



7 July 2021

To: Chair – Councillor Henry Batchelor
Vice-Chair – Councillor Dawn Percival
Members of the Employment and Staffing Committee – Councillors Dr. Claire Daunton, Sally Ann Hart, Mark Howell, Heather Williams and John Williams
Quorum: 3

Substitutes: Councillors Sue Ellington, Graham Cone, Nick Wright, Bunty Waters, Grenville Chamberlain, Jose Hales and Peter McDonald

Dear Councillor

You are invited to attend the next meeting of **Employment and Staffing Committee**, which will be held in at South Cambridgeshire Hall on **Thursday, 15 July 2021 at 2.00 p.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution **in advance of** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
Liz Watts
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

| | Agenda | Pages |
|----|--|--------------|
| 1. | Apologies for Absence To receive Apologies for Absence from Committee members. | |
| 2. | Declarations of Interest | |
| 3. | Minutes of Previous Meeting To agree the Minutes of the meeting held on 15 March 2021. | 1 - 4 |
| | Decision Item | |
| 4. | Disciplinary Policy Review | 5 - 32 |

Information Items

- | | | |
|----|---|---------|
| 5. | Retention and Turnover Report and Presentation: Quarter 3 (Q3) 1 October 2020 - 31 December 2020 | 33 - 52 |
| 6. | Retention and Turnover Report: Quarter 4 (Q4) 1 January 2021 - 31 March 2021 | 53 - 72 |
| 7. | Sickness Absence 1 January to 31 March (Q4) | 73 - 78 |
| 8. | Update from the Disability Confident Task and Finish Group | |

Procedural Item

9. **Date of Next Meeting**

To note that the next meeting will be held on Friday 15 October 2021 at 10am.

Notes to help those attending meetings in person at South Cambridgeshire Hall

Notes to help those people visiting the South Cambridgeshire District Council offices – please also refer to the Covid-security measures relating to meetings in the Council Chamber which are on the website page for each relevant meeting.

Members of the public wishing to view the meeting will be able to watch the livestream via the link which will be publicised before this meeting.

Members of the public wishing to attend the meeting in person, please contact Democratic Services at democratic.services@scambs.gov.uk

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this is via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the Fire and Rescue Service.
- **Do not** re-enter the building until the officer in charge or the Fire and Rescue Service confirms that it is safe to do so.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. The Council Chamber is accessible to wheelchair users. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts. These include facilities for disabled people.

This page is left blank intentionally.

Agenda Item 3

South Cambridgeshire District Council

Minutes of a meeting of the Employment and Staffing Committee held on Monday, 15 March 2021 at 2.00 p.m.

PRESENT: Councillor Henry Batchelor – Chair
Councillor Dawn Percival – Vice-Chair

Councillors: Sarah Cheung Johnson Dr. Claire Daunton
Mark Howell Heather Williams
John Williams

Officers: Patrick Adams Senior Democratic Services Officer
Susan Gardner Craig Head of HR and Corporate Services
Chloe Smith HR Business Partner

1. Apologies for Absence

There were no Apologies for Absence.

2. Declarations of Interest

None.

3. Minutes of Previous Meeting

The minutes of the meeting held on 14 January 2021 were agreed.

It was noted that the meeting had been rescheduled to allow the Annual Pay Policy Statement to be recommended to April's Council meeting.

4. Pay Policy Statement 2021

The Head of HR and Corporate Services introduced this item which advised the Committee to recommend the Annual Pay Policy to Council to ensure that the authority complies with the Localism Act 2011 by publishing the salaries of the highest paid officers and indicating how this relates to the lowest paid staff.

The Head of HR and Corporate Services explained that the Council's pay grades had six different pay points within each grade. Approximately 30% of staff were on the top of their pay grades. Officers had regular one-to-ones with their manager, who would then report to HR on whether the officer should progress onto the higher pay grade. Only a few staff, who were eligible, were expected not to progress to the next pay grade. The Head of HR and Corporate Services confirmed that staff at the Council were not awarded bonus payments, although honorariums could be paid for specific work.

The Head of HR and Corporate Services explained that the agreement of the

Policy had been delayed until the Government had confirmed that for a second year the gender pay gap would not need to be reported in March.

The Committee

Recommended that Council Approve the Pay Policy Statement for 2021

5. **Sickness Absence 1 October to 31 December 2020**

The HR Business Partner presented this report on the Council's sickness absence for the third quarter.

The Chair thanked officers for including data on sickness related to Covid 19 in the report, as requested at the last meeting of the Committee.

The HR Business Partner explained that employees would report their sickness to their line manager, who would notify HR and then conduct the return to work interview when the officer returned to work. It was noted that the Shared Waste Services had a slightly different process, as their officers were expected to be at work by 6am.

The HR Business Partner explained that the increase in the days lost to genito-urinary illness was due to long term sickness and was not indicative of a wider problem.

In response to the suggestion that the muscular/skeletal be divided into different categories, it was noted that the managers were asked to complete a checklist in the Return to Work form and to divide the categories further would create additional work.

The Committee **Noted** the report.

6. **Disability Confident Group - Oral update**

Councillor Sarah Cheung Johnson confirmed that the work of the Task and Finish Group had been paused due to Covid work priorities and she expressed the hope that the Disability Confident Task and Finish Group would meet again shortly.

The Head of HR and Corporate Services announced that officers had completed the level 2 self assessment tool. Councillor Mark Howell requested that any report to the Committee include a section recapping the work that had already been carried out.

The Head of HR and Corporate Services explained that due to the Covid-19 pandemic officers with disabilities had received extra support and equipment to allow them to work from home safely.

7. Date of Next Meeting

The Committee requested that its next meeting be held on a different date, as the 23 July was on a Friday and in the school holidays.

The Meeting ended at 2.35 p.m.

This page is left blank intentionally.

Agenda Item 4



South
Cambridgeshire
District Council

| | |
|-----------------------------|---|
| Report to: | Employment and Staffing Committee 15 th July 2021 |
| Lead Cabinet Member: | Cllr John Williams |
| Lead Officer: | Susan Gardner-Craig |

Disciplinary Policy Review

Executive Summary

1. To ensure that our policies are always up to date, we review them regularly and update them based on best practice and employment law legislation. We also consider feedback from our managers and staff. Our disciplinary policy was last reviewed in 2012.

Key Decision

2. No

Recommendations

3. It is recommended that the committee approves the reviewed policy

Reasons for Recommendations

4. The updated policy will allow us to better respond in a timely and effective manner to acts of misconduct undertaken by our employees.

Details

5. The disciplinary policy was last reviewed in 2012 and since then there have been several changes in the Council's structure and ways of working which needed to be reflected in the reviewed policy. These include updating the hierarchy to reflect the new structure of the Council and to adapt the language to be more gender-neutral. We have also updated the list of possible offenses to better reflect the increased use of technology and electronic communication.

6. Feedback from employees, managers and unions has been that they find the multiple levels of the disciplinary policy confusing, and do not always understand why certain cases are heard at a certain level. In order to improve this, we have reduced the number of levels of offense from four to three. These are now:

Level 1 - For minor offences (level 1 warning)

Level 2 - For serious misconduct or repetition of a minor offence (level 2 warning)

Level 3 - For gross misconduct or repetition of serious misconduct (final warning or dismissal (including summary dismissal))

7. This will better allow managers to ensure cases are heard at the right level, and simplify the process if an employee commits multiple offenses.

8. We have also reduced some of the timeframes for when meetings are held, to better allow us to respond to situations faster and reduce the stress placed on employees while waiting for an outcome.

Options

1. To approve the reviewed policy
2. To decline the reviewed policy and request further changes be made

Implications

9. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Legal

10. The reviewed policy has been written in accordance with the ACAS Code of Good Practice and all relevant employment law legislation.

Staffing

11. The reviewed policy will allow us to better respond to allegations of misconduct from our employees.

Health & Wellbeing

12. The changes proposed in our reviewed policy will help us reduce the impact of stress from a disciplinary situation, by allowing us to respond faster. This will benefit both the employees, by delivering them with an outcome sooner, and our investigating managers by reducing the additional work pressure placed on them by the investigation.

Consultation responses

13. As part of the policy review Unison and GMB have been consulted and have provided feedback which has been incorporated into the policy.

Appendices

Appendix A: Draft reviewed disciplinary policy

Report Author:

Chloe Whitehead – HR Advisor
Telephone: (01954) 712903

This page is left blank intentionally.



Disciplinary Policy and Procedure

| Document Control | |
|-----------------------------|-----------------|
| Date of Last version | 2012 |
| Latest review | 2021 |
| Name of Reviewer | Chloe Whitehead |
| Consultation | GMB & Unison |
| Approved by | |

Contents

| | |
|--|----|
| Disciplinary Policy and Procedure | 0 |
| 1. Introduction | 3 |
| Aim of the procedure | 3 |
| Access to this Policy | 3 |
| 2. Organisational Context..... | 4 |
| Code of Conduct..... | 4 |
| Dignity at Work | 4 |
| 3. Variations and Exemptions to the Policy | 4 |
| Temporary staff employed through an agency | 4 |
| Staff on probation | 4 |
| Director Posts | 5 |
| A Staff member who is also a Trades Union representative | 5 |
| 4. Rights and Responsibilities under the policy | 5 |
| Role of the HR Team | 5 |
| Role of Investigating Managers | 6 |
| Role of Employees..... | 6 |
| Right to Representation | 6 |
| External Consultants..... | 6 |
| Co-operation | 7 |
| Varying the timescales and officers | 7 |
| Confidentiality of proceedings..... | 7 |
| Conduct outside the workplace | 7 |
| Criminal offences | 7 |
| 5. Levels of offence | 8 |
| Level 1 – Minor Offences..... | 9 |
| Level 2 – Serious Misconduct..... | 9 |
| Level 3 – Gross Misconduct | 10 |
| Time Limit for Warnings..... | 11 |
| 6. Informal Disciplinary Procedure | 11 |
| Normal Management Supervision | 11 |
| Mediation | 12 |
| Formal Management Instruction | 12 |
| Moving to the Formal Disciplinary Procedure | 12 |
| 7. Formal Disciplinary Procedure | 12 |
| Procedural steps..... | 12 |
| 8. The Investigation | 13 |
| Informing the subject of the investigation..... | 13 |
| Gathering & reviewing evidence | 13 |
| Investigatory interview | 14 |
| Notice of investigatory interview | 14 |
| Witnesses during an Investigation | 14 |
| Outcome of the Investigation | 15 |
| 9. Suspension during investigations..... | 15 |
| Notifying the employee of suspension | 16 |

OFFICIAL-SENSITIVE

| | |
|---|----|
| 10. The Disciplinary Hearing | 16 |
| Notification of disciplinary action..... | 16 |
| Supporting documents..... | 17 |
| The disciplinary hearing..... | 17 |
| Agenda | 17 |
| Adjournments | 18 |
| Taking a decision..... | 19 |
| Disciplinary sanctions | 19 |
| Communicating the decision..... | 20 |
| Notes | 20 |
| 11. Appeals | 20 |
| Written notice of appeal..... | 21 |
| Appeal Panel | 21 |
| Timescale | 21 |
| Agenda | 21 |
| Decisions | 22 |
| Appeals against a decision to dismiss | 22 |
| Payment of salary for the period between dismissal and appeal | 22 |
| Exhausting the appeals procedure | 22 |
| Delaying a disciplinary hearing pending an appeal..... | 22 |
| 12. Grievances Raised During Disciplinary Process | 22 |
| 13. Records | 23 |
| 14. Process Flow Chart | 23 |
| 15. Revisions to Disciplinary Procedure | 23 |

1. Introduction

South Cambridgeshire district Council is committed to equality of opportunity and treatment in employment for all its staff. As part of this the Council operates a disciplinary procedure, which addresses breaches of discipline, health and safety, failures in performance, or any other form of misconduct. This policy is applied equally in all instances where disciplinary action is regarded as necessary by the Council's management.

The council will aim to address these issues as early as possible in order to ensure that employees are clear about what is expected of them. The disciplinary procedure is written to support managers and is intended for use when informal means of correcting breaches of discipline or misconduct have not achieved improvement or change, or where more serious breaches have occurred, and an informal approach would not be proportional. It sets out guidance for managers on how to handle disciplinary matters and specifically how to follow the Council's process appropriately as well as providing a source of information to employees.

If you are the subject of a disciplinary investigation, you are advised to read the policy and procedure, as it will tell you what to expect and what your rights are.

Aim of the procedure

The aim of this procedure is to ensure that the Council treats all staff fairly and consistently. It defines the process for dealing with breaches of behavioural standards and failure to meet required standards of work. The procedure aims to encourage staff to improve their conduct and/or performance to meet required standards; it is not primarily intended for use as a means of applying sanctions however the Council accepts that in order to manage behaviours effectively, sanctions may be required and these will be issued where appropriate.

The Policy is not intended to deal with genuine Capability issues; these should be dealt with using the Capability Policy. However, if failure to meet required standards may be due to an intentional breach, negligence or recklessness on the employee's part, then the Disciplinary Policy may be instigated (further details of examples of behaviours covered are outlined in Section 5).

Access to this Policy

In the application of this policy, the Council will make reasonable adjustments for employees who are unable to deal with written correspondence and requirements due to disability, as well as any other reasonable adjustments that may be required to enable an Employee to fulfill their obligations as part of the Disciplinary process.

Employees who need assistance with interpreting this policy should contact the HR team for guidance and support.

2. Organisational Context

The Council's disciplinary policy and procedure forms part of our contract of employment and will always be applied fairly and consistently. It is the role of the HR team to ensure that managers apply the policy consistently across the Council. The policy will be reviewed regularly and may be updated to ensure it fits the needs of the Council and meets statutory requirements.

Code of Conduct

The Council has a Code of Conduct, which sets clear standards on issues such as:

- Service to the public
- Disclosure of information
- Political neutrality
- Relationships with Councillors, service users and contractors
- Conflict of interest

If an employee acts in a way which breaches the officer Code of Conduct that will be treated as a disciplinary offense.

Dignity at Work

A copy of the code can be found on the Council's Intranet. Breaches of the Code will be dealt with under the disciplinary procedure.

3. Variations and Exemptions to the Policy

The disciplinary policy will be applied fairly and equally to all staff, however there are some variations within the procedure for those on different types of employment

Temporary staff employed through an agency

If, as a manager, you are faced with a disciplinary issue or a failure of performance concerning a temporary member of staff who is employed through an agency, you must discuss this with the agency at the earliest opportunity, and inform the agency that you no longer wish to use the services of the individual concerned and terminate the contract with the agency immediately. For guidance speak to your line manager or the HR team.

Staff on probation

SCDC contracts of employment contain a clause, which places all employees who are new to a role on probation for a period of up to six months. This is intended to allow the employee and their line manager to ensure that the appointment is successful, and that there is a clear induction process to enable the employee to settle into their new post over a defined period of time.

OFFICIAL-SENSITIVE

Any failure in performance, or failure to reach an acceptable standard of performance, during this period will be dealt with through the Probation Policy.

Other misconduct – for example, failure to follow the Code of Conduct, harassment of a colleague or member of the public – will be dealt with through the disciplinary procedure. However, staff on probation will normally be given one warning only, no matter what level of disciplinary offence they are found to have committed. The right of appeal will still exist for employees within their probation period.

Director Posts

If the subject of the disciplinary investigation is a Director then either the Chief Executive Officer or Chief Operating Officer will undertake the investigation(s) and a HR Business Partner will be present for any investigatory interviews. It may be appropriate to involve an independent consultant to undertake any investigations at this level.

The Chief Executive Officer or Chief Operating Officer plus one member from the Employment and Staffing Committee will conduct the formal disciplinary hearing.

The right to appeal will exist, and any appeal will be made to a panel of members drawn from the Employment and Staffing Committee, but must not include any members previously involved in the investigation.

The Employment and Staffing Committee panel members will have the power to apply disciplinary sanctions other than dismissal. A recommendation to dismiss will have to be approved by full Council

A Staff member who is also a Trades Union representative

Where an employee is also a Trade Union representative the Council's normal disciplinary procedure will be followed. However, after obtaining the staff member's agreement, contact should be made with the relevant Union. The Union may decide to involve the Regional Officer.

4. Rights and Responsibilities under the policy

The following outlines the roles responsible for carrying out the disciplinary procedure, as well as employees' rights.

Role of the HR Team

It is the responsibility of the HR team to advise managers and employees involved in disciplinary proceedings about the procedure and its application. An HR Advisor, or HR Business Partner, will attend all formal investigatory interviews and hearings to provide advice and ensure that the procedure is followed appropriately, and consistently, throughout the organisation. It is not, however, the role of HR team-members to take part in decision-making or to conduct disciplinary interviews.

Role of Investigating Managers

It is the responsibility of all managers to ensure that any allegations falling under the disciplinary procedure are taken seriously, and to investigate any such issues promptly and fairly.

If you are a line manager and are considering taking formal disciplinary action against a member of your staff, or are unsure of what action to take when you are faced with a possible disciplinary matter, you are advised to speak, in confidence, to a member of the HR team at an early stage.

In some cases the investigating manager will not be the employees' line manager; this will depend on the situation and the allegations. In these cases another investigating manager will be selected by HR.

Role of Employees

If you are an employee facing disciplinary action you may wish to contact your Trade Union representative, who will be able to discuss the issue(s) with you, and support you through the procedure. You may also wish to contact the HR team to discuss the procedure and what you can expect to happen. Members of the team are not able to discuss the material issues with you and will only be able to advise on the process or any appropriate support mechanisms.

It is also recommended that employees facing disciplinary action familiarise themselves with this policy.

Right to Representation

If you are the subject of formal disciplinary action you have the right to be represented by a Trade Union representative or a 'supporting colleague' at every stage, including investigatory interviews and appeals. It is up to you to arrange this support, to share any documentation with them, and to notify the HR team who will be representing you at the hearings.

The role of the representative or 'supporting colleague' is to support the employee, and they have the right to speak on the employee's behalf (ask questions, seek clarification, request breaks etc.) However, it is not the role of the representative or 'supporting colleague' to answer questions put directly to the staff member concerned.

Investigating Managers and the HR team are able to reject a 'supporting colleague' choice, if they believe there is a potential conflict of interest or that the choice is inappropriate. In such situations, or where an employee isn't able to identify a 'supporting colleague', the employee can request that the HR team assign them a neutral 'supporting colleague' to provide support to the employee in question.

External Consultants

External consultants may be contracted in to assist with disciplinary matters if the Head of HR and Corporate Services feels that such input is necessary. If this is the case, they

OFFICIAL-SENSITIVE

will be advised of the Council's policies at the earliest stage and will be supported by the HR team where necessary.

Co-operation

It is in employees interest to co-operate fully with the disciplinary process, however, if an employee refuses to attend a disciplinary hearing, the Chair will make a decision based on the information available at that time, and this may result in the employee being dismissed in their absence.

Varying the timescales and officers

In exceptional circumstances, Investigating Managers may not be able to complete their investigation or arrange a hearing within the given time-scales. In such situations time-scales may be extended, but the employee concerned should be given notice of the extension to time-scale and the reason for delay.

Employees may request, with reason, that the time-scales be varied, and such a request will not be unreasonably refused. If the designated officers are not available at a given time (i.e. to conduct the Disciplinary Hearing), then others of the same status may be substituted in order not to prolong proceedings unnecessarily. If either party believe that the process is being unnecessarily delayed, they should notify the HR team.

Confidentiality of proceedings

If you are involved in any way with a formal disciplinary matter you are expected to keep information confidential and not discuss it. Failure to do so may result in disciplinary action being taken against you. At all stages of proceedings, Officers are reminded of the necessity for confidentiality. If employees believe there has been a breach in this, they should raise it with the HR team immediately.

Conduct outside the workplace

There are circumstances under which action may be taken which relate to an action or omission outside working hours. Off-duty conduct may form the basis of disciplinary action if it is relevant to the individual's employment and is deemed to impact upon their suitability for the post.

Examples of such misconduct include (but are not limited to):

- Disclosure of confidential information
- Damaging the Council's reputation (including on personal social media accounts)
- Behaving in such a way as to compromise the Council or damage public confidence
- Taking outside employment which could or does conflict with the Council's interests
- Accepting personal gifts or hospitality without declaring them

Criminal offences

Employees must immediately inform their manager if they are being investigated and/or charged with, or convicted of, a criminal offence. Criminal charges or convictions for offences of dishonesty or violence committed outside working hours may result in

OFFICIAL-SENSITIVE

disciplinary proceedings being taken against the employee up to and including summary dismissal. The Council will consider whether or not the employee's conduct or convictions merit action because of employment implications.

A charge or conviction for any other type of offence may result in disciplinary proceedings being taken against the employee where, in the opinion of the Council, the charge or conviction is such as to affect, or be likely to affect, the suitability of the employee for the position in which they are employed, or the business or reputation of the Council, or where the existence of the charge or conviction could, in the opinion of the Council, otherwise seriously undermine the trust and confidence that the Council has in the employee.

In these circumstances, the employee may be suspended on full pay pending the outcome of the court case. However, if the Council reasonably believe that criminal investigations and proceedings are likely to be prolonged, they may instigate the internal disciplinary proceeding for the employee without having to wait for the outcome of the Criminal proceedings.

5. Levels of offence

There are three levels of disciplinary warning within the disciplinary procedure, which broadly equate to levels of offence. The three levels are:

- Level 1 - For minor offences (level 1 warning)
- Level 2 - For serious misconduct or repetition of a minor offence (level 2 warning)
- Level 3 - For gross misconduct or repetition of serious misconduct (final warning or dismissal (including summary dismissal))

The difference between the levels of offence is often one of degree. Which level is applied initially depends on the severity of the offence and whether it is a first offence of that sort, or a repetition of something which has already been dealt with using this procedure.

The level at which the procedure is applied will be decided on a case-by-case basis once the initial investigation has been concluded.

The warning issued at each level has a 'shelf life' – that is, length of time it remains applicable to the employee should there be further disciplinary investigations. If a repetition of a matter, which has already been dealt with under the disciplinary procedure, occurs once the 'shelf life' of the earlier misconduct has expired, then the procedure must apply from the appropriate starting level again. For example, if an employee is disciplined at level 1 for poor timekeeping, and timekeeping improves for a period of time (e.g. 6 months), but lapses again once the shelf life has expired, then the repetition must be dealt with at level 1 again. However, if the repetition occurs before the shelf life has expired, then it will be dealt with at level 2 (See Section 5.5).

If there is an active disciplinary matter on file and the employee commits a different offence, then a new procedure must be instigated – the second offence cannot be 'rolled up' into the first, unless the two offences are similar or related (i.e. two separate

OFFICIAL-SENSITIVE

breaches of health and safety procedures; the breaches need not be exactly the same, but the fact that health and safety procedures have been breached twice can be taken into account). However, if several disciplinary offences are committed at the same time, they can all be dealt with at once.

Level 1 – Minor Offences

For minor offences the procedure will be initiated at level 1. Examples of minor offences include (but are not limited to):

- failure to comply with a reasonable instruction
- failure to observe confidentiality
- failure to record hospitality, a conflict of interest or a potential conflict of interest
- failure to adhere to health and safety rules and procedures
- failure to comply with your terms and conditions of employment, including failure to comply with reporting requirements such as sickness absence
- failure to observe ‘Smoke Free’ rules
- persistent lateness
- misuse of the Council’s information technology systems
- inappropriate communication via the councils social networking sites
- wilful refusal to reach required standards of performance or follow procedures

Note: these are examples only, and the list is neither exhaustive nor exclusive, and is intended for guidance only.

A minor offence attracts a level 1 written warning. The duration (shelf-life) of the warning is 6 months, after which it cannot be relied upon should the same or a similar misconduct be repeated at a later date (section 5.5)

A level 1 warning may be issued by the line manager (or a more senior manager) of the employee concerned once the disciplinary investigation process has been followed.

Level 2 – Serious Misconduct

For serious misconduct, the procedure will be initiated at level 2. Examples of serious misconduct include (but are not limited to):

- destruction, alteration or mutilation of any Council record or document
- negligence or accidental avoidable damage of Council property
- breach of GDPR and Data Protection regulations
- causing loss, damage or injury to any person or property, either carelessly or negligently
- wilful disregard of safety standards, rules or procedures
- bullying or harassing a member of staff or the public
- use or attempted use of position in the Council for private advantage, or the advantage of another individual
- accepting personal gifts or hospitality without declaring them
- abuse of Council facilities or equipment, including inappropriate use of the Council’s time

OFFICIAL-SENSITIVE

- continued repetition of previous level 1 offences

Note: these are examples only, and the list is neither exhaustive nor exclusive, and is intended for guidance only.

Serious misconduct attracts a level 2 written warning. The duration (shelf-life) of the warning is 9 months, after which it cannot be relied on should the same or a similar misconduct be repeated at a later date. (see Section 5.5).

Note: these are examples only, and the list is neither exhaustive nor exclusive, and is intended for guidance only.

Level 3 – Gross Misconduct

Action at this level may lead to dismissal due to further failure in conduct following a level 2 warning, or based on the severity of one issue on its own. In some cases this could be summary (instant) dismissal for acts of gross misconduct only.

The Council defines gross misconduct as any action serious enough to breach the duty of mutual trust and confidence between employee and employer making any further working relationship impossible.

Examples of gross misconduct include (but are not limited to):

- discrimination against other employees, members of the Council, members of the public on the grounds of age, disability, religion or belief, race, sex, sexual orientation, gender re-assignment, marriage or civil partnership, pregnancy or maternity, or rurality.
- failure to adhere to health and safety procedures which has led or could have led to significant injury or loss
- repeated or severe bullying or harassment of a member of staff or the public
- being unable to carry out normal duties due to the influence of alcohol or illegal drugs, or being in possession of illegal substances
- deliberate acts of theft, fraud, falsification or destruction of records for personal gain (see section 9)
- deliberate or malicious serious damage to the Council's property or that of a colleague, service user or member of the public
- fighting or assault on other employees, members of the public or employees of any organisation having business with the Council
- victimisation of a member of staff who has made an allegation of discrimination or has raised a concern through the whistleblowing process
- soliciting gifts or gratuities or the acceptance of bribes
- committing an offence which renders the employee unsuitable or unable to carry out the duties for which they were employed, or otherwise makes continued employment undesirable
- continued repetition of previous level 2 offences or persistent repetition of level 1 offences
- some other substantial reason for which the only reasonable clarification is Gross Misconduct.

Note: these are examples only, and the list is neither exhaustive nor exclusive, and is intended for guidance only.

Gross misconduct can attract a final written warning. The duration (shelf-life) of the warning is 12 months, after which it cannot be relied on should the same or a similar misconduct be repeated at a later date. (see section 5.5).

An employee accused of gross misconduct may be suspended from work on full pay while investigations are made into the alleged offence.

Summarily dismissed employees are not entitled to receive pay in lieu of contractual notice, untaken annual leave etc.

A Service Manager or above (or any other Manager who has been delegated the authority to recommend dismissal by the Chief Executive Officer) must approve any dismissal (under the Scheme of Delegations).

Time Limit for Warnings

When an employee's conduct is satisfactory throughout the period of the warning, only to lapse very soon after, the employee's disciplinary record may be considered when deciding how long any further warning should last.

The above stated time-limit for warnings will usually be granted for each level if the case is proven. However, on occasion the Chair of the Disciplinary Hearing may decide to amend the duration of the warning, for example; so as to ensure any development/training targets can be put in place, or where a longer monitoring period might be appropriate.

Exceptionally, there may be circumstances where the misconduct is so serious – verging on Gross Misconduct – that it cannot be realistically ignored for future disciplinary purposes. In such circumstances it should be made very clear that the final written warning will always be taken into account and that any further occurrence of serious misconduct will lead to dismissal. Such instances should be very rare as the Council would not want to keep an employee permanently under threat of dismissal.

6. Informal Disciplinary Procedure

Normal Management Supervision

Day-to-day supervision and monitoring of performance and conduct is an important element in the managerial process. Any oral correction, instruction or advice which managers may give does not constitute formal disciplinary action – such exchanges are an important element in setting and monitoring standards of performance and conduct.

There may be times when managers will want to have an informal discussion with a member of staff in order to improve their conduct or performance or to change behaviour. If problems are brought to their attention at an early stage and discussion is constructive, the need to take formal disciplinary action may be avoided. Discussions of this sort will be recorded as usual in the supervisory meeting notes.

Mediation

In some cases where it is felt that formal disciplinary action by the manager is not appropriate, management and HR, after discussion with the employee, may appoint an independent mediator to try and resolve disagreements regarding disciplinary issues. A mediator will not take sides or make judgements or decisions, but can help the parties reach agreement. The mediator may also recommend a way forward if both parties agree this is what they want to do. The manager requesting the service will meet the cost of mediation.

There may also be occasions when mediation is useful as part of or alongside the disciplinary process. This may be a case where there has been a breakdown in interpersonal relations between an employee and their manager. Mediation may have a more positive long-term effect in modifying future behaviour than the formal disciplinary process. For further information on the mediation process please contact the HR team.

Formal Management Instruction

A Manager, as part of their supervision of an employee, may decide to formalise a management instruction to an employee in writing so as to record formally the guidance or instruction that the employee has received. This in itself does not constitute a disciplinary warning, and will not be deemed as a sanction; however, it may be used as evidence in a disciplinary investigation, if an employee unreasonably fails to follow any such guidance or instructions.

Moving to the Formal Disciplinary Procedure

If informal means fail to affect an improvement in conduct, then the formal disciplinary procedure should be followed.

On some occasions, the informal procedure will not be appropriate, and the formal process ought to be instigated straight away; if managers are unsure which route to take they should seek advice from the HR team.

7. Formal Disciplinary Procedure

This section sets out the basics of the disciplinary procedure, and the steps, which must be followed. Model letters and documents can be found on the Intranet.

Procedural steps

The procedure for each level is broadly similar and, in summary, the steps are as follows:

1. (unless inappropriate) notification to the employee that an investigation is under way
2. the investigation is conducted, (including investigatory interviews with the employee concerned, any witnesses, and gathering documentary evidence)

3. notification to employee of the outcome of the investigation and further action, if any
4. (if appropriate) hold the disciplinary hearing
5. notification to the employee of the outcome of the hearing.

Then, at the employee's instigation:

6. notification of appeal by the employee
7. notification of appeal hearing to employee from management
8. appeal hearing
9. notification of the outcome of the appeal hearing.

Each step has a timescale within which action must be taken. These timescales can be varied at the request of either party and if a reasonable justification is given.

8. The Investigation

Informing the subject of the investigation

The employee concerned must be informed that an investigation is taking place and told what the likely timescale is, except when notifying them may hamper the investigation for example where the investigation is prompted by a suspicion of fraud or theft (Managers should seek guidance from HR where they do not intend to inform the employee).

Gathering & reviewing evidence

As part of the investigation process the Manager should gather all relevant evidence

Evidence may include (but is not limited to):

- attendance records or access details to establish absence patterns
- hours of work if the matter involves poor timekeeping
- examples of work which do not follow correct procedures
- records of management guidance/instructions to the employee
- copies of inappropriate emails or communications
- photographic or video evidence
- letters of complaint
- witness statements

The investigation may also include:

- an investigatory interview with the staff member concerned (See Appendix 1a)
- investigatory interview/s with witnesses (See Appendix 1b)

The timescales of the investigation stage will depend on the availability and complexity of the evidence, and the availability and engagement of the employee under investigation and any witnesses.

It is in the interests of all parties that the investigation is undertaken speedily, therefore, this stage should *not normally* take longer than fifteen working days, however where a

OFFICIAL-SENSITIVE

matter is particularly complex, or involves the gathering of numerous witness statements, it is important that the investigation be thorough so a longer period of time is likely to be needed. Investigating Managers need to keep the individual who is being investigated updated of likely time-frames.

Investigatory interview

The Investigating Manager will interview the staff member concerned as part of the initial investigation (unless there are exceptional circumstances). The staff member must also be informed that they have the right to be represented by a Trades Union representative or a supporting colleague. (See Appendix 1c)

Notice of investigatory interview

The employee subject to the investigation must be given at least three working days written notice of an investigatory interview. The letter will set out:

- details of the matter causing concern
- when the interview is to be conducted
- where the interview will be conducted
- who will be conducting the interview and the fact that a HR representative will be present
- that the employee has the right to be represented (but must notify HR who their rep is)

If any documents will be produced at the interview stage, copies should be provided beforehand to the individual (See Appendix 1a). The employee must also be made aware of the need for confidentiality, and that they must only discuss the matter with their representative or supporting colleague.

Witnesses during an Investigation

The Investigating Manager may need to interview witnesses during an investigation. Witnesses should also be given at least two working days' notice of an investigatory interview. The witness should be informed that;

- an investigation is being undertaken (but that they themselves are not being investigated, and are only required to provide evidence as a potential witness).
- when the interview is to be conducted
- where the interview will be conducted
- who will be conducting the interview and the fact that a HR representative will be present
- that they have the right to be accompanied.

Even though a witness is not the subject of an investigation, many individuals asked to provide witness statements may find the process stressful and unsettling; as such they should be provided with any necessary support, and allowed to be accompanied at the interview if they wish.

The witness must also be made aware of the need for confidentiality, and that they must only discuss the matter with their representative or supporting colleague.

OFFICIAL-SENSITIVE

Witnesses are not likely to be informed of the details of the entire investigation or the outcome. It is recommended that witnesses are informed of this at the interview stage, so that they do not have expectations of knowing any more than they need to in order to provide the necessary evidence.

Outcome of the Investigation

Once the initial investigation is complete, including any interviews, the Investigating Manager, supported by an HR representative, will write a concise report of their findings and will then reach agreement :

- that there is no case to answer; or
- that the alleged breach was so minor, or the evidence so insubstantial, that the matter should go no further; or
- that there is a case to answer, but the matter is best dealt with by other means, for example training or counselling, rather than by instigating the formal disciplinary procedure; or
- that there is a case to answer, and the formal disciplinary procedure will be instigated.

The staff member concerned **must** be informed of the result of the initial investigation **within five working days of completion of the investigation** (if this is unlikely to be within 5 working days of their individual interview, they should be informed of the anticipated time frames). They may be told orally or in writing, and any decision communicated orally must be confirmed in writing within three working days of the date the decision is communicated.

If the outcome is that there is no case to answer, or that there is a case to answer, but it will not be dealt with by instigating the disciplinary procedure, this must be outlined within the letter (Appendix 2a)

9. Suspension during investigations

The line manager, or a senior manager in the service area concerned, may decide that it is appropriate to suspend the employee from work on full pay at any time during the course of the disciplinary procedure (including the investigatory stage) if:

- the matter being investigated might be gross misconduct, or
- it is felt that the employee's presence may impede or interfere with the investigation because, for example, there is the opportunity to tamper with evidence, or
- the employee's presence at work is detrimental to the conduct of the disciplinary hearing or
- to prevent possible further repetition of the issue(s) being investigated.

The HR team must be consulted before an individual is suspended from work and a member of the HR team should be present at the suspension meeting. Where due to service reasons this is not possible, HR should be informed as soon as possible thereafter.

Suspension from work is a precautionary measure taken pending the outcome of the disciplinary process, and is not a disciplinary sanction. Any such suspension should be for a brief period during which the investigation will be carried out. If the suspension continues beyond ten working days, the need for it must be reviewed regularly in consultation with the HR team.

Where an employee is suspended, the Investigating Manager needs to be mindful of the impact of such a suspension and carry out their investigation as quickly as possible.

Notifying the employee of suspension

When suspending an employee, the manager concerned should normally inform the employee orally that they are being suspended, and the reasons for the suspension. This will be confirmed in writing within three working days or the employee being told and sent to the employee's home address. This letter will set out:

- the matter being investigated and the fact that there is an allegation of misconduct
- the expected timescale for the investigation, or if that is impossible to estimate, then
- when the employee can expect to hear from the Council again.

It is likely that the Manager will not be able to inform the individual of all of the details surrounding the reasons for suspension. Manager's should ensure that any employee being suspended is provided with support (i.e. counselling), and if they have not already nominated a support colleague or trade union representative, they can request to be provided with a supporting colleague who they can contact during their suspension.

10. The Disciplinary Hearing

Notification of disciplinary action

Once the initial investigation has been carried out and the HR team have reviewed the final report, the employee concerned will be notified of the outcome of the investigation.

If the investigation finds that there **is** a case to answer, then the employee concerned must be notified of:

- the fact that the formal disciplinary procedure is to be applied
- the date and place of the disciplinary hearing
- who will conduct the hearing, and who else will be present
- the names of any witnesses to be called
- details of any documents/evidence to be presented
- the nature of the alleged offence, misconduct, breach of the Council's code of conduct or other disciplinary matter
- the level of offence and procedure
- the right to be accompanied

If the hearing is at level 3 (Gross Misconduct) the employee must also be notified that the outcome of the hearing may be termination of employment.

Notification of the disciplinary hearing will be issued **at least five working days before the date of the hearing.** (See Appendix 2b)

Supporting documents

The subject of a disciplinary hearing and their representative are entitled to see all supporting documents to be used as evidence during the hearing, including witness statements. Similarly, any documentation, including witness statements, which will be used by the subject of the disciplinary action, must be copied to the manager conducting the hearing prior to the hearing.

Supporting documents must be made available to all parties involved **no less than three working days** before the date of the hearing.

If either the employee or the Investigating Manager attempt to introduce new evidence at a disciplinary hearing, the other side may object, and the Hearing Manager will decide if the hearing ought to be reconvened or if they are willing to allow it to be considered. The Hearing Manager may decide to allow new evidence to be considered if;

- both parties are willing to accept the evidence; or
- the evidence could not have been presented any sooner and the nature of the evidence could not be contested if the other side were afforded more time to consider it; or
- a delay to the hearing would be more detrimental than allowing the evidence to be considered.

The Hearing Manager may also decide that the evidence cannot be considered; if this is the case, the decision can only be made on evidence presented at the hearing, and must not consider the evidence that was disallowed.

The disciplinary hearing

All disciplinary hearings will follow the same agenda, whatever the severity of the misconduct or level of the procedure being applied.

The hearing will be conducted by the Service Manager responsible for the employee's service area, unless:

- the matter complained of is deemed to be gross misconduct, in which case only officers at Corporate Director level (or as specified in the scheme of delegations) or above may conduct the hearing
- for other reasons it was not deemed appropriate for the Service Manager to hear the matter; this should be decided once the investigation has been completed and the Investigating Manager should seek the guidance of the HR team if this is the case.

Where the Service Manager/Corporate Director for the employees' service area is unavailable, and is likely to be so for the foreseeable future, an alternative Service Manager or Corporate Director should hear the matter, to avoid unnecessary delays.

Agenda

The Chairperson (Hearing Manager) will:

- Introduce those present, and explain their roles;

OFFICIAL-SENSITIVE

- Ensure that everyone had correct notice of the hearing;
- Explain that this is a formal disciplinary hearing and at which level of the procedure the matter is being heard at;
- Outline the format of the hearing;
- Explain the nature of the disciplinary matter being reviewed;
- Confirm if any witnesses are expected to attend;
- Confirm that all parties have received the relevant paperwork and understand the proceedings;

Then, the investigating (line) manager will:

- Present the information gathered;
- Call any witnesses, and/or;
- Present witness statements;
- Confirm the conclusion from their investigation

Then, the employee concerned or their representative will:

- Respond to the manager's presentation;
- Call any witnesses, and/or;
- Present witness statements

During the proceedings, the HR team member (supporting the Chairperson) will:

- Advise and ensure correct procedures are followed;
- Ask questions on points of clarification;
- Take notes of the hearing and record the outcome

The Hearing Manager and any other party involved in the proceedings (excluding witnesses) have the right to put questions to anyone involved at any time during the proceedings. However it is advised that each party be allowed to put their case before being asked questions.

Note: the employee's representative cannot respond to any questions put to the employee concerned, they can only ask for clarification of a question raised.

Once both sides have presented their case (and answered any questions if necessary,) the Hearing Manager will summarise both the management and the employee case as presented and call an adjournment. (See Appendix 3– Disciplinary Hearing Pro-forma)

Adjournments

This can happen at any point during the proceedings if it becomes clear that further information is needed or there are other witnesses who have not been called, in order to conclude the matter. Any party can request an adjournment, and the Hearing Manager will decide when to reconvene – this should be done as speedily as possible, in order not to prolong the proceedings unnecessarily. The adjournment may be for any period (i.e. from half an hour up to a few weeks), depending on the circumstances.

The employee or their representative may ask for an adjournment if they need time to discuss an issue or if the employee is finding the hearing unsettling – this will not be unreasonably refused, and will usually be for no more than half an hour.

Note: an adjournment is a break in proceedings, and the reconvened hearing is a continuation of the original hearing, not a second hearing.

Taking a decision

The Hearing Manager will adjourn proceedings while they come to a decision. Everyone except the HR Advisor/HR Business Partner will withdraw. The decision is a matter for the Hearing Manager and while they may choose to consult the HR team member, it is not that person's role to decide the outcome, they can only advise on matters of policy, consistency and review their notes of the hearing discussion.

In coming to their conclusion, the Chairperson will consider matters such as:

- The employee's past record
- The severity of the offence
- The nature of the evidence presented by both parties
- Any mitigating circumstances (e.g. provocation, if the issue includes an alleged assault)
- The outcome of other, similar, disciplinary hearings (to ensure consistency).

Note: The matter **does not** have to be proved beyond reasonable doubt, but on the 'balance of probabilities'.

Disciplinary sanctions

The Chairperson of the disciplinary hearing, in consultation with the HR Team member, will decide what disciplinary sanction (if any) is appropriate.

The Chairperson may decide to, for example to:

- Issue a formal first or second level warning, a final written warning, or dismissal
- Recover any property, or the cost of any property if the matter under investigation involves the loss, theft, destruction, abuse or misappropriation of Council property
- Recover any monies if the matter under investigation involves theft
- Impose a monitoring period
- Take no disciplinary action (this may mean that there are no further actions whatsoever, or it may mean the Chairperson recommends another informal resolution; i.e. training or mediation).

(This list is neither exhaustive nor exclusive)

Note: Please refer to the Council's Statement & Policy in relation to discretions under the LGPS. In disciplinary cases where a member is dismissed or terminates their employment as a result of/is convicted of an offence in connection with their LGPS employment or as a result of their own criminal, negligent or fraudulent act, the Council will apply for a forfeiture certificate and require that LGPS pension rights be forfeited in connection with that employment if the Council has incurred loss as a consequence of the member's actions.

The Council will make the appropriate recovery and reduce the member's pension rights accordingly where the member has not made good the debt. The Council will recover from Fund any financial loss caused by fraudulent offence or misconduct of the employee (who has left because of that), or amount of refund if less.

Communicating the decision

If the matter is straightforward, the Chairperson will reconvene the group as quickly as possible to communicate the decision orally. The **decision will then be confirmed in writing** to the employee concerned within **no more than three working days**. The decision will include:

- The finding – that is, whether or not the misconduct complained of was found to have occurred
- (If appropriate) the level of warning being issued
- What sanctions, if any, will apply
- The action expected to correct the misconduct (if appropriate)
- The date by which the action must be taken (if appropriate)
- How the action will be monitored, or when the matter will be reviewed (if appropriate)
- How long the warning will have a shelf-life for (dependent upon the level – see section 5)
- A reminder that repetition of the misconduct will invoke the disciplinary procedure at the next level (for level 1 & 2 actions)
- (if the disciplinary hearing is at level 2), the fact that further misconduct may lead to dismissal.
- The right to appeal the decision.

See Appendix 4a and 4b – Outcome of Disciplinary Hearing model letter

N.B. For particularly complex cases, it may not be possible for the Chairperson to provide the outcome to the individual on the day of the hearing, where this is the case, all parties should be informed that there will be a delay and when they can expect an outcome (which should be no longer than 3 working days after the hearing). Once the Chairperson has provided the individual with the outcome, they should still provide it in writing within 3 working days of when the decision was communicated orally.

Notes

The notes taken at the disciplinary hearing will be copied to:

- The Chairperson
- The Employee concerned
- The Investigating Manager

Within five working days of the disciplinary hearing (See Appendices 4a and 4b).

11. Appeals

The appeals procedure applies to any disciplinary decision taken after a disciplinary hearing. All appeals **must be put in writing within ten working days** of receipt of the written decision.

An employee may choose to appeal, if for example:

- They think that the finding or penalty is unfair
- New evidence has come to light

- They think the disciplinary procedure was not used correctly

Written notice of appeal

The written notice of appeal must be sent to HR and **must** detail the grounds on which the appeal is being made, which may be for, example:

- The finding of the hearing (the employee feels the case against them was not proved), and/or
- The disciplinary action decided upon (the employee feels the action is not proportionate or appropriate based on the finding), and/or
- The procedure followed during the hearing, (the employee believes that there was a breach of the procedure, or it was otherwise incorrectly applied).

Appeal Panel

Appeals against disciplinary decisions at levels 1 and 2 will be heard by the next highest line manager above the original Chairperson, or a manager of equal level in the organisation.

A Head of Service, Director or Chief Operating Officer will hear appeals against disciplinary decisions at level 3 (Scheme of Delegations).

A separate member of the HR team will accompany the Appeal Chairperson.

Employees have the right to be accompanied by a trade union representative or work place colleague at an Appeal Hearing.

Ordinarily the original Chairperson that made the original decision will be present at the appeal hearing, but not the Investigating Manager from the original hearing.

Timescale

An appeal against a disciplinary decision will normally be heard within ten working days of receipt of the notice of appeal. This may not always be possible, due to the availability of individuals needing to be present; if a delay is likely, the individual appealing will be informed of the likely timescales.

Agenda

The agenda for an appeals hearing is:

- The Appeal Chairperson will introduce all parties and outline the process
- The Employee concerned (Appellant) or their representative will present the grounds for appeal
- The Chairperson of the original disciplinary hearing will explain the disciplinary decision
- The Appeal Chairperson and HR representative will question the employee concerned, any witnesses and the Original Chairperson.
- All parties may ask questions after each party has presented their side, but are not allowed to interrupt the cases being put forward by the other side.

OFFICIAL-SENSITIVE

Once all representations have been made, the Appeal Chairperson and the HR team representative will adjourn to take the decision. This will be **notified, in writing, to the employee concerned within three working days.**

Decisions

The Appeals Chairperson may decide to:

- Uphold the original decision
- Overturn the original decision and issue a different level of warning
- Overturn the original decision and decide no disciplinary action is required (this may include a finding that additional training or support is required)

Appeals against a decision to dismiss

If the appeal is against a decision to summarily dismiss, and the decision is upheld, employment with the Council will be deemed to have been terminated at the operative date of the original disciplinary hearing decision. If any such appeal is successful and the decision to dismiss is overturned, the employee's service will not be deemed to have been broken.

Payment of salary for the period between dismissal and appeal

If an employee is summarily dismissed without notice the Council will not pay salary for the period between dismissal and the appeal **unless** on appeal the employee is reinstated, when backdated salary will be paid for the period between dismissal and the conclusion of the appeal.

Exhausting the appeals procedure

Once the appeal procedure has been completed, there is no further right of internal appeal, and the decision taken at appeal is final.

Delaying a disciplinary hearing pending an appeal

Where there is an appeal outstanding against a previous disciplinary measure then the disciplinary hearing for the further alleged acts of misconduct will, if possible, be delayed pending the outcome of that appeal.

If this appeal cannot be arranged within a reasonable timescale, then the final disciplinary hearing to decide on the further alleged misconduct and possible dismissal will go ahead. The appeal against the previous disciplinary measure and any appeal against the current disciplinary action and/or dismissal can be held at a later date.

12. Grievances Raised During Disciplinary Process

If a grievance is raised at any point during the disciplinary process, it may be appropriate to suspend the disciplinary procedure for a short period until the grievance can be considered. If the grievance is raised during a hearing this may result in the hearing being stopped. The employee will be communicated with to explain this.

13. Records

It is important, and in the interests of both employer and employee, to keep written records during the disciplinary process. Records will include (but are not limited to):

- The nature of the alleged disciplinary offence
- Notes of interviews and meetings
- Evidence
- Action(s) taken
- Reasons for action(s) taken
- Whether there was an appeal and, if so, the outcome
- Subsequent developments

Records will be kept in confidence and in accordance with the Data Protection Act 1998.

A copy of the transcript of the hearing will be provided to the employee. This should be checked and signed by the employee to confirm that it is an accurate reflection of the meeting.

Records of dismissal, including summary dismissal are kept for at least a year after the date of dismissal, in case the employee concerned instigates further statutory action.

14. Process Flow Chart

A process flow chart can be found at Appendix 6. This flow chart is meant to be used as a process guideline but may not reflect the process for all disciplinary cases. It is intended to support the main policy and is not a substitute for it.

15. Revisions to Disciplinary Procedure

The operation of this procedure will be reviewed periodically through the normal consultation process. This policy will also be updated in line with any relevant statutory changes.

Any amendments proposed as a result of these reviews will be advised to all staff, as well as the date from which changes are to be implemented.

Agenda Item 5



South
Cambridgeshire
District Council

REPORT TO:

Employment & Staffing
Committee

15 July 2021

LEAD CABINET MEMBER:

Cllr John Williams

LEAD OFFICER:

Susan Gardner-Craig

RETENTION AND TURNOVER REPORT: QUARTER 3 (Q3) 1st October 2020 - 31st December 2020

Executive Summary

1. This report provides an analysis of the turnover of staff between 1st October 2020 and 31st December 2020. The reason for this report is to highlight trends, inform recruitment decisions and enable SCDC to develop a resource strategy, drive change in a team or area of the business and to ensure the achievement of the organisation's goals.

Key Decision

2. No

Recommendations

3. It is recommended that the Employment and Staffing Committee note this report. As with the Q2 report, we have made changes requested by ESC. We have now included more graphs and detailed information about ethnicity. Please feedback about the latest changes.

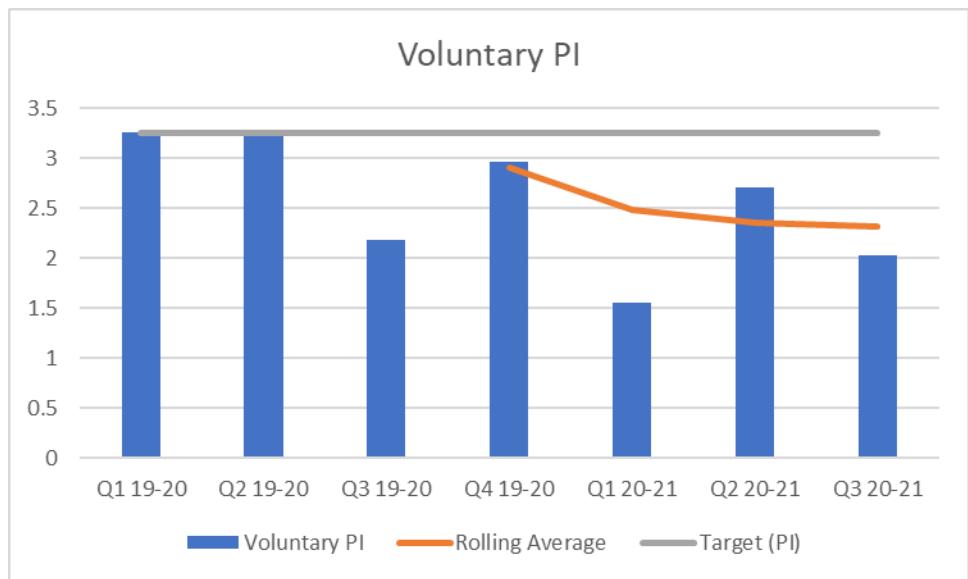
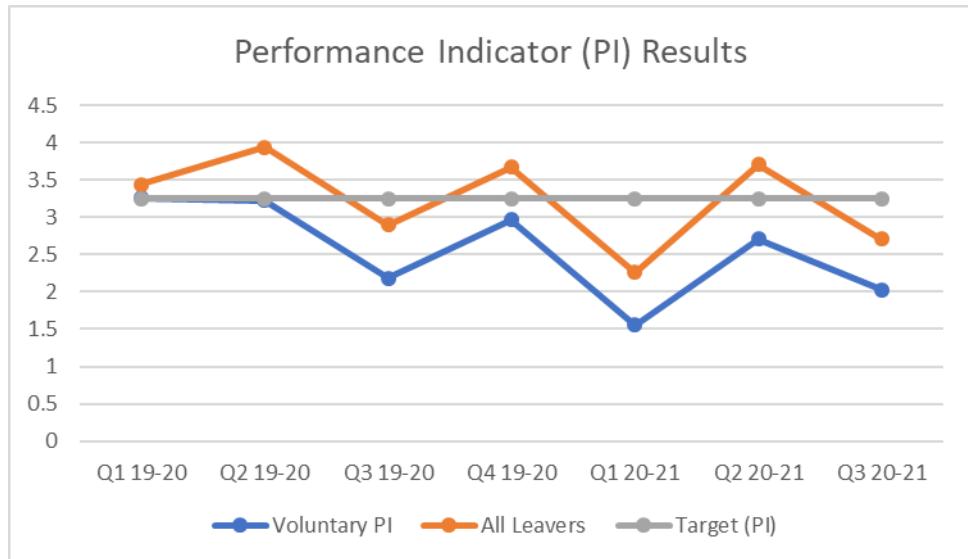
Reasons for Recommendations

4. This information report forms part of the Employment and Staffing Committee framework for monitoring the Council's staffing resource.

Details

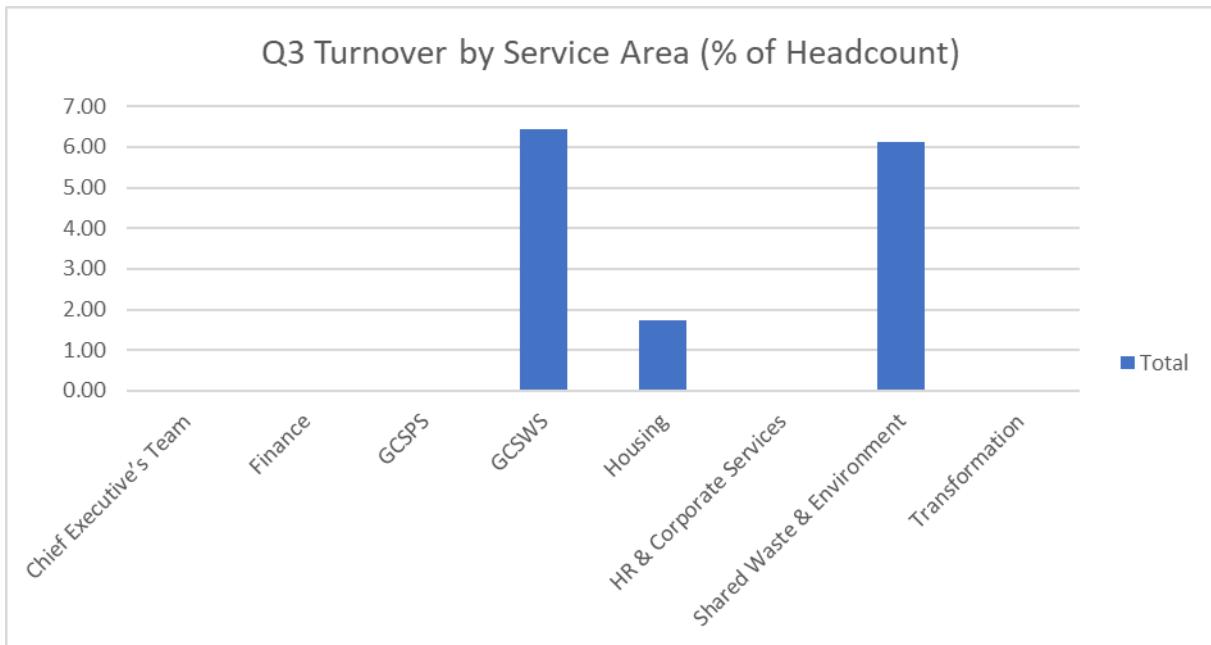
5. The Performance Indicator (PI) value for Q3 1st October 2020 to 31st December 2020 is 2.03% (based on a headcount of 591 on 1st October 2020). The quarterly target for voluntary leavers* is 3.25%¹.

¹ Voluntary leavers do not include redundancies, ill health retirements, and ending of fixed term contracts or internal transfers. Voluntary leavers do include individuals who are leaving to access their pension (retirees).

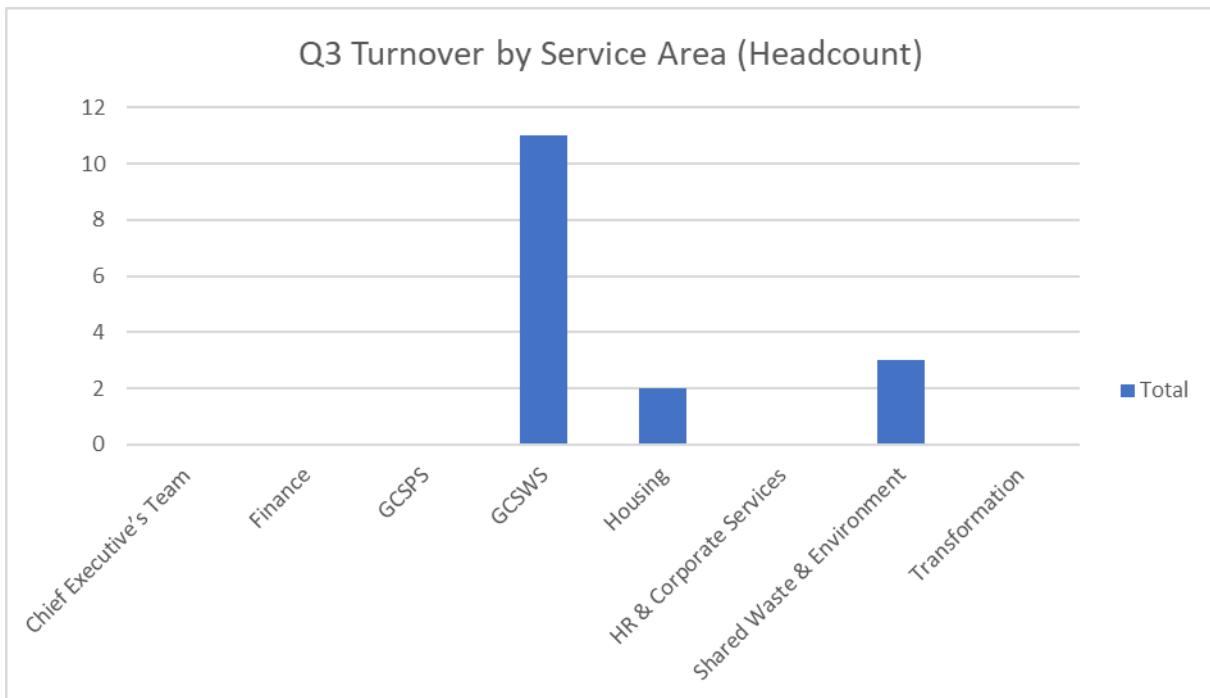


The rate of all leavers (considering both voluntary and involuntary leavers) is 2.71% for Q3. This equates to a combined total of 16 leavers: 12 voluntary and 4 involuntary leavers. Involuntary leavers include dismissals, redundancies and end of fixed term contracts. See tables below for the breakdown of Leavers and Turnover by Service Area.

Q3 Leavers by Service Area (% of Headcount)



Q3 Turnover by Service Area (Headcount)



Note – turnover is calculated as:

$$\frac{\text{Leavers}}{\text{Headcount}} \times 100.$$

6. The Stability Index indicates the retention rate of experienced employees. This is calculated as:

Number of staff with service of one year or more in their current post $\times 100$.
Total number of staff in post one year ago

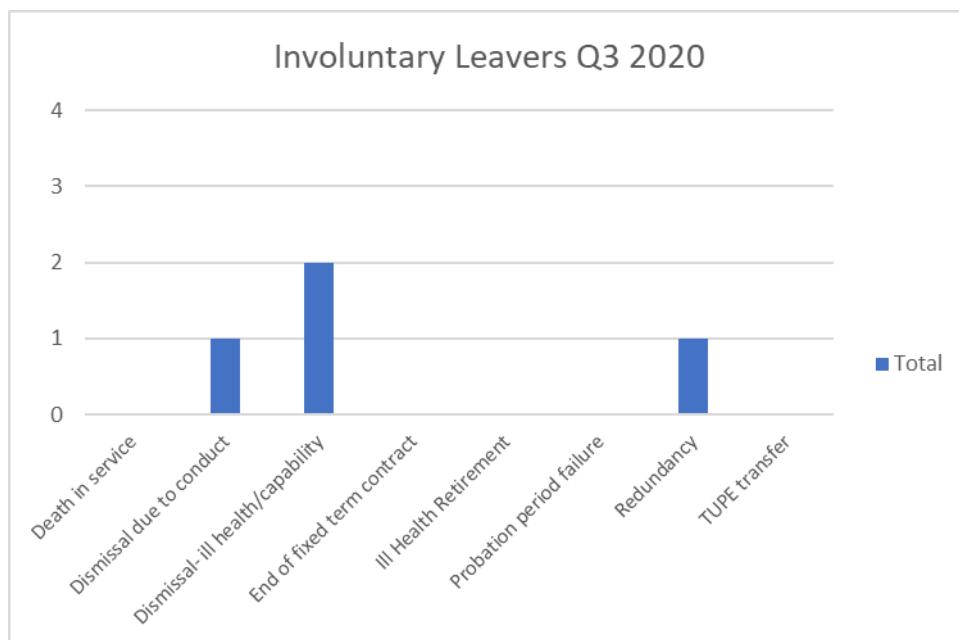
The number of staff with service of one year or more is 462. The number of employees in post one year ago was 570. As a result, the Stability Index is 75.96%. This means that since last year 24.04% of staff have either started new internal roles or have left their employment with the Council compared to the same quarter last year. This compares to a Stability Index figure of 75.69% in Q2. We will be able to provide further analysis and comparisons as the year progresses. A suggested target for this index is 80%. This implies there are regular progression opportunities, but organisational knowledge is not being lost through excessive turnover.

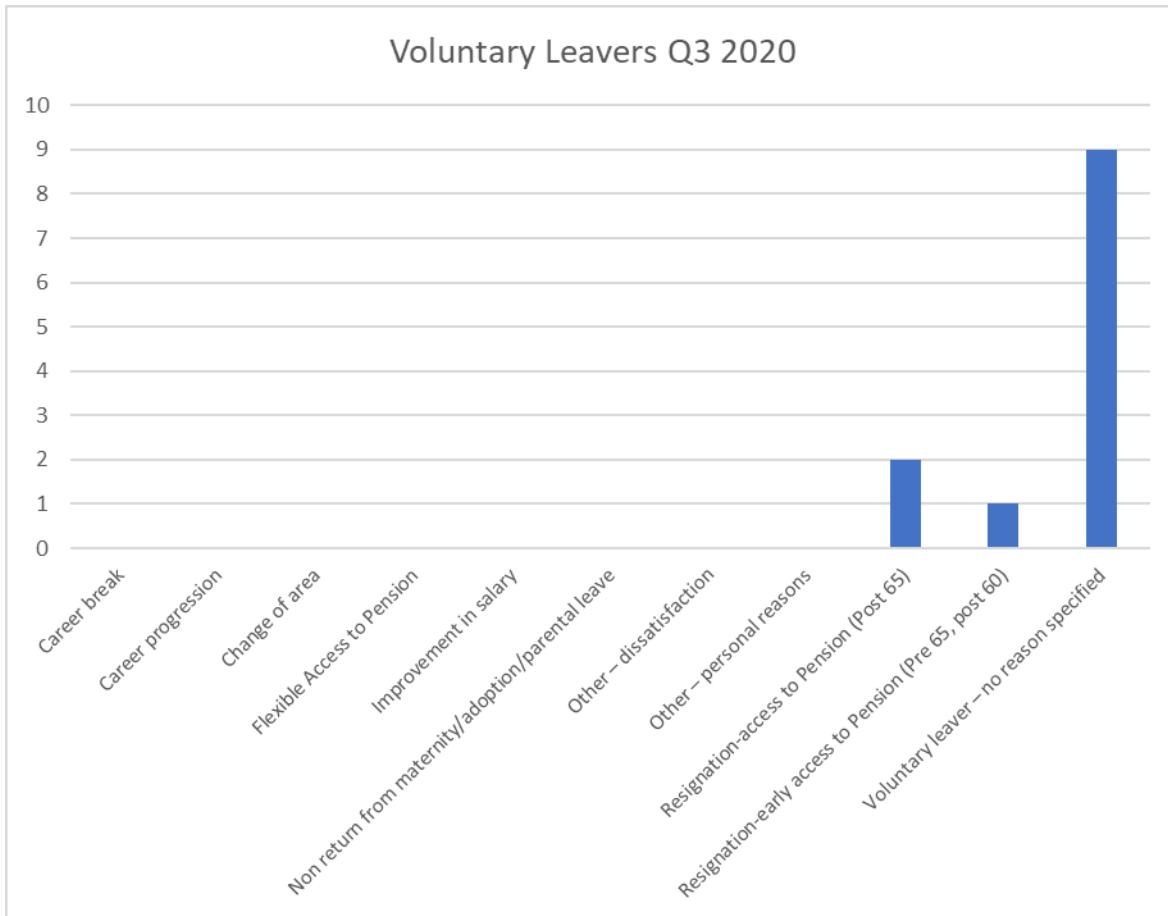
7. Information is recorded from Leavers Forms forwarded to HR/Payroll for processing. From August 2020, employees have the option to complete an online exit interview and request a follow-up meeting with HR. To improve the rate of completion a HR Administrator contacts the leavers to ask them to complete the Exit Interviews online and gives them the option to complete it with a HR Advisor if they want. This notification is sent out once the leavers paperwork is received. This should enable HR to take prompt action if needed before the employee leaves. In GCSPS, exit interviews are completed by the Workforce Development Officer.

8. For those leaving in Q3, the HR team received 7 exit interview forms (out of the 12 voluntary leavers), which is a return rate of 58.33%. Although the raw number of leavers is small, this is an increase from 9.1% in Q1, 25% in Q2 and compares favourably to 58.8% in Q4 2019-20 which was the last quarter before Covid-19. Further this is above the 43.6% received in 2019-20. This suggests the new process for prompting online exit interviews has supported an increase in the completion rate, although it will be necessary to compare this with completion rates in future quarters to determine if this has a sustained impact. HR have contacted managers to chase exit interview forms (where applicable) and will raise any concerns with Leadership Team.

9. The exit interviews enable us to gain feedback from staff and establish why our employees have chosen to leave the organisation. The reason for leaving is compulsory on the online exit interview form. In addition, exit interviews help to identify trends and areas of concern on which the Council can make improvements and improve the employee experience and level of engagement. The breakdown of reasons for leaving can be found below:

Q3 Reasons for leaving

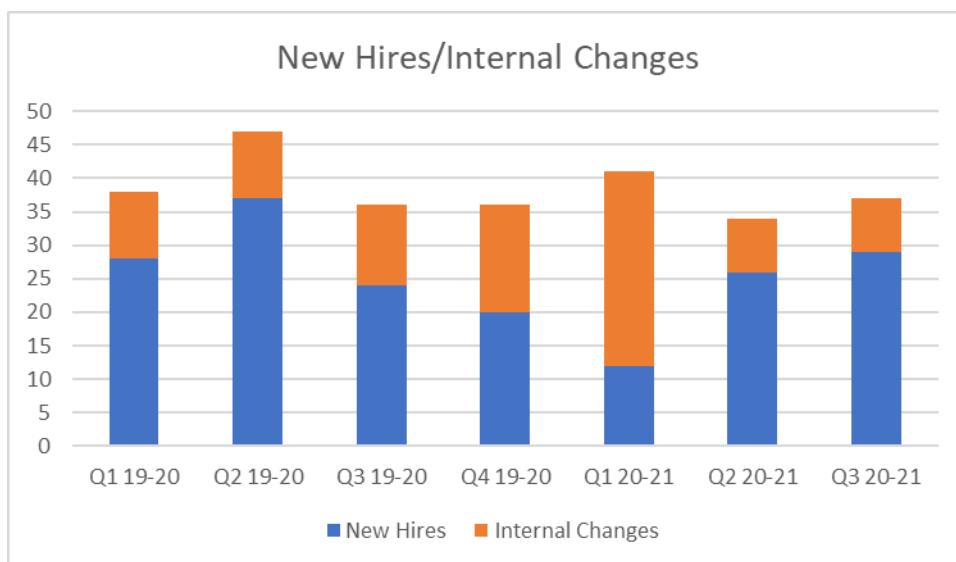
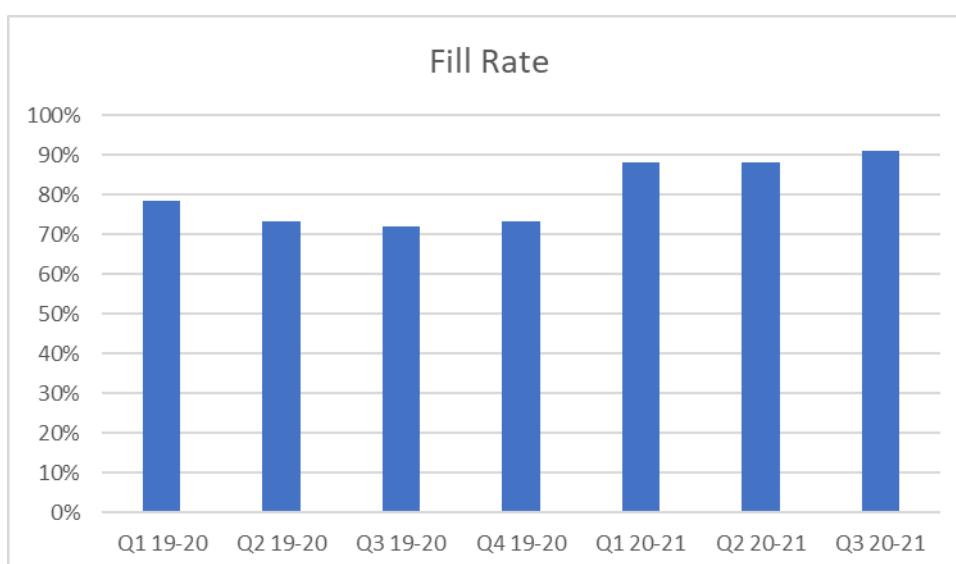


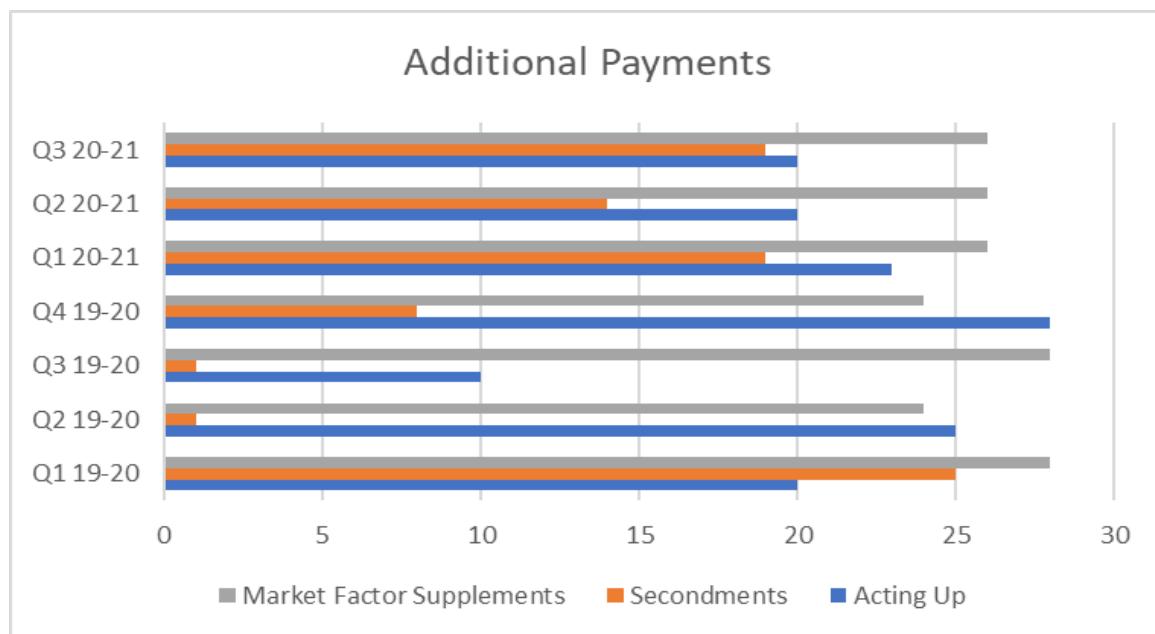


10. We received 7 Exit Interviews in Q3. No issues were indicated by 5 of the leavers, and 2 others raised some issues which have been highlighted to the relevant managers. There was a decrease in the number of voluntary and involuntary leavers in Q3.
11. The following information was gathered from the exit interviews during which employees raised issues pertaining to their employment and actions were taken by the manager/HR. The Exit Interview form has been revised to capture more information on staff feedback and manager actions. The key issues raised this quarter were high work demands, a lack of management support and poor communication. Interviews were held between HR and leavers when requested to discuss these issues. The feedback will be monitored to determine if there are patterns.
12. On the new Exit Interview forms, HR can still log issues raised as part of the new exit interview process, and record actions taken/next steps, e.g. if it has been necessary to raise issues with the line manager.

Recruitment

13. There were 34 roles advertised in this period. 14 were advertised in October, 13 in November and 7 in December. This compares to 42 roles in Q2 and 17 in Q1. 31 roles were appointed to, giving a vacancy fill rate of 91%. There were 4 roles that will need to be re-advertised; this was because there were no suitable candidates for these posts, or the posts were withdrawn. Please see the tables below for Vacancy Fill Rate - % of posts recruited successfully and the number of New Hires/Internal Changes.





Note that no Golden Hello Payments were paid in Q3. 2 roles were advertised, with 3 new hires, who will receive their Golden Hello Payment upon the successful completing of their Probationary Period.

14. The number of staff joining the Council on a permanent or fixed term contract in Q3 was 29. 8 members of staff changed positions internally. The total number of staff who started new roles within the Council was 37.
15. No apprentices started during Q3. HR are still speaking with recruiting managers about opportunities for new posts or opportunities within their team to start an apprenticeship. Apprentice recruitment is difficult due to the ongoing Covid-19 lockdown. The need to train new apprentices and ensure they can work effectively from home have limited these opportunities.
16. There were no work experience students at South Cambs during Q3.
17. A new HR induction and onboarding process was implemented during Q2 with new employees having remote inductions with a member of the HR team. This includes follow up meetings between 2 & 4 weeks later. Employees have given positive feedback that they are able to speak to a 'face' in HR. Managers are also supported as new employees are helped to settle into their new roles without having the added stress of sorting out annual leave entitlement, flexitime sheets and processing lots of forms.
18. HR have also started rolling out Manager Induction training sessions, delivered remotely. This is both for newly promoted managers and new recruits to the Council. This was originally rolled out earlier in 2020 to all GCSPS Managers and has been adapted for delivery across the Council. There were 14 delegates in Q3. The intention is to run these sessions quarterly, and there are further sessions planned for 2022.

19. The Recruitment Coordinators have been busy this quarter and there continues to be a high volume of recruitment forecast for January to March.

Agency Staff

20. At the end of Q3, the number of temporary workers in each department was as follows: 13 in Greater Cambridge Shared Planning, 3 in Transformation, 2 in Revenues and Benefits, 1 in Finance, 1 in Environmental Services and 1 in Housing.

21. Since January 2021 the recruitment team has been working to create a new Casual Worker Bank to support the Council to reduce agency fees. This is already a success with 8 new casual workers starting within posts that would normally be filled with an agency worker, reducing agency spend.

Conclusion

22. The turnover rate is under the quarter target and has declined since Q2. There were only 12 voluntary leavers in this quarter which is relatively low. It's likely that uncertainties around the economic climate and health and well-being may have resulted in a continued low and declining turnover rate.

23. The number of roles advertised in Q3 remained comparable to Q2, although the rate of successful recruitment increased slightly to 91%. This demonstrates the Council can continue to attract qualified applicants for positions even in difficult economic circumstances.

24. The number of staff who internally transferred to new roles in Q3 was low at 8 compared to 29 in Q1, suggesting there were fewer senior opportunities. This is likely strongly linked to lower overall organisational turnover. However, 20 employees had temporary acting up arrangements within the Council demonstrating that staff are keen to develop their skills and remain at the Council. Further analysis and review of information recorded as part of the performance review cycle will enable us to enhance and improve on this.

25. The Council has demonstrated it looks for new avenues to continue to recruit the best talent available by pursuing alternative digital recruitment solutions and recruiting Apprentices. The Council has also streamlined its recruitment application process and offered incentives for applications, including Market Factor Supplements and a Golden Hello Payment See Appendix C for breakdowns of these payments.

26. The Council continues to seek feedback about all aspects of the employee life cycle to make improvements to continue to support the retention of talent.

27. The Council, where appropriate, offers support to staff through flexible working policies and other options such as flexible retirement. For staff who experience health issues or have a disability, the Council has an Occupational Health service which supports staff to remain working at SCDC wherever possible.

Options

28. That the Employment and Staffing Committee either notes the report as presented or note it with the addition of appropriate comments.

Implications

29. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:

Financial

30. There are financial implications in terms of the costs of advertising and recruitment of replacement staff. There are also financial implications in respect of using temporary staff to cover work if standards of service are to be maintained.

Staffing

31. A certain level of turnover is healthy for an organisation as it enables new ideas and skills to be brought into the organisation. There will always be a natural number of leavers and this creates opportunities for reviewing job purpose and the skills and attributes that an organisation needs for the future. However, high turnover and the loss of important skills, knowledge and capacity can have a detrimental impact on staff morale and the Council's ability to deliver its business plan objectives.

Risks/Opportunities

32. The council will seek to mitigate and eliminate risks associated with employment relations matters for example, change management, case management and involuntary leavers.
33. Current identified risks in relation to recruitment challenges are included on the risk register. The council continually reviews measures to mitigate this risk.
34. Proposed changes to the Local Government Pension Scheme (LGPS) and caps on Public Sector exit payments mean we will need to be mindful when dealing with succession planning and change management.

Equality and Diversity

35. At present limited monitoring is done on the diversity of voluntary leavers.
36. We have included information on the diversity of Apprentices – and this is included in Appendix C.

Appendix A - acronyms

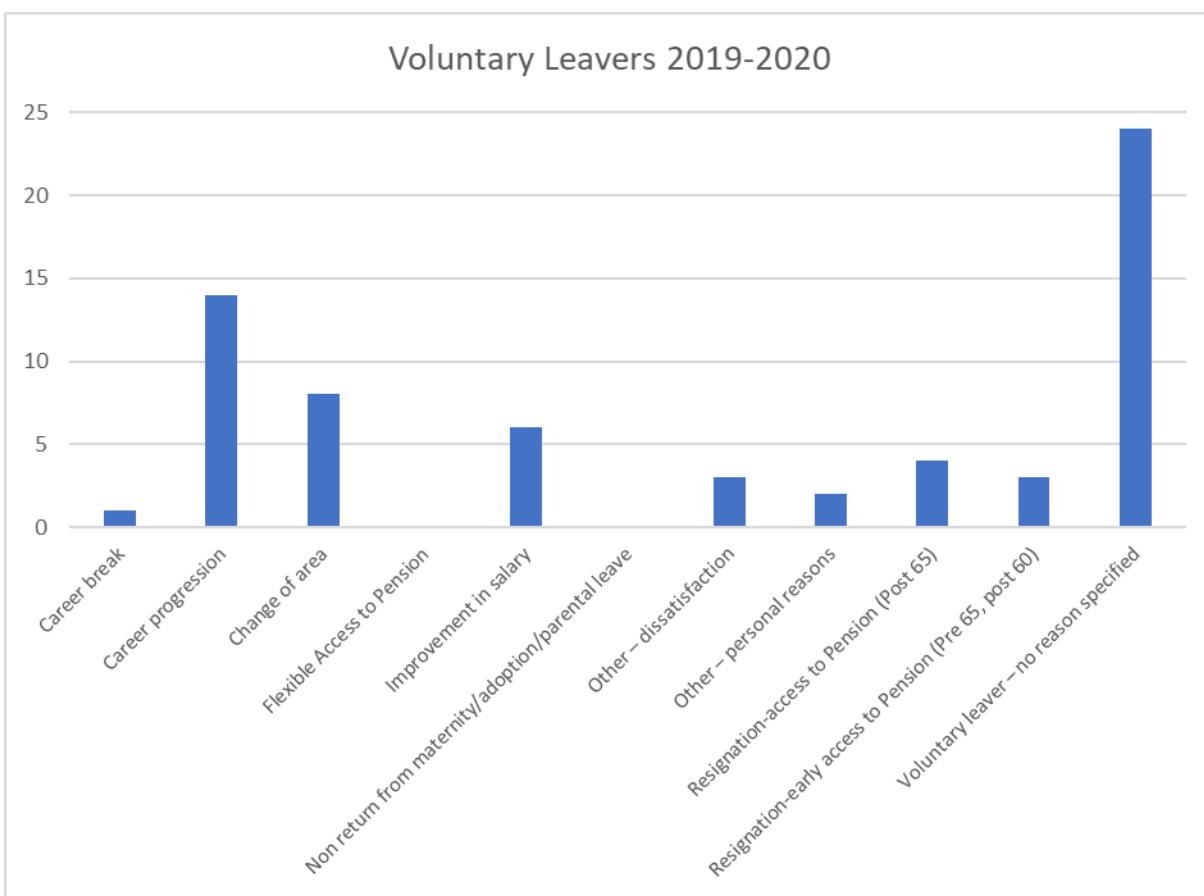
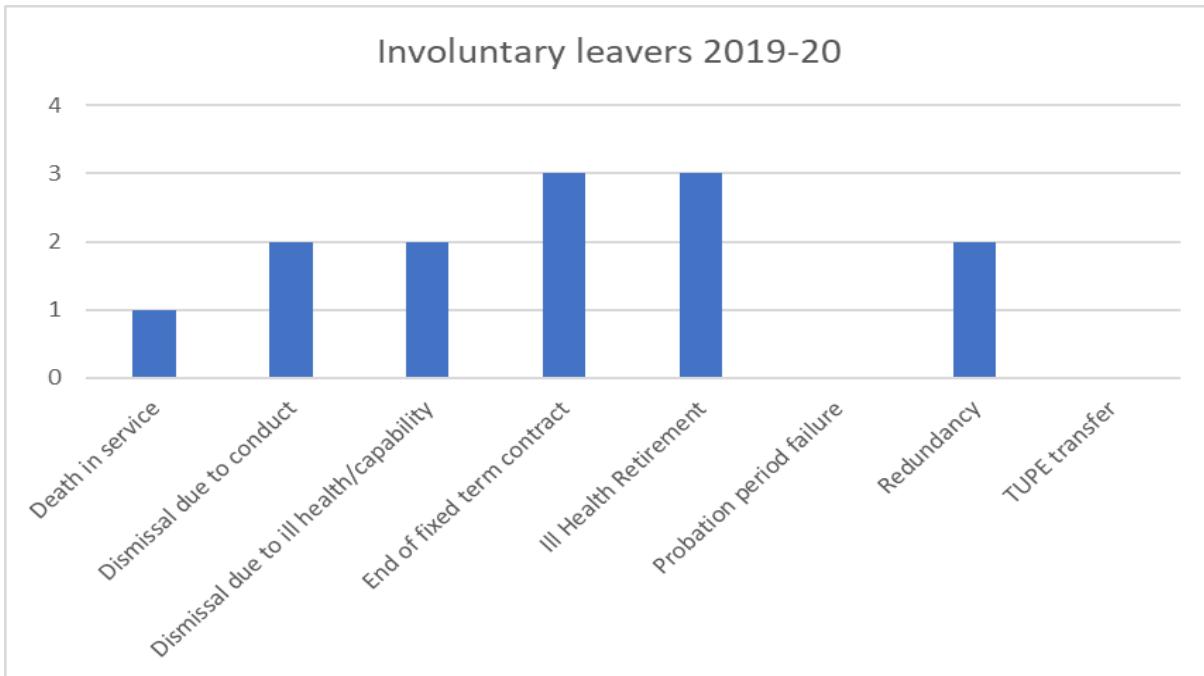
PI - Performance Indicator; relates to Voluntary Turnover. Target is 3.25%.

GCSPS – Greater Cambridge Shared Planning Service.

GCSWS – Greater Cambridge Shared Waste Service

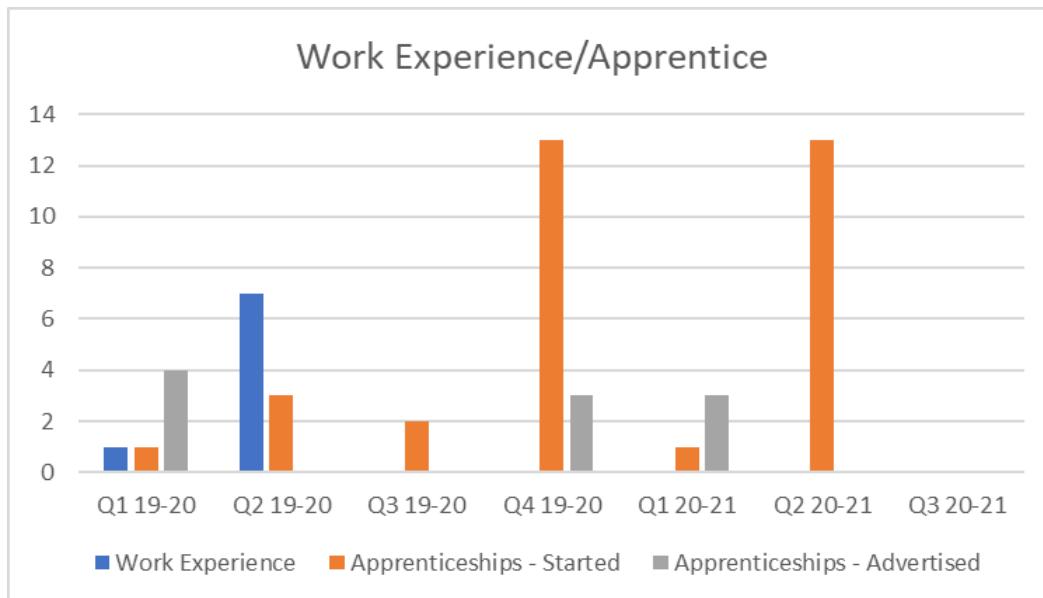
SW&E – Shared Waste & Environment

Appendix B – 2019-2020



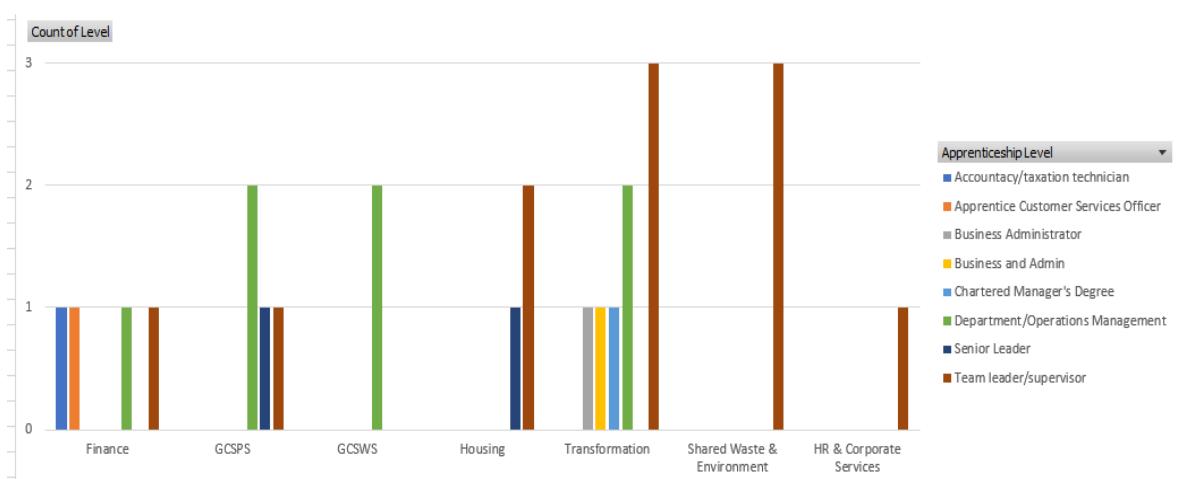
Appendix C – Recruitment & Apprenticeships

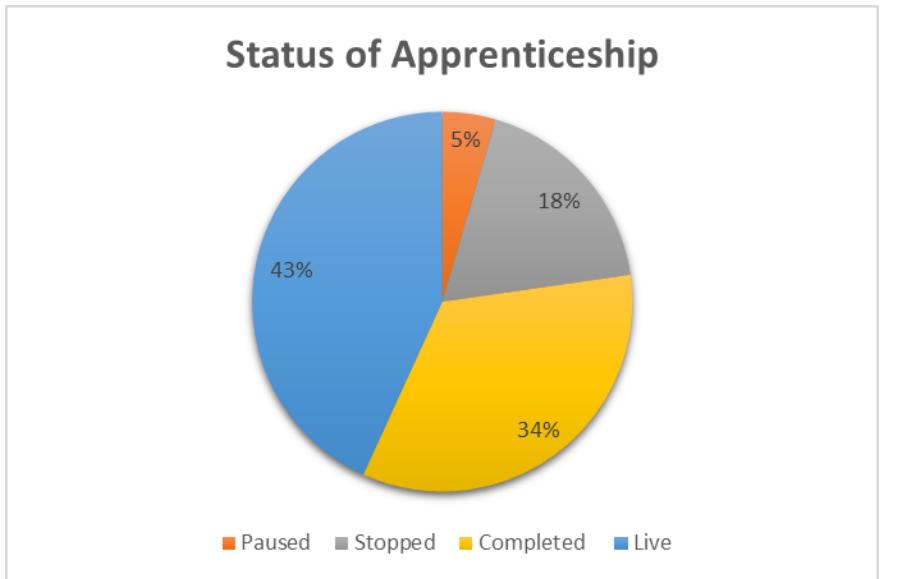
Work Experience students/Apprenticeships information



Note – two Apprentice vacancies are on hold due to the Covid-19 outbreak. This includes Management Apprenticeships – which are Internal Apprenticeships – as well as the other L2/L3 Business Apprenticeships which have been advertised externally.

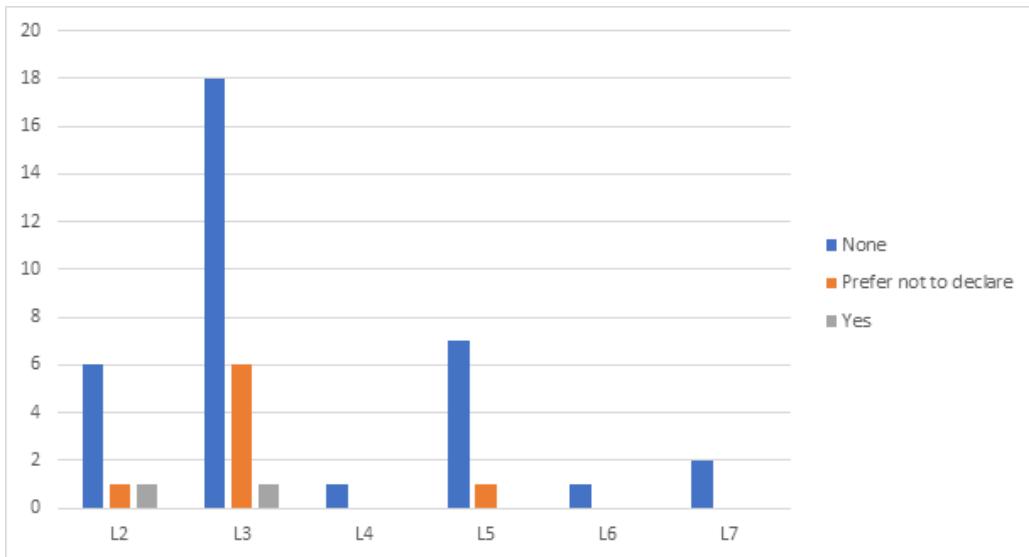
Apprentices by Service Area and Level – January 2021





From January 2021 data

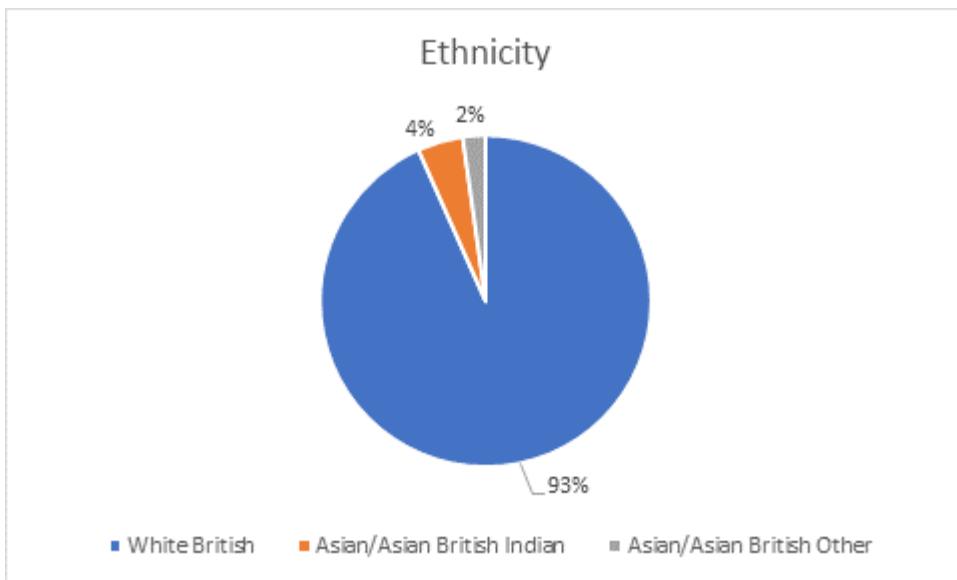
Apprenticeship – Disability (Declared)



Note this table includes all apprentices – live, completed, paused and stopped. From January 2021 data.

In Q2 report there was an input error, resulting in a “No” record showing. This has now been corrected.

Apprenticeship - Ethnicity



This compares to the data for the whole of SCDC:

SCDC Ethnicity Count and Overall Percentage

| Ethnicity | Count | Percentage |
|---------------------------|-------|------------|
| BAME | 24 | 4.18% |
| White:British/Irish/Other | 488 | 85.02% |
| Black | 7 | 1.22% |
| Chinese | 4 | 0.70% |
| South Asian | 9 | 1.57% |
| Other | 2 | 0.35% |
| Mixed Ethnicity | 4 | 0.70% |
| Not Disclosed | 2 | 0.35% |
| Not provided | 58 | 10.10% |

Appendix D

Previous years data

Table showing leavers 2019-2020; breakdown by Service Area

| Service Area | Q1 | Q2 | Q3 | Q4 |
|---|----|----|----|----|
| Health & Environmental Services | 0 | 1 | 2 | 3 |
| GCSWS | 4 | 7 | 9 | 5 |
| GCSPS | 8 | 4 | 3 | 6 |
| Affordable Homes | 4 | 4 | 1 | 4 |
| Revenues & Benefits | 1 | 0 | 0 | 1 |
| Finance, Policy and Performance | 0 | 0 | 0 | 0 |
| Business & Customer Services | 1 | 0 | 1 | 2 |
| Chief Executive's Team | 0 | 0 | 0 | 0 |
| HR | 0 | 2 | 0 | 0 |
| Democratic Services including Elections | 1 | 0 | 0 | 0 |
| Facilities | 0 | 0 | 0 | 0 |
| Total | 19 | 18 | 16 | 21 |

Table showing reasons for leaving (Previous 5 years, and YTD)

| Reason for leaving | 04/15 — 03/16 | 04/16 — 03/17 | 04/17 — 03/18 | 04/18 — 03/19 | 04/19 — 03/20 | 04/20 — 03/21 |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Voluntary leavers | | | | | | |
| Change of area | 2 | | 2 | 2 | 8 | |
| Move within public sector | 8 | 1 | 7 | 4 | | |
| Move to private sector | 6 | 1 | 4 | 9 | | |
| Improvement in salary | 1 | | 1 | 2 | 6 | |
| Career progression | 1 | | 3 | 9 | 14 | 1 |
| Career break | 1 | | | 1 | 1 | 1 |
| Voluntary leaver – no reason specified | 10 | 38 | 24 | 30 | 24 | 27 |
| Other – personal reasons | 3 | | | 3 | 2 | 1 |
| Other - dissatisfaction | | | | | 3 | |
| Resignation with early access to pension (pre 65 but over 60) | 1 | 1 | 1 | 2 | 3 | |
| Resignation with access to pension (over 65) | 6 | 6 | 2 | 1 | 4 | 1 |
| Flexible access to pension (left w. pension, returned P/T) | | 1 | | 0 | 0 | |
| Total Voluntary Leavers | 46 | 48 | 44 | 63 | 65 | 31 |
| Total Voluntary but not included in PI | 0 | 0 | 0 | 0 | 0 | |

| Involuntary leavers | | | | | | |
|-----------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Redundancy | | 2 | 2 | 3 | 2 | 1 |
| Dismissal due to ill health | 3 | | 1 | 3 | 2 | 2 |
| Dismissal due to conduct | | 2 | 2 | 3 | 2 | |
| End of fixed term contract | 1 | 4 | 2 | 2 | 3 | 4 |
| Ill health retirement | | | 1 | 4 | 3 | 1 |
| Probation period failure | | | | 0 | | 1 |
| TUPE transfer | 22 | | | 0 | | |
| Death in service | | 3 | | 1 | 1 | 1 |
| Total Involuntary | 26 | 11 | 8 | 15 | 13 | 10 |
| Grand Total | 72 | 59 | 52 | 78 | 78 | 41 |

Appendix E

Table showing comparison of ethnicity statistics at South Cambs District Council (2019-20), Cambridgeshire and Peterborough census data (2011) and East of England census data (2011); breakdown by Ethnicity

| | SCDC Employees | | Cambridgeshire and Peterborough | East of England |
|----------------------------|----------------|------------|---------------------------------|-----------------|
| Ethnicity | Count | Percentage | Percentage | Percentage |
| BAME | 24 | 4.18% | 9.20% | 8.70% |
| White: British/Irish/Other | 488 | 85.02% | 90.30% | 90.80% |
| Black | 7 | 1.22% | 1.30% | 2% |
| Chinese | 4 | 0.70% | 5.90% | 4.80% |
| South Asian | 9 | 1.57% | | |
| Mixed Ethnicity | 4 | 0.70% | 2% | 1.90% |
| Other | 2 | 0.35% | 0.60% | 0.50% |
| Not Disclosed* | 2 | 0.35% | N/A | N/A |
| Not Provided** | 58 | 10.10% | N/A | N/A |

*‘Not Disclosed’ means the respondent has ticked a box to confirm that they don’t wish to disclose their ethnicity.

**‘Not Provided’ means the respondent hasn’t ticked any boxes disclosing their ethnicity.

Report Author:

Jonathan Corbett – HR Advisor; Telephone (01954) 713244

This page is left blank intentionally.

Agenda Item 6



South
Cambridgeshire
District Council

REPORT TO: Employment & Staffing Committee 15 July 2021
LEAD CABINET MEMBER: Cllr John Williams
LEAD OFFICER: Susan Gardner-Craig

RETENTION AND TURNOVER REPORT: QUARTER 4 (Q4) 1st January 2021 - 31st March 2021

Executive Summary

1. This report provides an analysis of the turnover of staff between 1st January 2021 and 31st March 2021. The reason for this report is to highlight trends, inform recruitment decisions and enable SCDC to develop a resource strategy, drive change in a team or area of the business and to ensure the achievement of the organisation's goals.

Key Decision

2. No

Recommendations

3. It is recommended that the Employment and Staffing Committee note this report.

Reasons for Recommendations

4. This information report forms part of the Employment and Staffing Committee framework for monitoring the Council's staffing resource.

Details

5. The Performance Indicator (PI) value for Q4 1st January 2021 to 31st March 2021 is 0.83% (based on a headcount of 604 on 1st January 2021). The quarterly target for voluntary leavers* is 3.25%¹.

¹ Voluntary leavers do not include redundancies, ill health retirements, and ending of fixed term contracts or internal transfers. Voluntary leavers do include individuals who are leaving to access their pension (retirees).

Chart 1

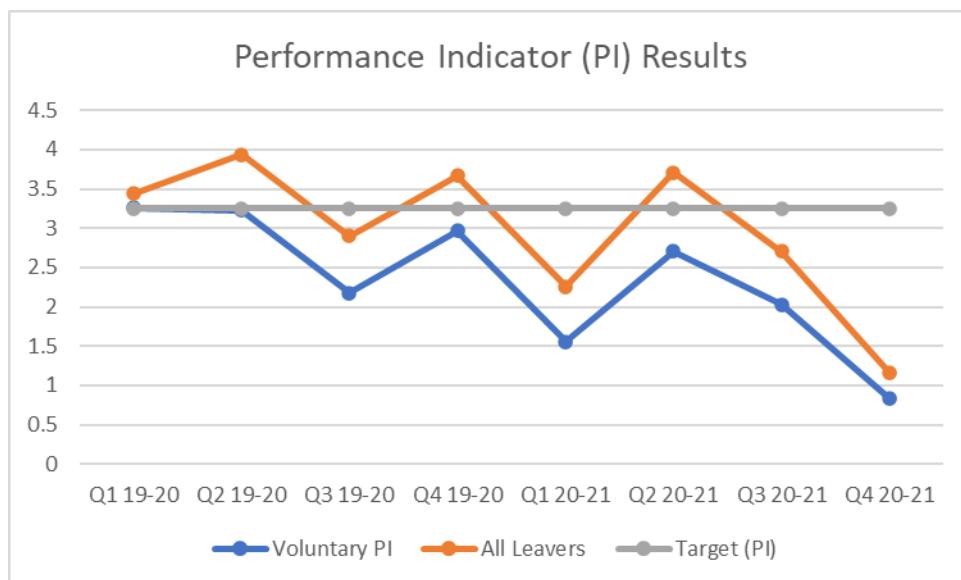
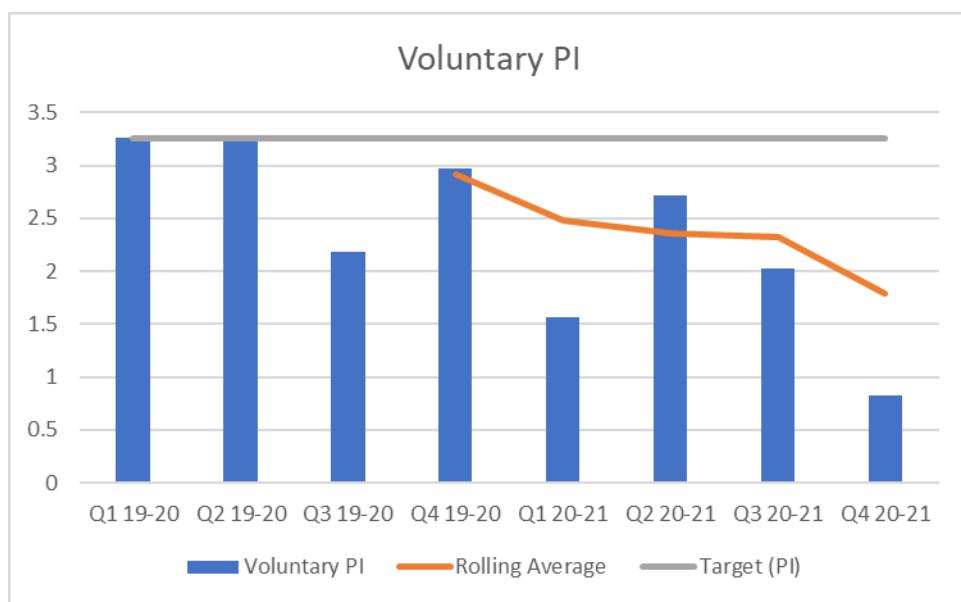


Chart 2



The rate of all leavers (considering both voluntary and involuntary leavers) is 1.16% for Q4. This equates to a combined total of 7 leavers: 5 voluntary and 2 involuntary leavers. Involuntary leavers include dismissals, redundancies, and end of fixed term contracts. See tables below for the breakdown of Leavers and Turnover by Service Area.

Chart 3

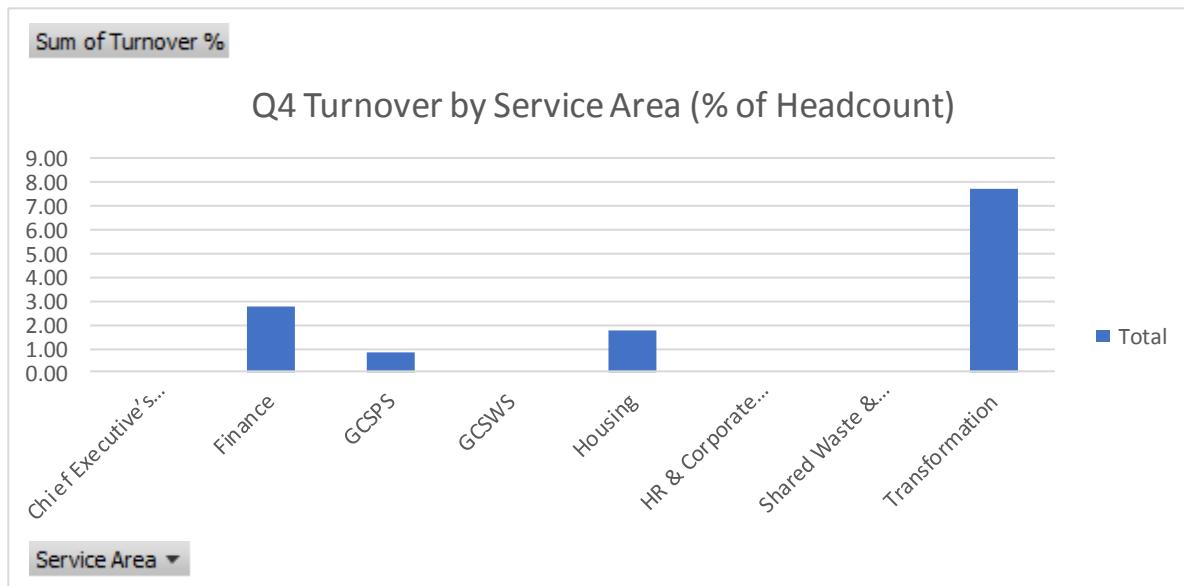
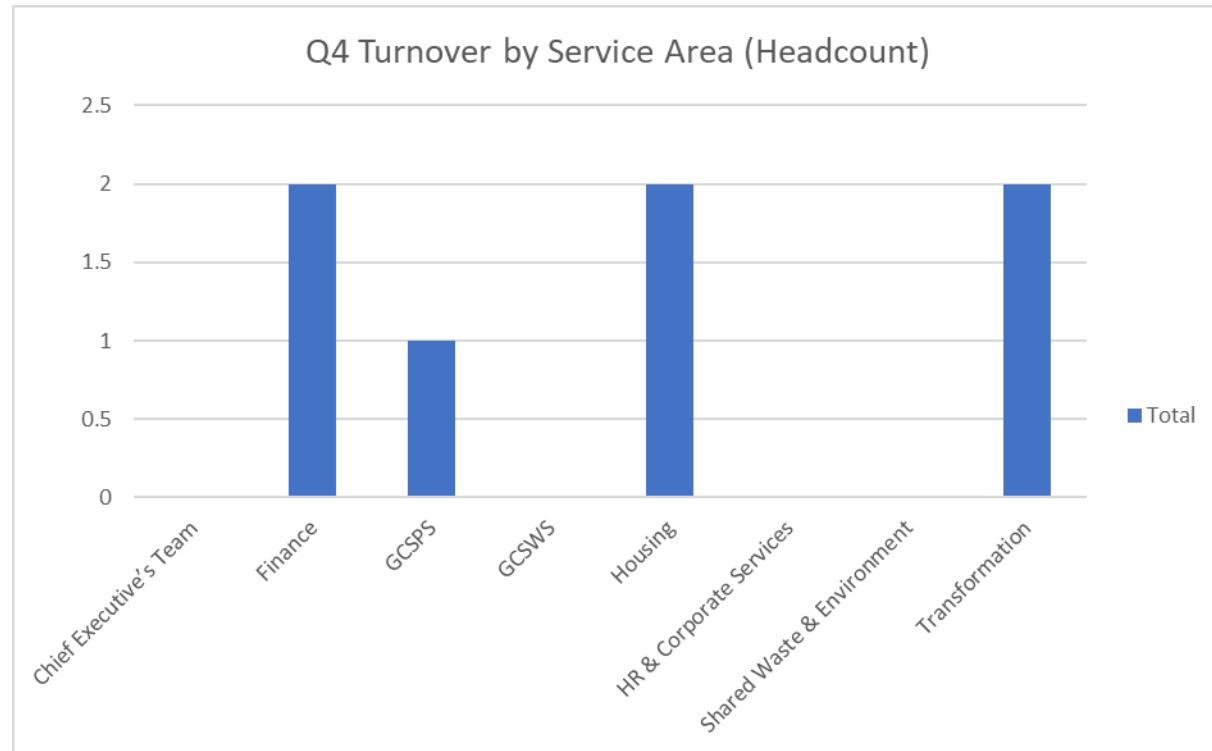


Chart 4



Note – turnover is calculated as:

Leavers _____ X 100.
Headcount

6. The Stability Index indicates the retention rate of experienced employees. This is calculated as:

Number of staff with service of one year or more in their current post x 100.
Total number of staff in post one year ago

The number of staff with service of one year or more is 525. The number of employees in post one year ago was 576. As a result, the Stability Index is 91.15%%. This means that since last year 8.85% of staff have either started new internal roles or have left their employment with the Council compared to the same quarter last year. This compares to a Stability Index figure of 75.96% in Q and 75.69% in Q1. We will be able to provide further analysis and comparisons as the year progresses. A suggested target for this index is 80%. This implies there are regular progression opportunities, but organisational knowledge is not being lost through excessive turnover.

7. Information is recorded from Leavers Forms forwarded to HR/Payroll for processing. We reviewed the Exit Interview process and from August 2020, employees have the option to complete an online exit interview and request a follow-up meeting with HR. To improve the rate of completion a HR Administrator contacts the leavers to ask them to complete the Exit Interviews online and gives them the option to complete it with a HR Advisor if they want. This notification is sent out once the leavers paperwork is received. This should enable HR to take prompt action if needed before the employee leaves. In GCSPS, exit interviews are completed by the Workforce Development Officer.
8. For those leaving in Q4, the HR team received 3 exit interview forms (out of the 5 voluntary leavers), which is a return rate of 60%, up from 58.33% in Q3. Although the raw number of leavers is small, this is an increase from 9.1% in Q1, 25% in Q2 and compares favourably to 58.8% in Q4 2019-20. Further this is above the 43.6% received in 2019-20. This suggests the new process for prompting online exit interviews has supported an increase in the completion rate, although it will be necessary to compare this with completion rates in future quarters to determine if this has a sustained impact. HR have contacted managers to chase exit interview forms (where applicable) and will raise any concerns with Leadership Team.
9. The exit interviews enable us to gain feedback from staff and establish why our employees have chosen to leave the organisation. The reason for leaving is compulsory on the online exit interview form and the leavers form. However, often the reason chosen by the manager on the leavers form tends to be "voluntary". Where employees have completed exit interviews, we have cross-checked records and used the detail given to help narrow the reason given for leaving. Exit interviews help to identify trends and areas of concern on which the Council can make improvements and improve the employee experience and level of engagement. The breakdown of reasons for leaving can be found below:

Q4 Reasons for leaving

Chart 5

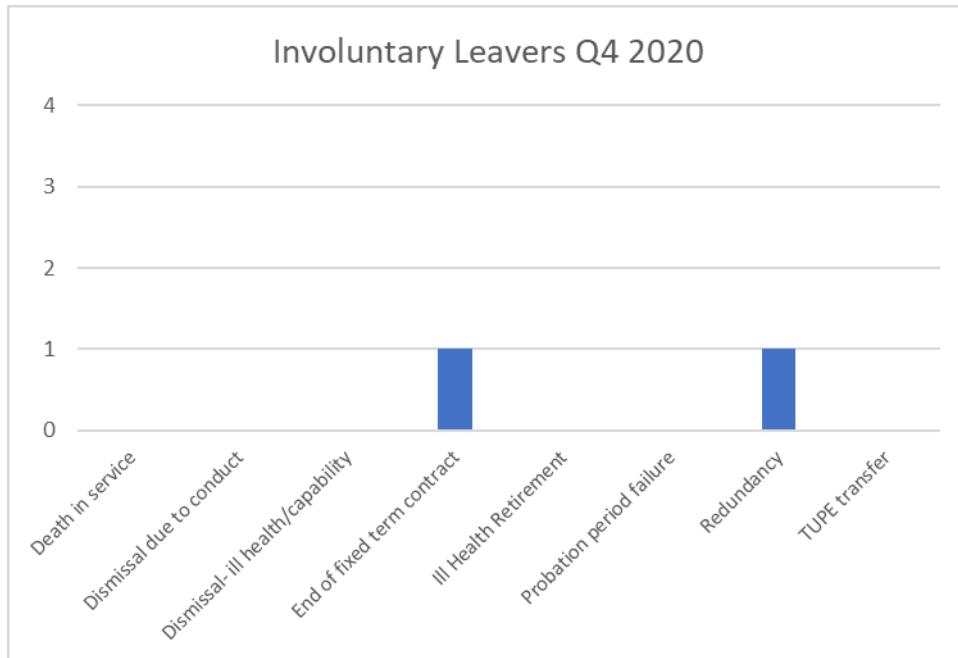


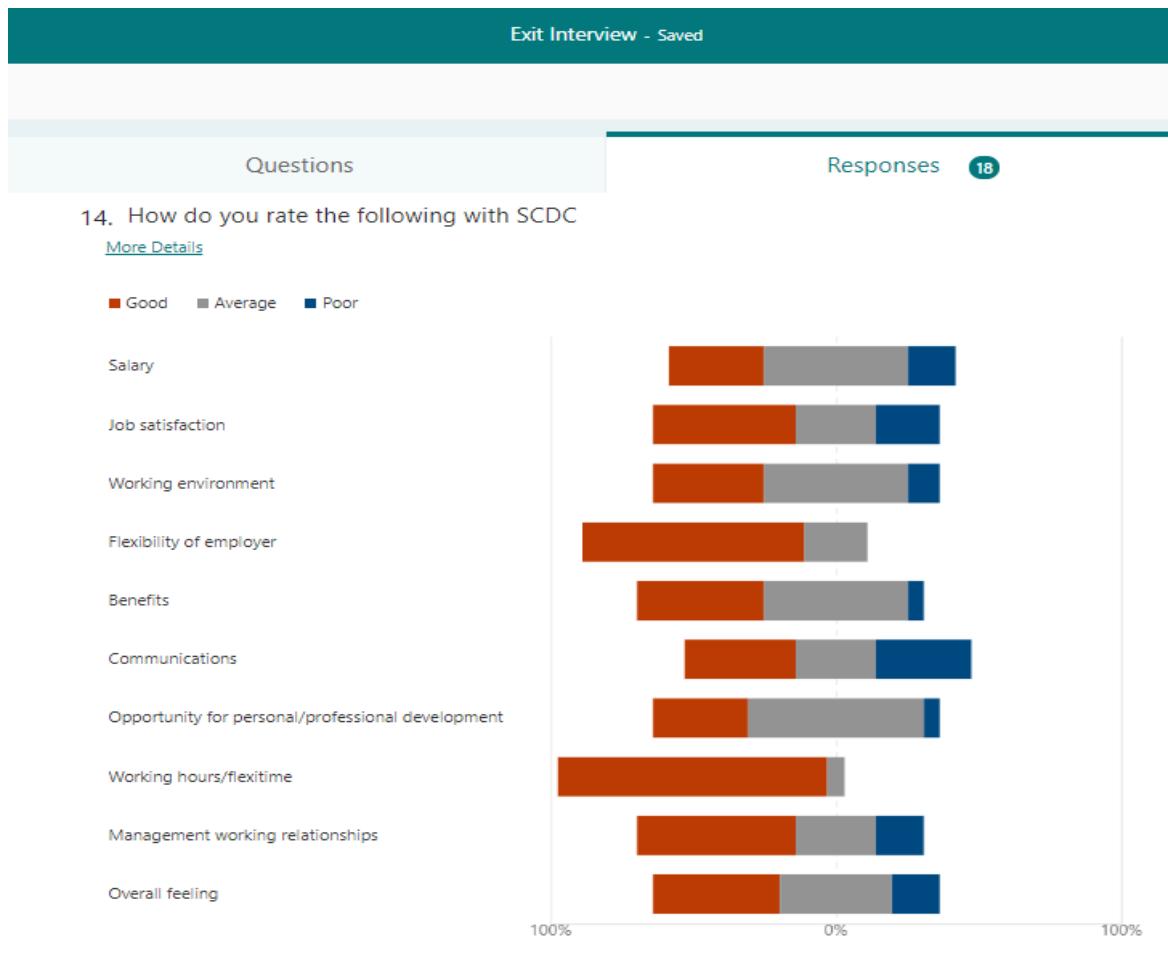
Chart 6



10. We received 3 Exit Interviews in Q4. No issues were indicated by any of the leavers. There was a decrease in the number of voluntary and involuntary leavers in Q3.

11. The Exit Interview includes 2 questions, asking leavers to rate a range of factors, and also asking them **“Would you consider working for SCDC again?”**.

Below is a table providing a summary of the responses to these questions (note, this does include data from April 2021, so is reflective of Q2,3,4 2020-21 and April 2021).



15. Would you consider working for the Council again

[More Details](#)

Insights

● Yes

12

● No

6



These show Working hours/Flexi-time” and “flexibility of employer” being the most valued, and communication and job satisfaction is the 2 weakest values.

Recruitment

12. There were 54 roles advertised in this period. 10 advertised in January 21 in February and 23 in March. 40 roles were appointed to, giving a vacancy fill rate of 74%. There were 7 roles that were initially advertised in February then re-advertised in March; this was because there were no suitable candidates for these posts.
13. Please see the tables below for Vacancy Fill Rate - % of posts recruited successfully and the number of New Hires/Internal Changes and additional payments.

Chart 7

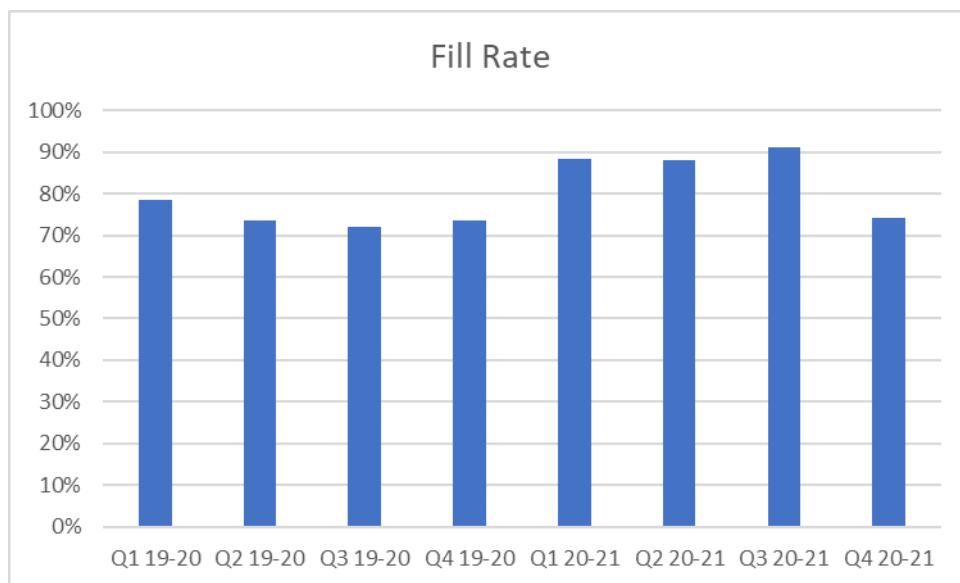


Chart 8

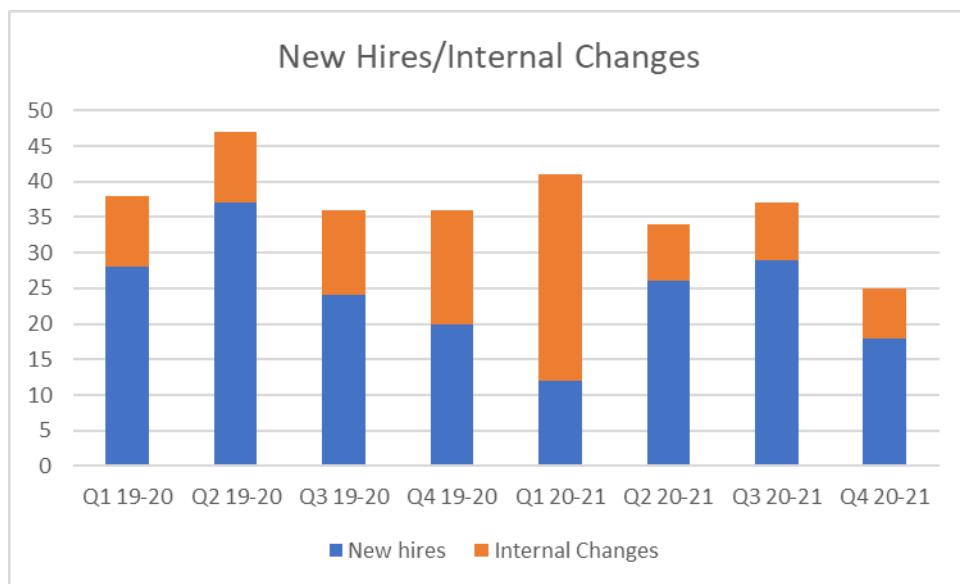
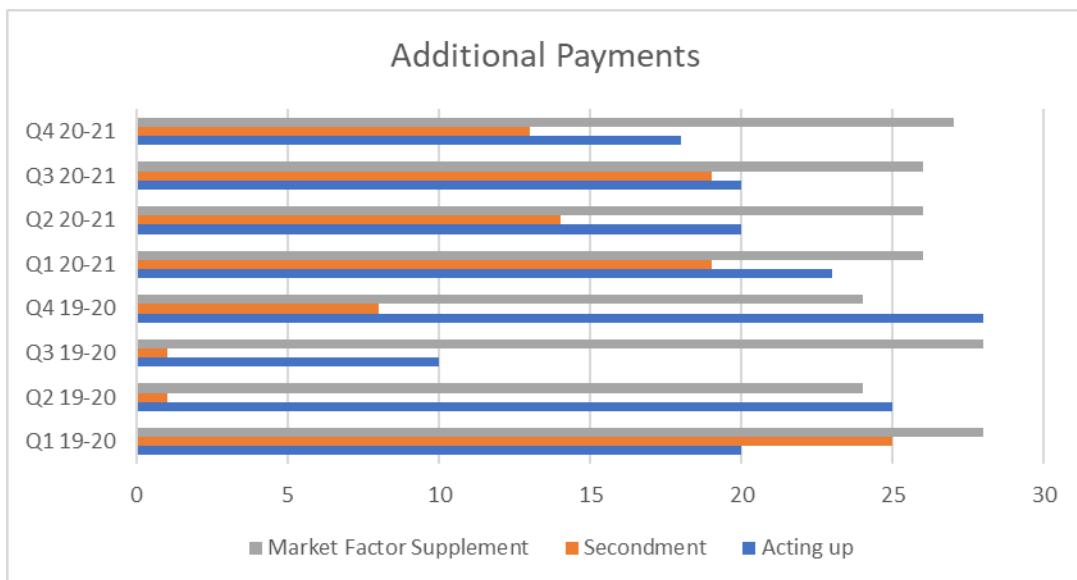


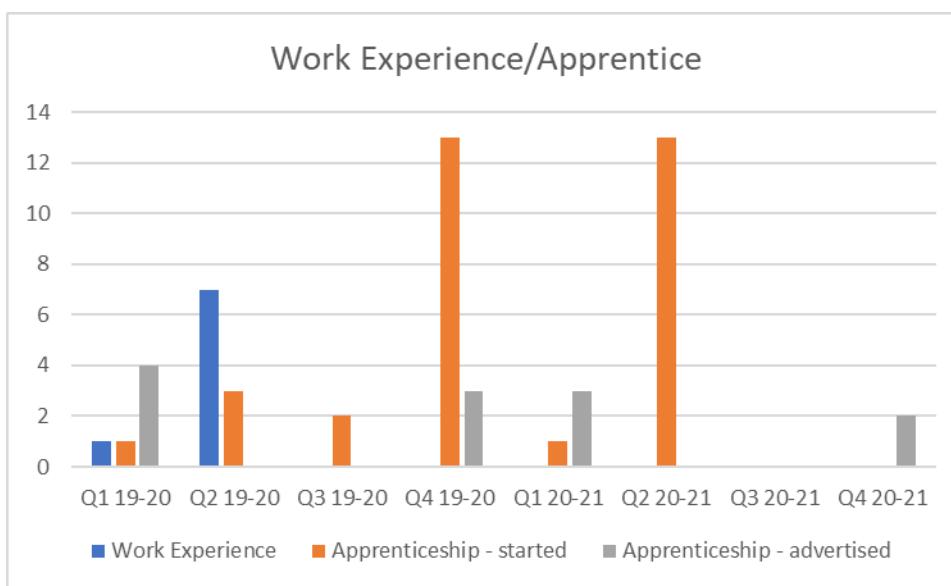
Chart 9



Note that one Golden Hello Payments were paid in Q4. 3 roles were advertised, with 3 new hires, who will receive their Golden Hello Payment upon the successful completing of their Probationary Period.

14. There were no work experience students at South Cambs during Q4. There was 1 Apprenticeship advertised in Q4.

Chart 10



15. The Recruitment Coordinators have been busy this quarter and there continues to be high volume of recruitment forecast for April to June. The Recruitment Coordinators are now preparing for future recruitment and the implementation of the Recruitment module within the new HR System. Golden Hellos, Market Supplements and an employee referral scheme are all in use to improve both the quality and number of candidate applications.

16. A new HR induction and onboarding process was implemented during Q2 with new employees having remote inductions with a member of the HR team. This includes follow up meetings between 2 & 4 weeks later. Employees have given positive feedback that they are able to speak to a ‘face’ in HR. Managers are also supported as new employees are helped to settle into their new roles without having the added stress of sorting out annual leave entitlement, flexitime sheets and processing lots of forms.
17. HR have also started rolling out Manager Induction training sessions, delivered remotely. This is both for newly promoted managers and new recruits to the Council. This was originally rolled out earlier in 2020 to all GCSPS Managers and has been adapted for delivery across the Council. There were 14 delegates in Q3. The intention is to run these sessions quarterly, and there are further sessions planned for 2022.

Agency Staff

18. At the end of Q4, the number of temporary workers in each department was as follows: 23 in Greater Cambridge Shared Planning, 6 in Transformation, 2 in Revenues and Benefits, 2 in Finance, 2 in Environmental Services and 1 in Housing.
19. Since January 2021 the recruitment team has been working to create a new Casual Worker Bank to support the Council to reduce agency fees. This is already a success with 12 new casual workers starting within posts that would normally be filled with an agency worker, reducing agency spend. A further 6 workers are due to start casual roles in April 2021.

Wider Context

20. The most recent Labour Market Report² from the CIPD was published in February 2021. It is the first report to signal positive employment prospects since the start of the Coronavirus pandemic. Over this period, there has been an increase in public sector employment (+15 points), measured through the employment intentions balance. This measures the difference between the proportion of employers that expect to increase staff levels over those that expect to decrease staff levels. Overall, the short-term jobs outlook looks more positive than 3 months ago. Recruitment intentions in the public sector are high (77%). Recruitment difficulties are 62% in the public sector, higher than the private sector (56%).

Conclusion

² https://www.cipd.co.uk/Images/labour-market-outlook-winter-2020-21.pdf_tcm18-90917.pdf

21. The turnover rate is significantly below target and has declined since Q2. There were only 5 voluntary leavers in this quarter which is relatively low. It is likely that uncertainties around the economic climate and health and well-being may have resulted in a continued low and declining turnover rate.
22. The number of roles advertised in Q4 increased significantly (highest compared to the previous Quarters in 2020-21). The fill rate dropped significantly to 74%. This is in line with the difficulties highlighted in the Public Sector above ([20 – Wider Context](#)).
23. The number of staff who internally transferred to new roles in Q4 was low at 7, suggesting there were fewer senior opportunities. This is likely strongly linked to lower overall organisational turnover. However, 18 employees had temporary acting up arrangements within the Council demonstrating that staff are keen to develop their skills and remain at the Council. Further analysis and review of information recorded as part of the performance review cycle will enable us to enhance and improve on this.
24. The Council has demonstrated it looks for new avenues to continue to recruit the best talent available by pursuing alternative digital recruitment solutions and recruiting Apprentices. The Council has also streamlined its recruitment application process and offered incentives for applications, including Market Factor Supplements and a Golden Hello Payment. See [Chart 9](#) for breakdowns of these payments.
25. The Council continues to seek feedback about all aspects of the employee life cycle to make improvements to continue to support the retention of talent.
26. The Council, where appropriate, offers support to staff through flexible working policies and other options such as flexible retirement. For staff who experience health issues or have a disability, the Council has an Occupational Health service which supports staff to remain working at SCDC wherever possible.

Options

27. That the Employment and Staffing Committee either notes the report as presented or note it with the addition of appropriate comments.

Implications

28. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:

Financial

29. There are financial implications in terms of the costs of advertising and recruitment of replacement staff. There are also financial implications in respect of using temporary staff to cover work if standards of service are to be maintained.

Staffing

30. A certain level of turnover is healthy for an organisation as it enables new ideas and skills to be brought into the organisation. There will always be a natural number of leavers and this creates opportunities for reviewing job purpose and the skills and attributes that an organisation needs for the future. However, high turnover and the loss of important skills, knowledge and capacity can have a detrimental impact on staff morale and the Council's ability to deliver its business plan objectives.

Risks/Opportunities

31. The council will seek to mitigate and eliminate risks associated with employment relations matters for example, change management, case management and involuntary leavers.

32. Current identified risks in relation to recruitment challenges are included on the risk register. The council continually reviews measures to mitigate this risk.

33. Proposed changes to the Local Government Pension Scheme (LGPS) and caps on Public Sector exit payments mean we will need to be mindful when dealing with succession planning and change management.

Equality and Diversity

34. At present limited monitoring is done on the diversity of voluntary leavers.

35. We have included information on the diversity of Apprentices – and this is included in Appendix C.

Appendix A - acronyms

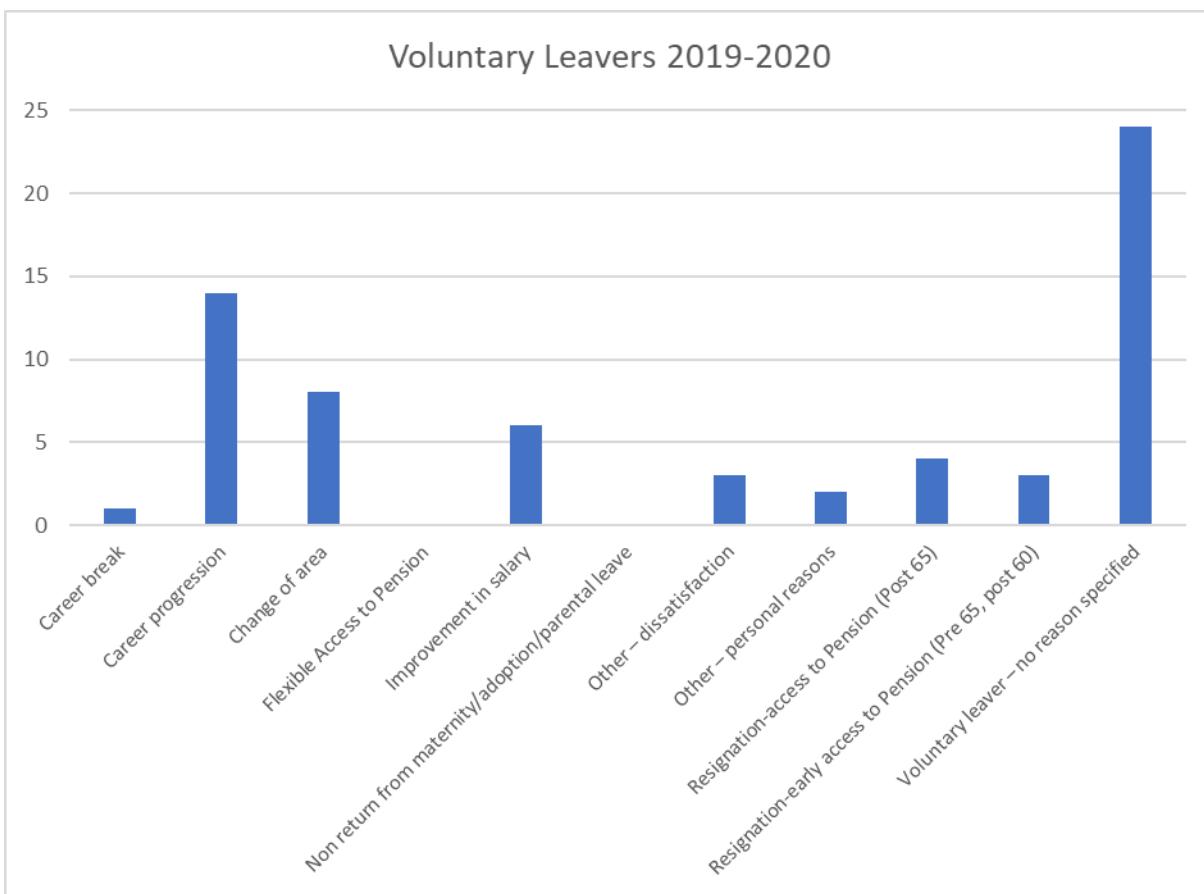
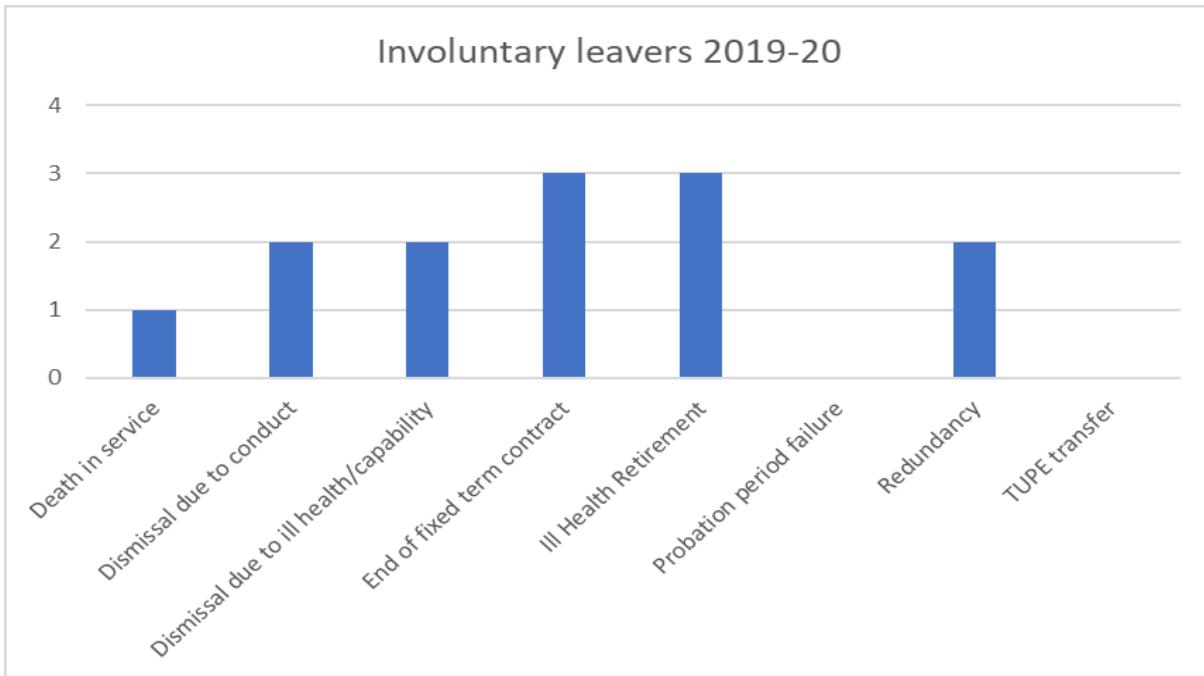
PI - Performance Indicator; relates to Voluntary Turnover. Target is 3.25%.

GCSPS – Greater Cambridge Shared Planning Service.

GCSWS – Greater Cambridge Shared Waste Service

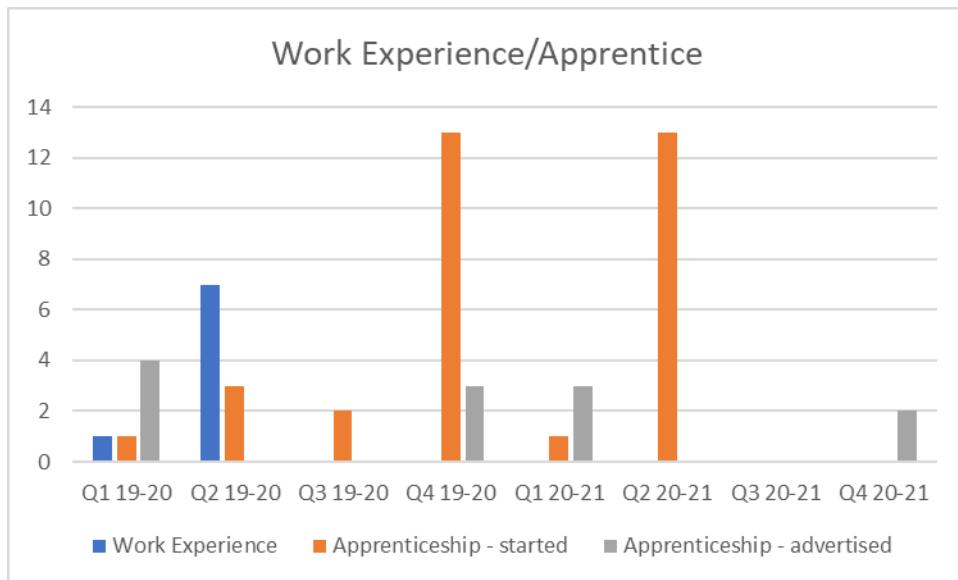
SW&E – Shared Waste & Environment

Appendix B – 2019-2020

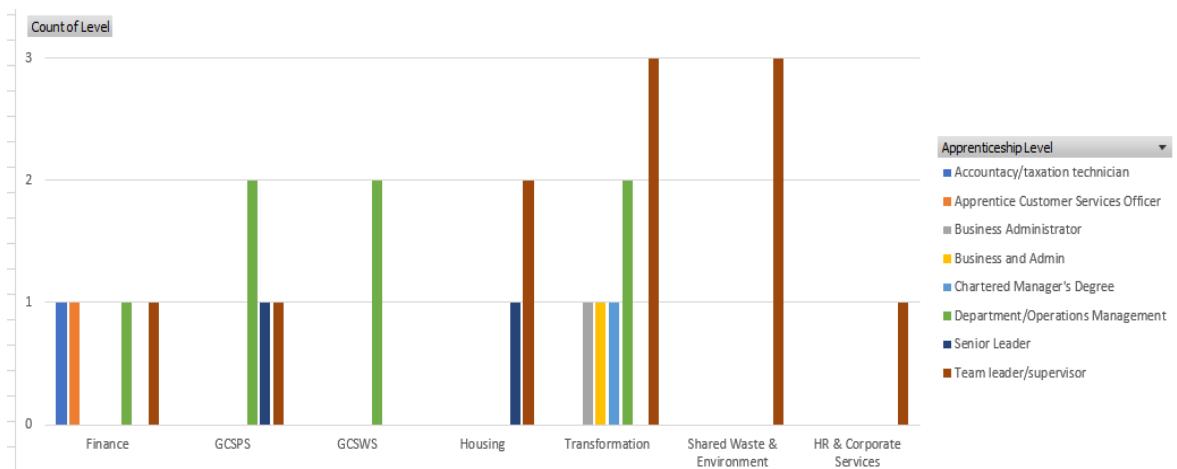


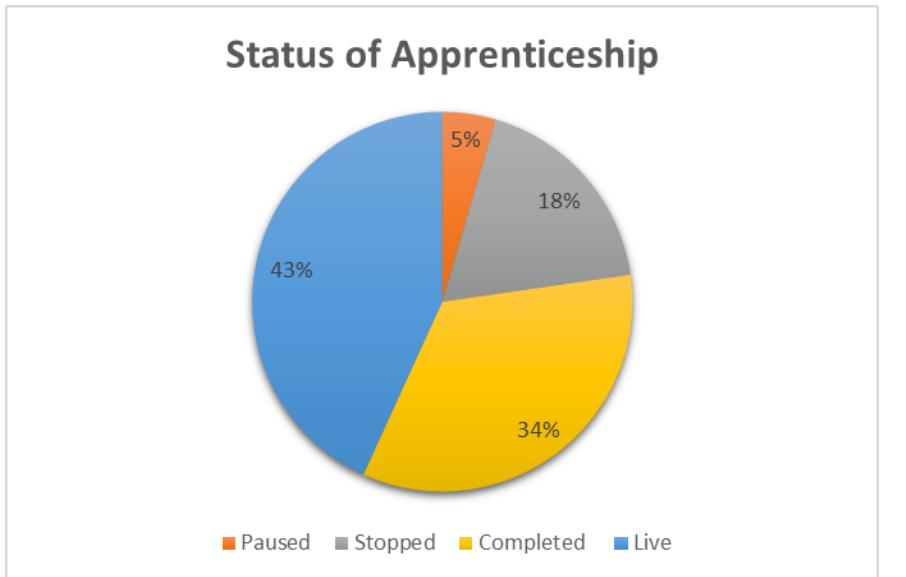
Appendix C – Recruitment & Apprenticeships

Work Experience students/Apprenticeships information



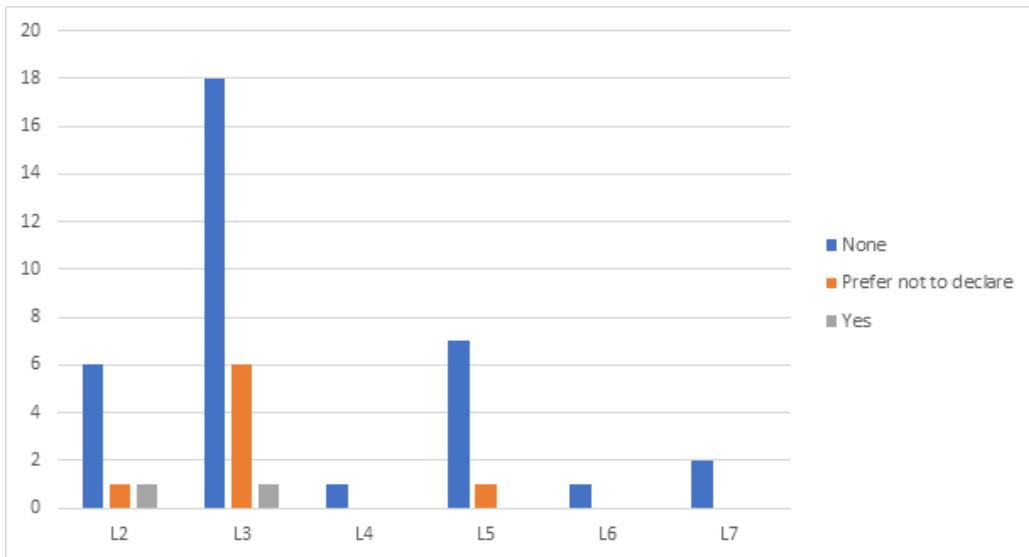
Apprentices by Service Area and Level – January 2021





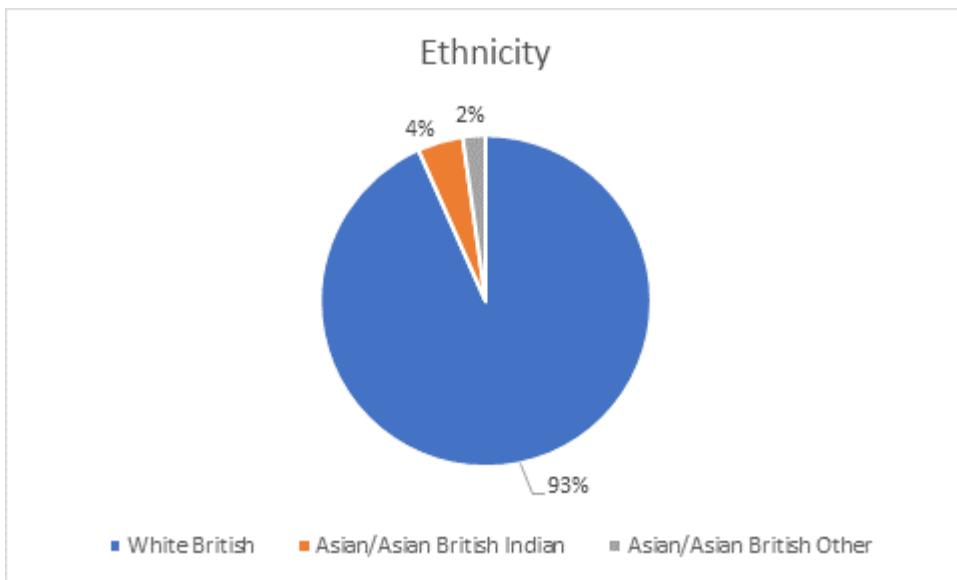
From January 2021 data

Apprenticeship – Disability (Declared)



Note this table includes all apprentices – live, completed, paused and stopped. From January 2021 data.

Apprenticeship - Ethnicity



This compares to the data for the whole of SCDC:

SCDC Ethnicity Count and Overall Percentage

| Ethnicity | Count | Percentage |
|---------------------------|-------|------------|
| BAME | 24 | 4.18% |
| White:British/Irish/Other | 488 | 85.02% |
| Black | 7 | 1.22% |
| Chinese | 4 | 0.70% |
| South Asian | 9 | 1.57% |
| Other | 2 | 0.35% |
| Mixed Ethnicity | 4 | 0.70% |
| Not Disclosed | 2 | 0.35% |
| Not provided | 58 | 10.10% |

Appendix D

Previous years data

Table showing leavers 2019-2020; breakdown by Service Area

| Service Area | Q1 | Q2 | Q3 | Q4 |
|---|----|----|----|----|
| Health & Environmental Services | 0 | 1 | 2 | 3 |
| GCSWS | 4 | 7 | 9 | 5 |
| GCSPS | 8 | 4 | 3 | 6 |
| Affordable Homes | 4 | 4 | 1 | 4 |
| Revenues & Benefits | 1 | 0 | 0 | 1 |
| Finance, Policy and Performance | 0 | 0 | 0 | 0 |
| Business & Customer Services | 1 | 0 | 1 | 2 |
| Chief Executive's Team | 0 | 0 | 0 | 0 |
| HR | 0 | 2 | 0 | 0 |
| Democratic Services including Elections | 1 | 0 | 0 | 0 |
| Facilities | 0 | 0 | 0 | 0 |
| Total | 19 | 18 | 16 | 21 |

Table showing reasons for leaving (Previous 5 years, and YTD)

| Reason for leaving | 04/15 — 03/16 | 04/16 — 03/17 | 04/17 — 03/18 | 04/18 — 03/19 | 04/19 — 03/20 | 04/20 — 03/21 |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Voluntary leavers | | | | | | |
| Change of area | 2 | | 2 | 2 | 8 | |
| Move within public sector | 8 | 1 | 7 | 4 | | |
| Move to private sector | 6 | 1 | 4 | 9 | | |
| Improvement in salary | 1 | | 1 | 2 | 6 | |
| Career progression | 1 | | 3 | 9 | 14 | 1 |
| Career break | 1 | | | 1 | 1 | 1 |
| Voluntary leaver – no reason specified | 10 | 38 | 24 | 30 | 24 | 27 |
| Other – personal reasons | 3 | | | 3 | 2 | 1 |
| Other - dissatisfaction | | | | | 3 | |
| Resignation with early access to pension (pre 65 but over 60) | 1 | 1 | 1 | 2 | 3 | |
| Resignation with access to pension (over 65) | 6 | 6 | 2 | 1 | 4 | 1 |
| Flexible access to pension (left w. pension, returned P/T) | | 1 | | 0 | 0 | |
| Total Voluntary Leavers | 46 | 48 | 44 | 63 | 65 | 31 |
| Total Voluntary but not included in PI | 0 | 0 | 0 | 0 | 0 | |

| Involuntary leavers | | | | | | |
|-----------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Redundancy | | 2 | 2 | 3 | 2 | 1 |
| Dismissal due to ill health | 3 | | 1 | 3 | 2 | 2 |
| Dismissal due to conduct | | 2 | 2 | 3 | 2 | |
| End of fixed term contract | 1 | 4 | 2 | 2 | 3 | 4 |
| Ill health retirement | | | 1 | 4 | 3 | 1 |
| Probation period failure | | | | 0 | | 1 |
| TUPE transfer | 22 | | | 0 | | |
| Death in service | | 3 | | 1 | 1 | 1 |
| Total Involuntary | 26 | 11 | 8 | 15 | 13 | 10 |
| Grand Total | 72 | 59 | 52 | 78 | 78 | 41 |

Appendix E

Table showing comparison of ethnicity statistics at South Cambs District Council (2019-20), Cambridgeshire and Peterborough census data (2011) and East of England census data (2011); breakdown by Ethnicity

| | SCDC Employees | | Cambridgeshire and Peterborough | East of England |
|----------------------------|----------------|------------|---------------------------------|-----------------|
| Ethnicity | Count | Percentage | Percentage | Percentage |
| BAME | 24 | 4.18% | 9.20% | 8.70% |
| White: British/Irish/Other | 488 | 85.02% | 90.30% | 90.80% |
| Black | 7 | 1.22% | 1.30% | 2% |
| Chinese | 4 | 0.70% | 5.90% | 4.80% |
| South Asian | 9 | 1.57% | | |
| Mixed Ethnicity | 4 | 0.70% | 2% | 1.90% |
| Other | 2 | 0.35% | 0.60% | 0.50% |
| Not Disclosed* | 2 | 0.35% | N/A | N/A |
| Not Provided** | 58 | 10.10% | N/A | N/A |

*‘Not Disclosed’ means the respondent has ticked a box to confirm that they don’t wish to disclose their ethnicity.

**‘Not Provided’ means the respondent hasn’t ticked any boxes disclosing their ethnicity.

Report Author:

Donya Taylor – HR Advisor; Telephone (01954) 712900.

This page is left blank intentionally.

Agenda Item 7



South
Cambridgeshire
District Council

| | | |
|-----------------------------|---|--------------|
| Report to: | Employment & Staffing Committee | 15 July 2021 |
| Lead Cabinet Member: | Cllr John Williams | |
| Lead Officer: | Susan Gardner-Craig – Head of HR and Corporate Services | |

SICKNESS ABSENCE 1 JANUARY 2021 TO 31 MARCH 2021

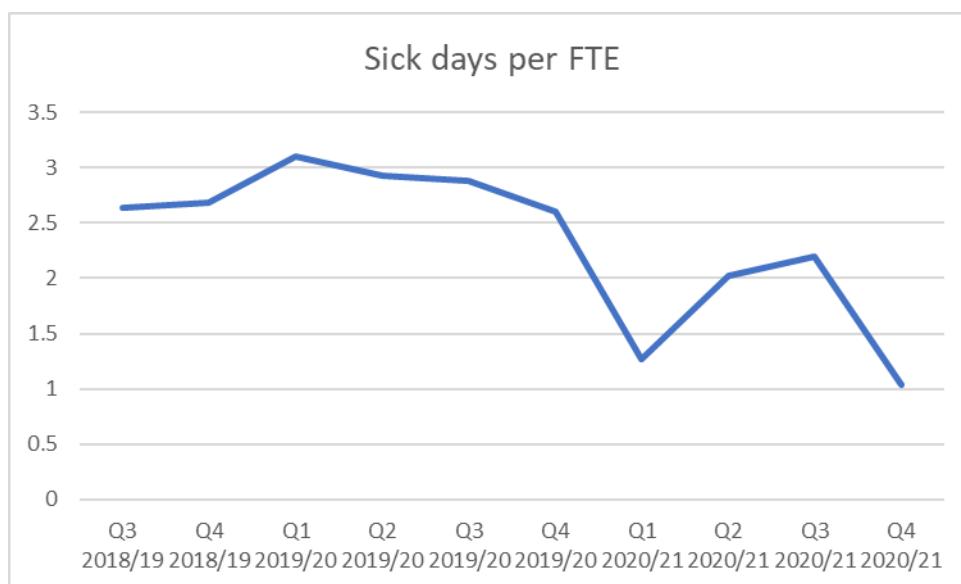
Purpose

1. The purpose of this report is to provide high-level information on sickness absence for the period 1st January 2021 to 31st March 2021 and is a quarterly performance monitoring report.

This is not a key decision because it is for information only.

2. **Summary**

Our BVPI figure is 1.04 days per FTE (based on 602.13 FTE), which is 47.27% decrease compared to Q3 figure (2.2 days per 572.3 FTE). This is also a 40% decrease compared to Q4 2019-20 (2.6 days per 553.3 FTE).



Please note that all of the data in this Report was obtained using our previous HR System. This changed to Itrent on 1st April 2021. The data in this report was run on 31st March 2021, and there may be a small discrepancy between the data reported; this may be where managers or employees have subsequently completed RTW or submitted Fit Notes.

Our absence figures decreased dramatically since the last quarter and compared to last year. Whilst part of that can be attributed to various measures taken by SCDC and outlined in this report, our results are in line with national data for sickness absence over the past 12 months. The UK sickness absence rate fell to 1.8% to the end of 2020, the lowest level since records began in 1995¹.

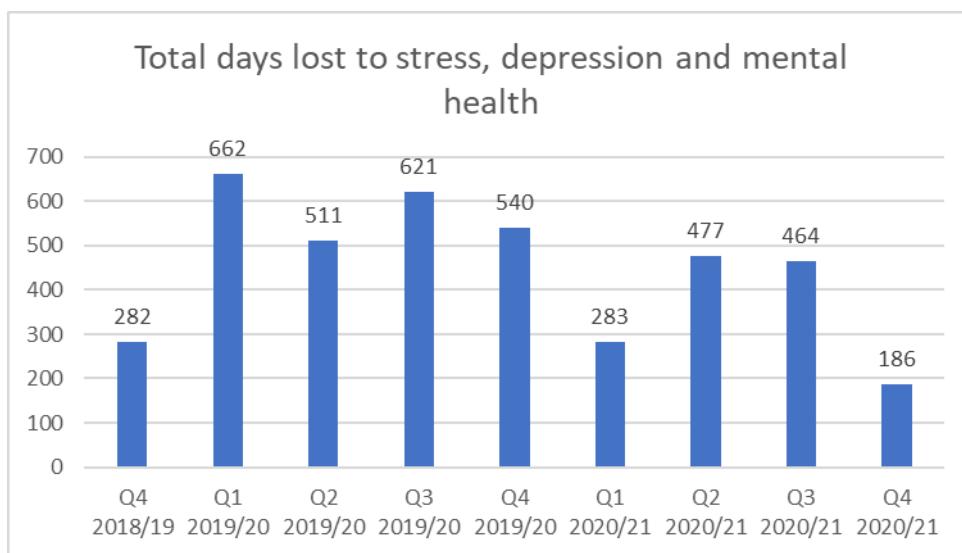
In addition, it is worth noting that according to the ONS, since April 2020-December 2020, coronavirus accounted for 14.0% of all occurrences of sickness absence. This figure is a lot lower in the Council. A significant factor contributing to this is the fact that as many staff are working from home as possible. This ensures that there is limited opportunity for transmission of Covid amongst staff, particularly non-GCSWS staff.

Within this Quarter, 75 employees have had absences due to sickness, meaning 529 employees have not had any absences within this period.

The total days lost in Q4 for SSWS account for 40.1% of total day's absences (243 days from a total of 606 days). This was down from Q3 (767 days from a total of 1258.6 days).

In terms of the reasons behind absences across SCDC, the highest categories for absence are stress, depression & mental health (186), Stomach, liver, kidney & digestion (115), other (82) and Heart, blood pressure, circulation (79). These 4 reasons account for 76% of the total absence for the Quarter. Reasons 2, 3 and 4 have changed from the top reasons from Q3.

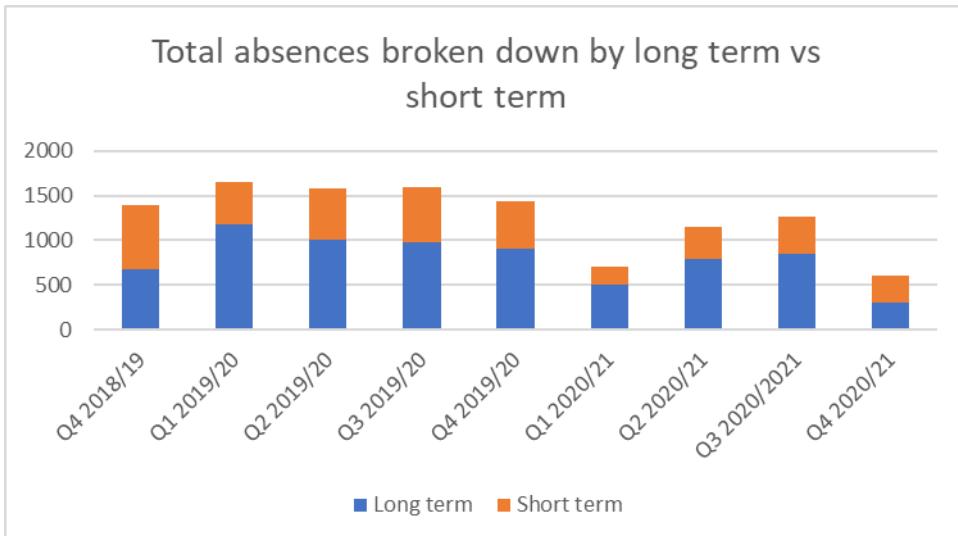
The chart below shows the number of days absence attributed to stress/depression & mental health.



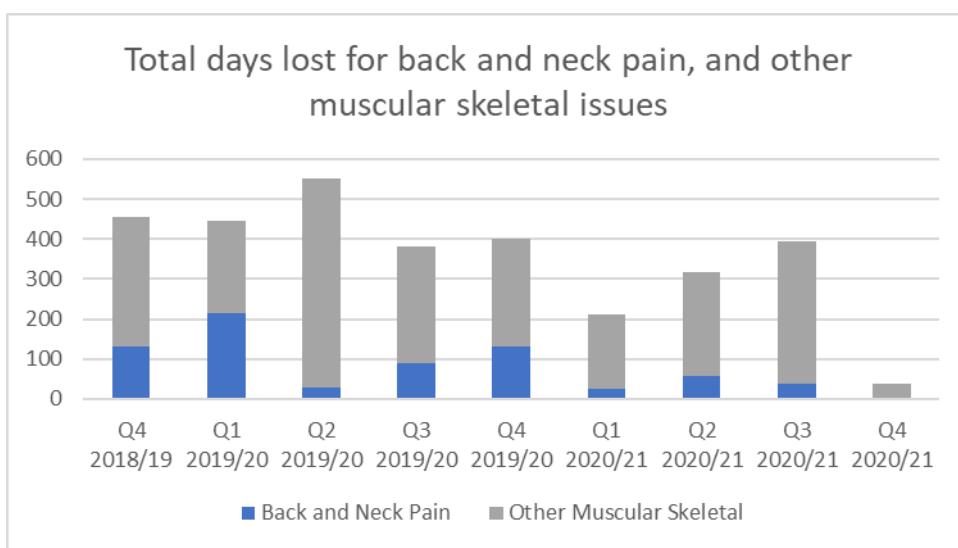
Looking at the breakdown in terms of long-term absences, there were 8 employees with long term absences within the quarter, and they accounted for 308 days (50.7% of the total absence)..

¹

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/labourproductivity/articles/sicknessabsenceinthelabourmarket/2020>



The chart below shows the number of day's absence attributed to Back and Neck Pain, and Other Muscular-Skeletal over that last year. This is usually in the top 3 reasons for absence, including this table for reference.



Summary of isolation and days lost to Covid by department

| Department | Number of employees self isolating - in work | Number of employees self isolating unable to work | Working days lost to Covid isolation |
|---------------------------------|--|---|--------------------------------------|
| Affordable Homes | 3 | 1 | 5 |
| Sheltered Housing | | | |
| Chief Executive Team | | | |
| Finance, Policy & Performance | | | |
| Business & Customer Services | 2 | | |
| HR | | | |
| Facilities | | | |
| Democratic Services & Elections | | 1 | 14 |
| Revenues & Benefits | | | |
| Health & Environment (ex. GCSW) | 2 | | |
| GCSW | | 26 | 158 |
| GCSPS | | | |
| Total | 7 | 28 | 177 |

The table above shows working days lost to Covid isolation. Most employees affected were from the GCSWS at the Depot – 158 days. These employees would have been self-isolating at home (not necessarily physically unwell). The 177 days were not recorded as part of the sickness absence, unless, for those who were firstly able to work from home and then secondly they were too unwell to work from home – this would have been very few cases).

During Q4, the HR team have been continuing to work alongside managers, introducing a new way of working/new tools to try to assist managers in proactively managing long term absence. Virtual welfare visits are carried out with all long-term sickness cases. The HR team have also been carrying out weekly checks on

absence rates and highlighting where an absence is due to stress, depression and mental health, to ensure the necessary support has been put in place.

Online Training sessions were scheduled for Q4 entitled “Managing Stress”, however turnout was limited. HR will continue to advertise future sessions via Insite. This follows on from the training session which was held at the Waterbeach depot in December on the use of the stress identification tool and best practise.

We have also been supporting employees during the change to working practices following the Covid-19 outbreak and have been especially focussing on supporting our employee's mental health through offering weekly wellbeing sessions, circulating useful information, and promoting access to support services such as counselling or the Mental Health First Aid team.

We have also continued to advertise our Employee Assistance Programme (EAP) to all staff and managers, through Insite posts and inclusion on the new monthly HR newsletter. In this quarter we also offered employees the choice of Telephone Counselling (provided through EAP) or Video Counselling (provided by Evolve). There has been some uptake of the Video Counselling, where staff felt uncomfortable having telephone-only sessions.

With respect to muscular skeletal absences HR have been encouraging all staff to undertake a DSE assessment on their home set up and sending out wellbeing tips about regular breaks and additional equipment. As of 31st March, 359 employees have used the DSE training/assessment tool (+41), 19 employees are yet to complete the assessment (-5) and 121 employees have not yet started (-25).

We have also been promoting our new Employee Assistance Programme (Vivup) which includes free confidential counselling for all staff, as well as access to additional resources such as CBT guides. During Q1 14 employees accessed the CBT resources (-16 vs Q3), 2 employees had telephone assessments (-4), and 16 telephone counselling sessions took place (+13).

Report Author: Donya Taylor– HR Advisor

This page is left blank intentionally.