



AGENDA

PERSONNEL COMMITTEE

Thursday, 11 September 2008, at 10.30 am
Stour Room, Sessions House, County Hall,
Maidstone

Ask for: **Mary Cooper**
Telephone **(01622) 694354**

Tea/Coffee will be available from 10am outside the meeting room

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 16 May 2008 (Pages 1 - 2)
4. Dates of Future Meetings
30 January 2009 at 2.30pm
13 May and 29 September 2009 both at 10.30am
5. Interim Managers Report (Pages 3 - 10)
6. Local Government Pension Scheme Regulations (Pages 11 - 16)
7. Family Leave Pilot Evaluation (Pages 17 - 22)
8. Cause of Sickness Absence - briefing note (Pages 23 - 28)
9. Recruitment and Retention of Young People (Pages 29 - 32)
10. Joint Review of Harassment and Grievance Case 2008 (Pages 33 - 38)
11. Health Check Presentation
12. Future Agenda Items:
Reward

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services and Local Leadership
(01622) 694002

Wednesday, 3 September 2008

Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.

KENT COUNTY COUNCIL

PERSONNEL COMMITTEE

MINUTES of a meeting of the Personnel Committee held at County Hall, Maidstone, Kent on Friday, 16 May 2008.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Ms A Harrison, Mr D Hirst, Mr A King, Mr K Lynes, and Mr G Rowe.

ALSO PRESENT: Mr R G Parry.

IN ATTENDANCE: Mr G Wild, Director of Law and Governance, Mrs A Beer, Director of Personnel and Development and Mrs M Cooper, Democratic Services Manager.

UNRESTRICTED ITEMS

6. Declarations of Interest

There were none.

7. Minutes
(Item A3)

RESOLVED that the Minutes of the meeting held on 1 February 2008 are correctly recorded and that they be signed by the Chairman.

8. Workforce Planning Update
(Item A4 – Report by Deputy Leader of the Council and Director of Personnel and Development)
(Mr N Fairburn, Workforce Development Officer, was in attendance for this item)

RESOLVED that:-

- (a) the progress made towards Integrated Workforce Planning with our Partners in Kent be noted; and
- (b) a further report be submitted to the Committee on completion of the research and this report to include details of where legislation or government policy is hampering workforce planning and development in Kent.

9. Staff Survey Presentation
(Item A5)

- (1) The Committee received a presentation on information received following a recent staff survey.
- (2) RESOLVED that a further report be submitted to the Committee showing outcomes by Directorate and agreed action plans resulting from the survey.

10. Staffing Levels

(Item A6 – Report by Deputy Leader of the Council and the Director of Personnel and Development)

RESOLVED that:

- (a) the report be noted; and
- (b) reports be submitted to the next meeting of the Committee to include vacancy levels; sickness absence procedures and reasons for absence by Directorate, details of recruitment panels with no diversity trained members; further breakdown of externally funded posts with details of KCC's position if funding is withdrawn and potential ways to recruit and retain young people.

11. Pay and Reward

(Item A7 – Report by Deputy Leader of the Council and the Director of Personnel and Development)

(1) The Committee noted that Kent County Council had won the category for "Total Reward" at the Public Sector People Managers' Association Award Ceremony on 30 April. This award recognised the impact Kent had made with the delivery of its reward strategy.

(2) RESOLVED that:

- (a) the success of the wider developments which had resulted from Single Status be acknowledged and the extensive employment package available and its communication using the concept of Total Reward be recognised and endorsed;
- (b) a confidential report be prepared for Chief Officer Group and reviewing pay scales with options for change, impact of living/working longer, and the allocation of Managing Directors' allocation of performance rewards to Directors and a breakdown of TCP payments by business unit; and
- (c) the Committees' congratulations be recorded for the Total Reward award.

12. Disciplinary and Grievance Activity

(Item A8 – Report by Deputy Leader of the Council and the Director of Personnel and Development)

RESOLVED that the six monthly report on Employee Relations Activity be noted.

By: Director of Personnel & Development
To: Personnel Committee - 11 September 2008
Subject: Monitoring use of Interim Managers, Agency Staff & Consultants
Classification: Unrestricted

SUMMARY: This report details the use of interim managers, agency staff and consultants across the Authority on 30 March 2008.

1. **BACKGROUND**

- 1.1 In September 2004, Personnel Committee endorsed a report recommending annual monitoring of the use of interim managers and agency staff in KCC and from 2005 consultants would be included. In January 2006 it was agreed that this should be extended to six monthly monitoring from 2007.
- 1.2 The report noted the difference between consultants procured to deliver a specific piece of work and the individuals brought into the organisation to cover existing vacancies or supplement the workforce at times of peak workload, i.e. agency staff and interim managers.
- 1.3 It was agreed that the date for the monitoring would be 30 March and 30 September each year and this paper reports the outcomes of the latest monitoring.
- 1.4 It was also agreed at the last Personnel Committee that the numbers of staff being re-employed following at risk of redundancy status. These figures are as follows:

	At risk of Redundancy	At risk of Restructure	Slotted	Redeployed
Staff Nos				

2. **AGENCY STAFF AND INTERIM MANAGERS IN PLACE ON 30.03.08**

- 2.1 The figure for use of agency staff and interim managers across KCC was 4.5% of the workforce. Information on the use of agency staff in other local authorities is scant.
- 2.2 Appendix 1 shows the number of agency staff and interim managers in place across KCC by Directorate. Appendix 2 shows comparisons since September 2004.
- 2.3 The use of interim managers was as follows:

CED	1	1 x Gateway Administration
CMY	9	7 x Adult Education 1 x Libraries & Archives 1 x KDAAT
CFE	2	2 x Attendance & Behaviour Service on temporary projects
E&R	5	5 x Business Change Managers

- 2.4 The percentage use of agency staff was lowest in Communities (0.8%) and highest in Environment & Regeneration (9.7%). Most of the agency staff in Environment & Regeneration were in Kent Highway Services where it has been necessary to use agency staff during restructuring to avoid taking on permanent staff.
- 2.5 In Chief Executive's the total figure was 7.8% which is lower than September last year. Higher percentages were seen in Legal Services where there were a high number of locum solicitors and in ISG where there were a total of 22 agency staff at this time working in the development team, service desk, projects and integration, procurement, TRP, Oracle Support, EIS and IS commissioning.
- 2.6 In Kent Adult Social Services, the overall figure was 3.75% a decrease since September 2007. In the East Kent Social Care area the number of agency staff remained relatively high to support the implementation of SWIFT.
- 2.7 In Children, Families & Education the use of agency staff accounted for 3.7% of the workforce. This is an increase on the September figures and partly due to increased use of agency social workers in the lead up to the Joint Area Review.

3. KENT TOP TEMPS (KTT)

- 3.1 Personnel Committee has asked that this monitoring report include information on Kent Top Temps. The number of agents that KTT had in place on 30 March 2008 is shown in Appendix 3. The information includes the number of supply teachers placed through Kent Top Temps. Information on supply teachers placed by other agencies is only available by requesting each school to provide it.

4. SUMMARY

- 4.1 Personnel Committee is asked to note the usage of agency staff, interim managers and consultants in KCC on 30 March 2008.

Amanda Beer
Director of Personnel & Development
Ext 4136

APPENDIX 1

NUMBERS OF AGENCY STAFF AND INTERIM MANAGERS ON 30 MARCH 2008

Directorate	No of Agency staff (FTE)	No of interim managers (FTE)	Total Temporary Staff (FTE)	Total temporary staff as a % of Directorate headcount	No of Consultants procured between 01.10.07 and 30.03.08
Chief Executive	78.91	1	79.91	7.8	6
Commercial Services	48	0	48	5.8	0
Local Communities	27	9	36	0.81	23
Environment & Regeneration	73	5	78	9.7	0
Children, Families & Education	108	2	110	3.72	74
Kent Adult Social Services	140.8	0	140.8	3.75	4
TOTAL	475.71	17	492.71	4.5	107

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COMPARISON OF DATA

Directorate	% Temp Staff	% Temp Staff	% Temp Staff	% Temp Staff	% Temp Staff	% Temp Staff
	March 2008	Sept 2007	March 2007	2006	2005	2004
CED	7.8	8.0	4.3	5.5		
Comm Serv	5.8	1.8				
Corp Serv					12.59	4.45
CMY	0.8	0.9	1.1	0.8		
CFE	3.7	1.8	3.4	2.0		
Ed & Lib					1.57	1.36
E&R	9.7	8.2	6.3	5.7	12.59	.99
KASS	3.7	4.0	2.5	4.5		
Social Services					3.32	2.0
KCC staff	4.5	2.8	3.1	3.2	4.53	2.22

Directorate	Consultants	Consultants	Consultants	Consultants	Consultants	Consultants
	March 2008	Sept 2007	March 2007	2006	2005	2004
CED	6	14	0	3		
Corp Serv	0				7	
Comm Serv	0	0	0	0	0	
CMY	23	13	20	13		
CFE	74	35	32	40		
Ed & Lib					0	
E&R	0	1	10	4		
Strat Planning					45	
KASS	4	3	7	5		
Social Services					22	
Totals	107	66	64	65	74	

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AGENCY STAFF SUPPLIED BY KENT TOP TEMPS AS AT 30 MARCH 2008

Directorate/organisation	No of Temps (Actual)
CED (excluding Commercial Services)	56
KASS	73
CFE	88
CMY	8
E&R	27
Commercial Services	7
Medway	1
Supply teachers (incl nursery)	10
TOTAL	270

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By: Director of Personnel & Development
To: Personnel Committee – 11 September 2008
Subject: Local Government Pension Scheme Regulations
Classification: Unrestricted

SUMMARY: This report is to provide an update to the Personnel Committee on the recent changes to the Local Government Pension Scheme, and to seek agreement to the proposed, revised employer discretion policy statement.

1. Introduction.

- 1.1 The Local Government Pensions Scheme was last reported to Personnel Committee in September 2006, at a time when a number of changes were made to the scheme. This necessitated a number of alterations to KCC's Employer Policy on discretions. As was always clear there would be further changes from April 2008 to continue to transform the scheme in to something more modern and that reflects the type and pattern of employment experienced by local government. A new scheme had been introduced from 1 April 2008.
- 1.2 The new scheme does increase costs to some, though the majority of employees are contributing to the same level or slightly less, and in all probability unlikely to have been noticeable. A high quality final salary scheme with some enhancements to scheme benefits has been retained, which is increasingly appreciated as a major element of the total reward package. However some concern has been expressed by The Superannuation Fund Committee to the Department for Communities and Local Government (DCLG) that the new scheme actually costs the employer more and that this is not sustainable.
- 1.3 The recent changes to the scheme are highlighted below. As a consequence of these, and changes to the Administrative Regulations further alterations to employer's discretion policies are required.

2. Scheme Changes for 2008

- 2.1 Probably the most significant change to the scheme from April 2008 has been the financial basis upon which benefits are calculated. Historically the scheme has been based upon 1/80th for each year served. In addition to pension there was a lump sum payable upon retirement. The scheme is now based upon 1/60th for each year served, but without automatic lump sum. The new accrual rate represents a small increase in the value of the pension. The individual scheme member can commute pension for lump

sum at a rate of £1 for every £12 of lump sum up to a limit of 25% of the total pension pot.

- 2.2 To part fund the improvements to the scheme and to better reflect the proportionality of benefits, a tiered system of contribution rates has been introduced. These are based upon full time equivalent annual salaries. Below is a breakdown of the rates together with an indication of the equivalent Kent Scheme grade.

£0 - £12,000	5.5%	KS1
>£12,000 - £14,000	5.8%	KS2
>£14,000 - £18,000	5.9%	KS3-KS5
>£18,000 - £30,000	6.5%	KS6-KS9
>£30,000 - £40,000	6.8%	KS10-KS11
>£40,000 - £75,000	7.2%	KS12-KS15
>£75,000	7.5%	M Grades

- 2.3 In addition to these two major alterations other changes include:
- Casual employees with no “mutuality of obligation” will not be entitled to participate in the scheme.
 - A tiered ill health retirement benefit, based on the assessed probability of finding alternative employment, will be introduced.
 - Death in service benefit will increase from 2 to 3 times annual salary
 - Co-habiting partners will be able to receive benefits.
- 2.4 The DCLG have introduced the concept of cost sharing of future increases in cost between the employee and employer from 2010. This is out to consultation and the proposals made are currently viewed as unworkable by our colleagues in Corporate Finance.

3. Employment Policy Statements

- 3.1 As an employer within the pension scheme we are required to have published policies on how the scheme regulations will apply. These are contained in the Kent Scheme of Conditions of Service and therefore available to all staff.
- 3.2 In view of the changes that have been made, attached in Appendix 1 is the proposed, revised employer discretion’s for Kent County Council. It is proposed that these are published and effective from 1st October 2008.
- 3.3 Many of the revised policies have required only minor adjustment, i.e. the changes to the reference numbers within the regulations.

3.4 Four previous discretions have been removed from the scheme as they have either become irrelevant or replaced with more appropriate provision. There are two new provisions, Reg. 11(2) which deals with scheme members who are paid by fees and Reg. 13 which enables an employer to make additional payments into the scheme.

4. Noted

4.1 Personnel Committee is asked to:

- Note the changes in the Pension Scheme
- Agree the proposed revised employer policy statements in Appendix 1.

Amanda Beer
Director of Personnel & Development
Ext. 4136

Paul Royel
Employment Strategy Manager
Ext. 4608

APPENDIX 1

Local Government Pension Scheme Regulations 2007 Policy Statement on Employer Pension Discretions

This policy statement relates to the exercise of particular discretions extended to KCC under the Local Government Pension Scheme Regulations 2007.

The Local Government Pension Scheme (Administration) Regulations 2007

Regulations 16 (4) (ii)

If a scheme member wishes to aggregate the most recent of their periods of previous scheme membership with their current membership, it is Kent County Council's policy that the election to do so must be made within 12 months of the Pension Section being notified that they have again become an active member. The Director of Personnel & Development may extend this time limit if the scheme member can demonstrate exceptional circumstances so as to justify this.

Regulation 22 (2)

Scheme members who have the option to pay contributions in respect of a period of unpaid absence must elect to do so within 30 days of the date of the notice issued to them. The Director of Personnel & Development may extend this time limit if the scheme member can demonstrate exceptional circumstances so as to justify this.

Regulation 25 (3)

It is not Kent County Council's policy to operate a shared cost AVC scheme for employees.

Regulation 83 (8)

If a scheme member wishes to transfer any pension benefits they have built up in other schemes to the Local Government Pension Scheme, it is Kent County Council's policy that election to do so must be made within 12 months of the Pension Section being notified that they have become an active member of the Kent Scheme. The Director of Personnel & Development may extend this time limit if the scheme member can demonstrate exceptional circumstances so as to justify this.

The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007

Regulation 11 (2)

Where a scheme member's pensionable pay consists of fees, it is Kent County Council's policy that, if this produced a higher figure, an average of all such fees for any 3 consecutive years ending 31 March within the period of 10 years ending with the last date of active membership may be used in the calculation of benefits.

Regulation 12

It is not Kent County Council's general policy to grant additional pension scheme membership to scheme members under this regulation. Any exceptional cases that were of overall benefit to the authority would require the agreement of the relevant Managing Director and the Director of Personnel & Development.

Additional scheme membership will not be granted in respect of pre April 1972 service, which at the point of retirement has not yet been up-rated.

Regulation 13

It is not Kent County Council's general policy to grant additional pension to scheme members under this regulation. Any exceptional cases that were of overall benefit to the authority would require the agreement of the relevant Managing Director and the Director of Personnel & Development.

Regulation 18 (1)

It is Kent County Council's policy to only provide consent for flexible retirement and the immediate payment of benefits where there is no detrimental effect on the service. Any such consent requires the agreement of the relevant Managing Director and the Director of Personnel & Development.

Regulation 18 (3)

If consent has been given under Regulation 18(1), it is not Kent County Council's policy to waive, in whole or part, any actuarial reduction to the scheme member's benefits.

Regulation 30 (2)

It is not Kent County Council's policy to give consent under this regulation to the immediate payment of benefits to a scheme member who voluntarily retires unless there is a demonstrable benefit to the organisation which would take full account of any extra costs to be borne by the authority. Any such consent shall be agreed by the relevant Managing Director and the Director of Personnel & Development.

Where a scheme member has previously been awarded a preserved benefit, it is not generally the policy of Kent County Council to give consent under this regulation to the early payment of benefits. However, each request will be considered and full account taken of any costs to be borne by the authority. Any consent shall be agreed by the relevant Managing Director and the Director of Personnel & Development.

Regulation 30 (5)

Where a request has been made for the early payment of benefits for compassionate reasons, full consideration must be given to the guidelines* contained in the Kent Scheme of Conditions of Service. Payment may only be made after agreement between the relevant Managing Director and the Director of

Personnel & Development. KCC will be responsible for any additional costs deriving from the decision to release benefits prematurely in compassionate circumstances.

**These guidelines state that the circumstances must be exceptional and would not reasonably be expected to prevail, i.e. the occurrence of a disaster or accident etc. Financial hardship alone would not normally be deemed sufficient.*

Discretionary Compensation Regulations (2006)

1. It is Kent County Council's policy to base redundancy pay calculations on the actual weeks' pay as opposed to the statutory ceiling.
2. Additional levels of compensation, provided by the revised regulations will not normally be agreed, unless there is an overall benefit to the Authority. In exceptional cases the amount of redundancy compensation can be doubled, up to a maximum of 52 weeks. In such cases agreement will be required from the relevant Managing Director and the Director of Personnel & Development.

By: Director of Personnel & Development
To: Personnel Committee - 11 September 2008
Subject: Family Leave Pilot Evaluation
Classification: Unrestricted

SUMMARY: Personnel Committee agreed a one year pilot from 1 June 07 providing carer leave and contractual paternity leave and pay which was extended until 31 August 08 to allow for full evaluation. This report presents the evaluation and recommends the provisions form part of Kent Scheme terms and conditions on a permanent basis.

1. Introduction

- 1.1 The UK has over 3 million working carers and 1 in 7 of the workforce balance the responsibilities of caring and paid employment.¹ Within KCC, the average age of an employee is 44; at this age many people will have caring responsibilities, often for more than one generation. In 2001, 46% of local authorities already provided leave to care for others² and since then the Government has adopted its National Carers' Strategy which highlights the barriers many carers face in finding and keeping suitable employment which will allow them to fulfil their caring responsibilities. Increasingly, large private sector employers, such as BT, are introducing carer leave after becoming aware of the business benefits.
- 1.2 Carer leave was introduced by this Committee as a pilot to refocus the existing compassionate leave provisions. It gave guidance to managers on their discretionary powers and provided a supportive and flexible framework to assist employees at times when their caring responsibilities make it difficult to attend work.
- 1.3 The family leave pilot also included offering paternity pay and leave of 2 weeks on full pay. The Government are planning developments in this area, giving employed fathers extended rights to take additional paid time off work to care for their child in its first year. In the meantime, offering paternity pay and leave is consistent with the trend towards increased support to the family unit around the time of birth and is in step with provisions already offered by many local authorities and other progressive employers.

¹ Carers UK Policy Briefing on the National Carers Strategy

² 'Finding the Balance', NJC for Local Government Services, September 2001 (currently being updated)

2. Take Up

- 2.1 Through central recording we know that over 100 staff have taken carer leave and over 20 staff have taken contractual paternity leave and pay. Managers have recorded some cases locally.

3. How Feedback Was Gathered

- 3.1 During August, the Personnel Policy Officer conducted a telephone survey to evaluate carer leave, contacting 32 staff who had taken it. A breakdown of the feedback is given in **Appendix 1**. Unions, staff diversity groups, managers and Business Support Personnel Teams were also invited to give feedback and to make suggestions for improvements which could be considered in the event of a decision being made to incorporate carer leave and paternity leave and pay into Kent Scheme core terms and conditions. Over 40 responses were received.

4. Feedback and Evaluation Staff

- 4.1 Staff commented that they really valued being able to take carer leave to help ease the pressure on them at a difficult time. They felt that the organisation was supporting their need to be a carer - being able to take carer leave enabled them to carry on working effectively whilst also fulfilling their caring responsibilities.
- 4.2 Several respondents stated that they co-ordinated their caring with other relatives. One employee shared that because her siblings' employers had also offered paid carer leave of 5 days (Network Rail and the Police Service), together they had been able to support their 87 year old mother to remain in her own home. This serves to show that offering carer leave on a permanent basis would help to keep KCC's package of benefits competitive in relation to other large employers in Kent.
- 4.3 Staff who have taken carer leave were keen to describe the difference it had made to them and welcomed the opportunity to provide feedback which would be presented to Councillors. The following shows a typical example,

"I care for my husband who is severely disabled with Rheumatoid Arthritis and is awaiting more operations on his right ankle, knee and hip. He has been very ill with various infections, recently been diagnosed with Multiple Myeloma (a cancer of the bone marrow) and is currently undergoing chemotherapy. I just want to say how extremely helpful these extra days have been to us enabling me to accompany my husband to his various appointments, some of which are at The Royal National Orthopaedic Hospital, Stanmore, Middlesex. My husband cannot walk more than a few steps on his own without pain.

Unfortunately I do have to work full time and life can be very difficult. These extra days make a real difference - thank you KCC. I would really

appreciate the provision of carers' leave in Kent Scheme terms and conditions on a permanent basis."

- 4.5 The registration process enabled staff to discuss anticipated needs with their line manager, which meant that if a need for time off subsequently developed it was less stressful for them. Staff felt that just knowing the leave was potentially available if necessary, showed KCC was a caring employer and made them feel less under pressure to continue to cope when the demands placed on them became unmanageable.
- 4.6 Information from the telephone survey shows that the majority of carer leave was taken to support elderly parents. Some respondents in this category shared that in the past they have stored up their annual leave to cover caring responsibilities which has made it difficult to take time to spend with their more immediate family or to have time for themselves to recharge batteries.³ One commented that she felt this had impacted on her work performance.
- 4.7 Often carer leave was used to take the person cared for to medical appointments, where there was little or no control over the timing, eg surgery, speech therapy.

5. The Management Perspective

- 5.1 The vast majority of feedback from managers was positive, with the less so centering on a request for greater clarity to help make operating managerial discretion more consistent
- 5.2 Managers indicated that the ability to take carer leave in small periods, as opposed to whole or half days, was helpful as there was little effect on service delivery. Sometimes the time was taken at the workplace, eg to make or receive telephone calls to medical or other professionals/to discuss a care package.
- 5.3 Some managers were of the opinion that providing carer leave can contribute to reducing KCC's expenditure, eg the flexibility offered by taking carer leave at a critical time meant that one manager in KASS was able to provide essential care at home for her mother after a fall. In her opinion the alternative would have meant formal care would have been provided by KCC after a community care assessment.
- 5.4 Given the age profile of the management population, managers were often in a position to comment from a dual perspective, as they were also a carers.

³ This is consistent with a Carers' Week (2008) survey of 2000 UK carers which indicates that 60% of carers in employment say they have used part of their annual leave to devote more time to their role as a carer.

6. Union, Staff Groups and Equality Champions Perspective

- 6.1 All fully support the provision of carer leave. UNISON would prefer this to be an entitlement rather than a discretionary benefit, without a need to register. There is some concern that managerial discretion to award the leave is not being applied consistently so some requests are being refused.

7. Improvements that could be made if the provision continues

- 7.1 The feedback showed that not everyone was aware of the pilot or how requests should be handled and recorded. If carer leave is introduced permanently we will address this by remarketing it and providing further guidance to managers with case studies showing how carer leave has been used effectively to support the employee at work whilst maintaining effective service delivery.

8. Paternity Leave and Pay

- 8.1 Telephone feedback from staff who received this benefit during the pilot indicated that they found it very helpful to be able to have time off around the time of the birth without any reduction in pay. Managers considered it was important to support staff at such an important time in their life.
- 8.2 Feedback received via the equality impact assessment process of employment policies in Stonewall suggested the provision be renamed, 'maternity support leave' to reflect that it covers not only the biological father but also the civil partner or partner of either sex of the child's mother. We consider this renaming would be helpful clarification.

9. Conclusion

- 9.1 Evaluation of the Family Leave Pilot has shown that carer and paternity leave and pay have an intrinsic value in supporting staff in managing care needs and are universally welcomed within KCC, enhancing KCC's attractiveness as an employer of choice. Offering these provisions on a permanent basis would be in keeping with the developing trend amongst employers to increase the portfolio of benefits which help reduce pressure experienced when home and work commitments conflict.

10. RECOMMENDATION

- 10.1 That 5 days paid carer leave should be part of Kent Scheme terms and conditions on a permanent basis, with effect from 1 September 2008.
- 10.2 That the Corporate Employee Relations team amend the detail of the provisions in the light of feedback from the evaluation, in relation to providing greater clarity for managers and staff about the circumstances in which carer leave can be taken and to improve the system for recording the leave.

- 10.3 That contractual paternity leave of two weeks on full pay should be part of Kent Scheme terms and conditions on a permanent basis, with effect from 1 September 2008.
- 10.4 That contractual paternity pay and leave be renamed, 'maternity support leave'.

Amanda Beer
Director of Personnel & Development
Ext 4136

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Cause of Sickness Absence – Briefing for Personnel Committee Sept 08

CIPD Absence Survey 08 – 819 UK based organisations surveyed (262 manufacturing and production, 337 private sector services, 170 public services, 71 voluntary, community and not for profit)

Top 5 Reasons for short term absence (less than 4 weeks)

Respondents (%) citing this as a leading cause.

‘Manual Workers’

1. Minor illness 98%
2. Back pain 57%
3. Stress 42%
4. Home/Family Responsibilities 40%
5. Recurring medical conditions 31%

‘Non-manual Workers’

- Minor Illness 99%
- Stress 53%
- Musculoskeletal injuries 49%
- Back Pain 45%
- Home/Family Responsibilities 38%

Top 5 Reasons for long term absence

1. Acute medical conditions 61%
2. Back pain 55%
3. Musculoskeletal 54%
4. Stress 40%
5. Mental Health 43%

- Stress 65% (PS 82%)
- Acute medical conditions 60%
- Mental Health 51%
- Musculoskeletal 42%
- Back pain 42%

Work Related Stress

Respondents (%) identifying as top three cause of stress

All (average)

- Workload 56%
- Management style 40%
- Relationships at work 36 %
- Organisational change/restructuring 34%
- Pressure to meet targets 27%

Public Sector

- 60%
- 35%
- 42%
- 45%
- 30%

NB: HSE research indicated variations in demographics and employer size account for higher levels of public sector absence. Public sector employers (including Kent) are large and employ higher proportions of older and female staff, factors associated with higher levels of sickness absence.

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Top Five Reasons for Absence

KCC (Non Schools)

2007/08

2006/07

	%		%
1 Organic Nervous Disease	19.48%	1 Organic Nervous Disease Hospital/Medical	20.26%
2 Hospital/Medical Appointment	13.39%	2 Appointment	11.74%
3 Influenza, Viruses, Coughs and Colds	9.76%	3 Back and Neck	9.96%
4 Gastro-Intestinal	8.60%	4 Influenza, Viruses, Coughs and Colds	9.05%
5 Back and Neck	7.90%	5 Lower Limbs, Hips and Feet	6.54%

Chief Executives Department

2007/08

2006/07

	%		%
1 Organic Nervous Disease	14.58%	1 Organic Nervous Disease	18.76%
2 Lower Limbs, Hips and Feet	10.82%	2 Back and Neck	11.68%
3 Back and Neck	9.64%	3 Lower Limbs, Hips and Feet	11.52%
4 Influenza, Viruses, Coughs and Colds	9.62%	4 Hospital/Medical Appointment	9.20%
5 Hospital/Medical Appointment	9.47%	5 Influenza, Viruses, Coughs and Colds	8.66%

Children, Families and Education

2007/08

2006/07

	2007/08	2006/07
1 Organic Nervous Disease	22.99%	24.11%
2 Hospital/Medical Appointment	13.99%	11.25%
3 Influenza, Viruses, Coughs and Colds	9.12%	8.73%
4 Gastro-Intestinal	7.64%	8.33%
5 Back and Neck	6.91%	6.71%

Communities

2007/08

2006/07

	2007/08	2006/07
1 Organic Nervous Disease	18.94%	21.82%
2 Influenza, Viruses, Coughs and Colds	11.03%	11.85%
3 Hospital/Medical Appointment	9.93%	10.84%
4 Gastro-Intestinal	8.75%	8.97%
5 Back and Neck	7.82%	7.06%

Environment and Regeneration

2007/08

2006/07

	2007/08	2006/07
1 Organic Nervous Disease	13.71%	16.84%
2 Influenza, Viruses, Coughs and Colds	12.65%	12.02%
3 Lower Limbs, Hips and Feet	11.83%	10.28%
4 Hospital/Medical Appointment	10.54%	7.59%
5 Gastro-Intestinal	9.70%	7.46%

Kent Adult Social Services

2007/08

2006/07

	2007/08	2006/07
1 Organic Nervous Disease	19.15%	17.80%
2 Hospital/Medical Appointment	16.11%	13.26%
3 Influenza, Viruses, Coughs and Colds	9.36%	11.33%
4 Gastro-Intestinal	9.23%	8.37%
5 Back and Neck	8.43%	7.13%

Please note: Absence on any given day is shown as one day, regardless of actual hours lost. If someone is absent from more than one job on a given day, the absence is counted as one day against each job.

Calculation for calendar days lost = (sickness end date-sickness start date)+1

Source: C03 Standard reports

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By: Director of Personnel & Development

To: Personnel Committee - 11 September 2008

Subject: Recruitment & Retention of Young People

Classification: Unrestricted

SUMMARY: This paper informs Personnel Committee of (i) the many actions that have been implemented to attract, recruit and retain young people and (ii) new and potential ways to increase the number of young people employed by KCC.

1. Context

Attracting, recruiting and retaining more young people to work for KCC is a workforce priority. In common with local government this employee group is under represented in the organisation and we have an ageing workforce with large number of employees forecast to retire over the next 10 years. This is highlighted in KCC's Strategic Workforce Plan 2007- 2010.

Actions that support the attraction, recruitment and retention of young people.

- Work experience opportunities are provided to young people, in particular school students aged 14-16. These placements are made across KCC and in the social care sector through the Kent Vocational Training Programme.
- Personnel & Development actively promote Kent Success Apprenticeships and encouraged managers to recruit apprentices including through regular extra-mails.
- A package of support is in place to assist apprentices gaining permanent employment with KCC. This includes targeted training.
- Apprentices have a guarantee of an interview if they meet the minimum criteria (policy change).
- Policy has been introduced whereby posts in grades KS1-6 do not require experience unless there is a business reason, in so doing providing more opportunities for young people.
- Model job descriptions and person specifications have been produced that focus on abilities and competencies (rather than experience).
- Managers have been trained in positive action recruitment

- A site has been developed on kent.gov (www.kent.gov.uk/yourfirstjob) that is designed to attract young people to work for KCC including Kent Success apprenticeships.
- Over 2000 credit style cards publicising the site have been sent to all KCC Secondary Schools, Connexions, Jobcentre Plus and Libraries and other KCC buildings. Access to PCs has been arranged with all libraries in Kent and contact details supplied.
- At the 2008 County Show employees from Greenhouse (KCC's Young People Group) have promoted and publicised the site and invited young people to ask about working for KCC.
- KCC jobs and careers are also promoted to young people at recruitment fairs.
- KCC's Gap Year Programme recruits young people to KCC and to businesses in Kent in the private and public sectors. Typically young people recruited through the scheme are recent A level students wishing to undertake employment prior to university; year in industry work experience students; graduates seeking short term employment.
- The Kent Graduate Scheme - KCC's flagship management trainee programme including a Finance and Highways stream provides excellent opportunities.
- Greenhouse – KCC's staff group for people under 30 empowers employees to support young people issues including attraction, recruitment and retention.

2. New and Potential Ways to Attract, Recruit and Retain Young People

- Personnel and Development is exploring ways in which apprentices can be recruited against actual vacancies in entry level grades. A discussion paper has been produced and is being developed.
- Targeting specific Business Units that would benefit from recruiting apprentices:
 - i) Kent Highway Service is at an advanced stage of developing an apprenticeship scheme for Highway Inspectors that will be launched during the Autumn
 - ii) Commercial Services are at the early stages of exploring an apprenticeship scheme for County Workshops
- On 20 June 2008 Skillsforcare announced that changes have been made in care regulations to allow well trained 16-18 year olds to

provide personal care, providing a significant sector for future apprentices. Discussions are planned between Supporting Independence, Key Training and Personnel & Development to explore opportunities.

- Personnel & Development will continue to promote Kent Success apprenticeships to managers together with the supporting actions outlined in this paper and encourage all business units to employ an apprentice.
- Apprentices currently receive a weekly wage of £80 per week. This rate will be reviewed. Issues to consider include whether an increase would improve attraction and recruitment rates to the Kent Success apprenticeship scheme.
- A new working group is to be established. Its purpose and objectives include creating a greater synergy between existing work placement schemes and to provide a forum through which related KCC activities can be strategically managed to improve outcomes for young people.

3. Noted

Significant activities, policies and schemes are in place to support the employment of young people and more are planned. Under representation of young people and the ageing workforce is a major issue across local government and other parts of the public sector. Further workforce planning will be required in this area and we are consulting with employers in Kent on how we can tackle these issues through collaboration and joint working.

Amanda Beer
Director of Personnel & Development
Ext 4137

Nigel Fairburn
Workforce Development Manager
Ext 4612

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By: Director of Personnel & Development
To: Personnel Committee - 11 September 2008
Subject: Joint Review of Harassment & Grievance Cases 2008
Classification: Unrestricted

SUMMARY: This report replicates that presented to Corporate Consultative Committee earlier this year detailing the outcome of a joint review between unions and Personnel & Development on the treatment of new harassment and grievance cases presented between January and June 2008.

1. Background

A joint review of new cases raised between January and June 2008 was conducted in response to concerns raised by UNISON and GMB about the way they understood KCC was handling claims of harassment and grievances. The purposes of the review was to examine the triggers for these cases, the use of mediation, the outcomes and other factors outlined in the terms of reference (attached).

2. The Review Panel

The review panel comprised UNISON and GMB representatives, Policy Manager (Corporate Employee Relations) and the Schools Personnel Services Manager.

3. Scope of the Review

The original intention was to review a sample of 25 cases in all over the defined period (10 grievance, 15 harassment). In fact the panel considered all harassment and grievance cases that arose which amounted to 45 (17 harassment 28 grievance) in total.

The information collected on cases was supplied by Personnel Teams across KCC included the Schools' Personnel Service and included both cases in which the individual was support by a union and those involving unrepresented people.

4. Methodology

The panel met 3 times over the period and undertook a paper review of all cases including, on occasion, access to detailed background documentation. At the last meeting, due to a notable increase in cases

between meeting supplied by the Personnel Team supporting Communities, Environment & Regeneration and Chief Executives, a Senior Personnel Officer was present to provide additional details.

5. Findings

5.1 Triggers

The initiating factor in cases varied considerably. Examples for grievance include:

- Content of employment reference
- Issues relating to facilities time for trade union duties
- Occupational Health referral, advice and management action resulting
- Inclusion on transfer list
- Exclusion from redundancy consultation
- Treatment during restructuring
- Extension of probation following sickness
- Claim for back pay relating to secondment

Examples for Harassment & Bullying include:

- OH referral and/or the management of sickness absence
- A breakdown in relationships between colleagues
- 1 instance of a sexual harassment allegation
- 1 instance of a racial harassment allegation
- Managerial approach/style

5.2 Duration of Cases

In the main cases were managed within a reasonable timeframe reflecting the ideal turnaround within procedures whenever possible. There were generally good reasons for delays including, for example, an extended investigation due to the number of witnesses and complexity of a harassment case.

5.3 Extent of involvement of Trade Unions/Workplace Representatives

The employee was represented in 9 of the cases that had progressed to investigation or hearing. It should be noted that some cases are on-going and have not yet reached this point.

5.4 Mediation

Mediation appeared to be offered as part of attempts to resolve relationship breakdown where it was deemed appropriate in the circumstances.

5.5 Grievances

The panel noted that grievances appeared at different stages of the procedure and was able to view the management response to those upheld. Outcomes varied according to the context of the grievance and included taking an individual off the 'transfer list' for a TUPE transfer, the implementation of flexible working for an individual, the offer of alternative work and a reference letter being adjusted.

5.6 Outcomes

The outcomes of those cases that have been concluded or resolved for each directorate during the period varied considerably.

CFE

Grievance	<ul style="list-style-type: none"> • Not upheld although management practice improved as a result • 2 Upheld in part
Harassment/Bullying	Harasser dismissed

Communities, Environment & Regeneration & Chief Executive's Directorates

Grievance	<ul style="list-style-type: none"> • 4 Not upheld • Resignation • 3 Upheld • Informal resolution (pre hearing)
Harassment	<ul style="list-style-type: none"> • Withdrawn • 2 mutual termination

KASS

Grievance	<ul style="list-style-type: none"> • 4 Not upheld • 2 Upheld
Harassment	<ul style="list-style-type: none"> • 2 No case to answer found following investigation

6. Summary

Overall the Panel were satisfied that the basis of complaints from staff was varied and did not exclusively originate from management action. Whilst there was no discernable trend to the triggers, it was noted that in the cases covered by the Personnel Team supporting Communities, Environment & Regeneration and Chief Executives, there was a high

number of cases that had arisen directly resulting from managers attempting to better manage attendance. It was also notable that several people objected to OH referrals or action resulting from those referrals.

There was no significant evidence to substantiate previously expressed views that managers were consistently failing to respond to staff complaints. The diverse nature of the harassment cases made it difficult to draw meaningful conclusions about the way the council responds to specific types of harassment complaint.

The outcomes of the resolved cases indicate that when there is merit in the criticisms levelled at KCC managers or processes adjustments are made whenever practicable to redress the situation.

Two harassment cases have resulted in disciplinary hearings (one heard, one to be heard) and in the first case the harasser has been dismissed. There have been no complaints during the period relating to the outcome of a harassment investigation.

The use of mediation when appropriate, evidence of varied 'resolutions' and the maintenance of momentum in managing cases indicated KCC managers, with P&D support are handling staff complaints well.

7. Personnel Committee is asked to note

The findings of the review which were shared with Corporate Consultative Committee (CCF) in June 08.

CCF proposed the review of harassment and grievance cases continue and be reported on an annual basis to CCF and the Committee.

Amanda Beer
Director of Personnel & Development
Ext 4136

Appendix 1 - Joint Review of Harassment & Grievance Complaints 2008

Review Panel

Sheena Sanchez	GMB
Suzanne Sinclair	GMB
David Buss	UNISON
David Lloyd	UNISON
Nicola Lodemore	KCC Corporate Employee Relations
Karen Ray	KCC Schools Personnel Service

Scope of Review

A sample of formal harassment and grievance cases that arise and are completed during the period 1/1/08 – 30/6/08 will be reviewed. (Formal cases – raised through procedures and not informally).

The sample size will be 15 harassment cases and 10 grievance cases (the sample size is based on the number of reported cases in 2007/8).

Where available equalities data on cases should be noted as part of the monitoring activity of this group and any identified issues relating to equality identified.

Note: Access to information on cases in schools will be limited to those SPS is directly involved in supporting.

Terms of Reference of Review

- Establish the background to each complaint to identify triggers where possible.
- Review the duration of cases from initial complaint to final outcome, identifying the cause and impact of any delays
- Note the extent of involvement of trades unions or workplace colleagues in the process.
- Assess approach to harassment investigations – who investigations, the methodology and the way the outcome of the investigation is presented in writing.
- Note the number of harassment allegations that result in a formal hearing under the disciplinary process and the outcomes from the sample
- Note action taken to support the 'harassed' employee and the 'harasser' during and following an allegation/complaint.
- Note number of appeals against the outcome of a harassment investigation, the basis of those appeals and the outcomes.
- For grievances – note how far through the stages of grievance the case goes and management action, if any, that results from grievance hearings, at each stage.
- Monitor the use of mediation.

Methodology

- Cases identified by Business Support Teams and Schools Personnel Service based on those that arise during the review period (i.e., the distribution across Directorates will be random)
- Corporate ER to collect and share information with Review Panel
- Background and documentation review meetings at 2, 4 and 6 months
- Report produced of findings of the review with recommendations where identified for HR Policy Group and CCF.