessible for those who are blind or partially sighted.
- 5.3 From April 2020 we will also be working with Indeed (the largest online general job board) on a 1 year's trial basis to advertise all jobs rather than using the multi online job board package that we had been using with the provider NFP People. The NFP package averaged at £500 per job advert for a multi -site package, statistics have shown that the Indeed site should provide sufficient coverage alongside job specific sites where appropriate. East Herts had been posting on Indeed with a basic free package but this is limited to every 190 days and Indeed therefore removed our access to advertise jobs for free on their site and approached us to agree a package. The Head of HR & OD negotiated a very cost effective annual package which will lead to significant savings. The package is for 60 jobs per annum (based on an average of 5 job adverts per month) and will reduce the cost of advertising on generic job boards to less than 20% of the current costs. The matter was discussed with LT as

services pay their own recruitment costs from their staffing budget and commitment was secured from the Leadership Team that all vacancies will be advertised with Indeed as standard. The package with Indeed will include a branded page (not included in a basic package) where we are able to sell the benefits of working for the council, include case studies and videos, and employees/applicants are able to leave reviews regarding their experience of the council as a recruiter/employer.

- 5.4 We have also reviewed our internal processes which has included updating the interview and shortlisting paperwork as also covered in the recruitment audit report and ensuring that all recruitment paperwork is returned to HR before a conditional offer is made as managers were not always returning this paperwork meaning that HR had limited equalities data for the shortlisting and interview stages.
- 5.5 The new starter process has also been reviewed to ensure that new starters provide their ID documents and complete the necessary forms before their start date with the council. Currently new starters provide this on their first day however this can present risks for the council if there are any issues or if this is delayed. Under the new process, new starters will need to make an appointment with HR to bring in their documents before their start date. This will allow for any issues to be resolved before the first day. The new starter paperwork has been revised to reflect the changes which will take effect from 1 February 2020.

6.0 Casework

- 6.1 Support has been provided by HR on a number of cases

in terms of probation, absence and capability.

7.0 Wellbeing

7.1 In partnership with the Community Wellbeing and Partnerships Team, HR are continuing to promote the council's wellbeing programme. The Council has submitted a bid for the REBA (Reward & Employee Benefits Association) Employee Wellbeing Award 2020 for 'Best Wellbeing Engagement' covering our Live Well, Work Well staff wellbeing programme. We are pleased that REBA has recognised the quality of the work led by the Community and Wellbeing Partnership team with HR by shortlisting East Herts Council as a finalist. The award ceremony is on Thursday 5th of March where we will find out if we have won this national employer award.

7.2 Financial Wellbeing

To support employees with their financial wellbeing we ran a series of articles in the weekly staff newsletter, Connect, in the lead up to and after Christmas as this can be a particularly difficult time financially. The articles promoted the council's Employee Assistance Programme (EAP) which offers financial support e.g. with debt management and budgeting. We signposted staff to the council's employee benefits hub, MyRewards, for financial advice, tips and tools such as a budget planner, loan calculator, how to get free debt advice, and how to check their credit report. MyRewards was also offering various retail discounts to help staff with the Christmas shopping.

7.3 Wellbeing experiences

Following the free wellbeing taster sessions that were offered to staff early last year and in response to positive feedback from staff, we negotiated discounted rates for

staff wishing to continue to receive these experiences. Sessions on Reiki and Reflexology were offered at discounted rates and taken up by staff in December. We are continuing to liaise with the provider to explore whether other sessions can be offered such as Mindfulness Meditation, Menopause. We are also exploring with Hertfordshire County Council whether East Herts staff can participate in wellbeing events being held at County Hall.

7.4 Happy Back sessions

Following the success of Happy Back taster sessions in October, we have recently promoted further discounted sessions to staff. We are currently analysing levels of interest.

7.5 Flu jabs

The council's offer of free flu jabs to staff was a success 70 staff received a flu jab in November/December 2019 via the Boots Scheme.

7.6 National Wellbeing Awareness Days

We are exploring how to promote National Awareness Days such as Time to Talk Day, Mental Health Awareness Week, to raise important issues and to demonstrate the council's commitment to supporting staff wellbeing.

7.7 Mental Health First Aiders

Mental Health First Aiders continue to meet every 2 months to support each other. Experiences of giving support to staff (and on occasions to members of the public) are shared (anonymously). We are exploring further ways that we can promote the support available from Mental Health First Aiders to staff. Special mental health first aider badges have been ordered that can be attached to lanyards to further promote the support available and encourage staff to identify and approach

mental health first aiders to talk and seek further support when needed.

7.8 Mental Health Support through Access to Work

We are exploring mental health support available for employees through the Access to Work, called Able Futures. Support is available through a dedicated helpline and one on one support.

8.0 HR and Payroll System Development

8.1 The HR Trainee Officer has begun further developing the HR and Payroll system in line with their new role which provides approximately 2 days per week to maintain and develop the system. Unfortunately the provider, who are now called Zellis, have been poor in terms of support/customer service and despite only having the system for a couple of years we now have our 5th account manager who like predecessors has been slow to respond and support effective use and delivering the outcomes expected. A special demo has now been arranged for 26th February on how to more effectively use the system which will include use of the H&S module and the L&D module which is not currently implemented. We are also working to identify another client who is using the recruitment module so we can decide if this should be implemented (HR has previously been told the module was no longer supported by the provider, but this has now been continued).

8.2 As outline in the Payroll update the self-service portal of the system called MyView has now been developed for Member use so that they will be able to access their records and update them, receive e-payslips and claim expenses electronically. All member expenses and

mileage claims will be sent to the DSOs for checking and then a further authorisation by the Democratic Services Manager. The roll out of this which will include member training from the HR Trainee will begin in February, with a pilot of at least 10 members across the different wards and parties.

- 8.3 Similarly, HR will be rolling out the My View self-service access to all East Herts casual staff, meaning all personal data can be viewed online and securely changed if needed, as well as the ability to view payslips/p60's. IT have now set up all casuals to have IT access and are part of the 'active directory'. The Trainee HR officer will again support all staff by providing how to guides and training if necessary.
- 8.4 The dependency/carer leave allowance of up to 5 days within a rolling 12 months in line with policy has now been built in the live HR system and successfully implemented with managers. (The allowance is pro-rata for part time staff) and ensures both pro-rating and that when the limit is reached unpaid leave must be taken. The Trainee HR officer is looking in to developing an online overtime form, accessed via my view. This will again make processes more automated and efficient, with claims being submitted online, and sent to management and then payroll for authorisation.

9.0 Recruitment Agency Review

- 9.1 The Head of HR and OD with the support of the HR Trainee Officer have undertaken a review of Recruitment Agency terms and conditions across the council. East Herts Council have commissioned Matrix SCM to support the procurement and management of Agency workers, following the ESPO MStar 3 framework. This is a Neutral Vendor Managed Service which is web

based and centralises the end-to-end procurement process to enable all parties to achieve the best possible value both in terms of quality and price. The implementation for this project has begun with a go live date scheduled for Monday 13 April 2020.

10.0 Options

N/A

11.0 Risks

N/A

12.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

Yes – as described in the report

Human Rights

No

Legal

No

Specific Wards

No

15.0 Background papers, appendices and other relevant material

N/A

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MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 5 JUNE 2019, AT 2.40 PM

PRESENT: **Employer's Side**

Councillors E Buckmaster, J Dumont,
L Haysey and M Stevenson

Staff Side (UNISON)

J Bruce (Chairman) N Munro and D Thomas

ALSO PRESENT:

Councillors P Ruffles and A Ward-Booth

OFFICERS IN ATTENDANCE:

| | |
|--------------------|--|
| Lorraine Blackburn | - Democratic Services Officer |
| Simon O'Hear | - Head of Human Resources and Organisational Development |

1 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN
2019/20

It was moved by Councillor L Haysey and seconded by Councillor M Stevenson that Ms J Bruce (UNISON) be appointed Chairman for the Civic Year 2019/20. After

being put to the meeting and a vote taken, the motion was declared CARRIED and Ms J Bruce was appointed Chairman of the Local Joint Panel for the civic year 2019/20.

It was moved by Ms J Bruce and seconded by Councillor L Haysey that Councillor J Dumont be appointed Vice Chairman for the civic year 2019/20. After being put to the meeting and a vote taken, the motion was declared CARRIED and Councillor J Dumont was appointed Vice Chairman of the Local Joint Panel for the civic year 2019/20.

RESOLVED – that (A) Ms J Bruce be appointed Chairman for 2019/20; and

(B) Councillor J Dumont be appointed Vice Chairman for 2019/20.

2 APOLOGIES

Apologies for absence were submitted on behalf of Simon Russell (ICT Strategic Partnership Manager), Jenny Francis (Unison) and Steve Ellis (Unison).

3 MINUTES

It was moved by Councillor E Buckmaster and seconded by Ms N Munro that the Minutes of the meeting be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 12 December 2019 be confirmed as a correct record and signed by the Chairman.

4 ACCEPTABLE USE POLICY

The Head of Human Resources and Organisational Development presented a report on behalf of the ICT Strategic Partnership Manager regarding a new Acceptable Use Policy for IT. The Head of HR explained that processes would be introduced which required existing staff and new staff to sign up to the Policy with their log in credentials. This new Policy applied both to Officers, Members and to any contractors. In response to a query by Councillor L Haysey, the Head of HR explained that it would apply to any piece of personal IT kit which accessed and used the Council's network (including the new laptops) provided to Members.

Councillor E Buckmaster referred to external sites such as drop box and Facebook and queried whether this included "The Cloud" and referred to instances where he would occasionally cut and paste information for dissemination purposes. The Head of HR confirmed that the Policy implied that it referred to any external site and that the best advice would be to contact IT before using. Councillor E Buckmaster queried if this applied to extracts from files rather than a whole file, the Head of HR said he would get this clarified and amend the policy accordingly in relation to clause 6.5 by the ICT Strategic Partnership Manager.

The Chairman referred to the use of Herts FX, a secure server when sending large files.

Councillor L Haysey supported the Policy and suggested that for ease of reference, the report should have an appendix of authorised sites, including the Herts FX Secure Server. She also suggested that the ICT Strategic

Partnership Manager should prepare an item for inclusion in the Members' Information Bulletin so that all Members be made aware of the Policy and that the Policy be included as part of a Member Induction Pack. These proposals were supported.

For the benefit of new Members, the Head of HR explained to the Panel the process for submission of reports for determination by Human Resources.

It was proposed by Councillor L Haysey and seconded by Ms N Munro (Unison) that the Human Resources Committee be advised that the Local Joint Panel supports the approval of the Acceptable Use Policy, subject to the amendments as detailed above. After being put to the meeting and a vote taken, the Motion was declared CARRIED.

RESOLVED- that (A) the Human Resources Committee be advised that the Local Joint Panel supports approval of the Acceptable Use Policy as amended by:

- the inclusion within the report of an appendix of authorised sites, including the Herts FX Secure Server.
- the ICT Strategic Partnership Manager prepare an entry for inclusion in the Members' Information Bulletin about the Policy; and
- the Policy be included as part of a Member Induction Pack.

The meeting closed at 2.55 pm

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|----------------|
| Chairman |
| Date |

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