

**PERSONNEL COMMITTEE**

**Wednesday, 29th January, 2014**

12.30 pm

Wantsum Room, Sessions House, County Hall,  
Maidstone







## AGENDA

### PERSONNEL COMMITTEE

**Wednesday, 29th January, 2014, at 12.30 pm**  
**Wantsum Room, Sessions House, County Hall, Maidstone**

Ask for: **Denise Fitch**  
Telephone **01622 694269**

Tea/Coffee will be available 15 minutes before the start of the meeting

#### **Membership (9)**

Conservative (5): Mr P B Carter, CBE (Chairman), Mr G Cooke (Vice-Chairman), Mr J D Simmonds, MBE, Mrs P A V Stockell and Mr B J Sweetland

UKIP (2) Mr N J Bond and Mr M Heale

Labour (1) Ms A Harrison

Liberal Democrat (1): Mrs T Dean

#### **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 of the meeting held on 28 November 2013 (Pages 5 - 8)
4. Grievance Activity (Pages 9 - 12)
5. Date of Next Meeting - 4 June 2014

The next meeting of the Committee will be held on 4 June 2014 at 2.00pm

#### **B. MOTION TO EXCLUDE THE PRESS AND PUBLIC**

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 4 of Part 1 of Schedule 12A of the Act.

### **EXEMPT ITEMS**

(During these items the meeting is likely NOT to be open to the press and public)

1. Local Pay Bargaining - 2014/15 (Pages 13 - 20)
2. Facing the Challenge update (Pages 21 - 24)

### **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  
(01622) 694002

**Tuesday, 21 January 2014**

**KENT COUNTY COUNCIL**

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**PERSONNEL COMMITTEE**

MINUTES of a meeting of the Personnel Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Thursday, 28 November 2013.

PRESENT: Mr P B Carter (Chairman), Mr G Cooke (Vice-Chairman), Mr N J Bond, Mrs T Dean, Ms A Harrison, Mr M Heale, Mr J D Simmonds and Mr B J Sweetland.

ALSO PRESENT: Mr M E Whybrow.

IN ATTENDANCE: Mr I Allwright (Employment Policy Manager), Mrs A Beer (Corporate Director Human Resources), Ms J Cudmore (Workforce Development Manager), Ms D Fitch (Democratic Services Manager (Council)), Ms T McCarthy (Strategic Business Information Manager), Mr C Miller (Reward Manager) and Mr P Royel (Head of Employment Strategy).

**UNRESTRICTED ITEMS****22. Minutes of the meeting held on 10 September 2013**

*(Item 3)*

RESOLVED that the minutes of the meeting held on 10 September 2013 are correctly recorded and that they be signed by the Chairman.

**23. Pay Policy for centrally employed teachers**

*(Item 4)*

(1) Mr Miller introduced a report which set out the recommended new provisions in the School Teachers' Pay and Conditions Document 2013 and how these should be applied to centrally employed teachers within KCC.

(2) Mr Miller confirmed that teachers pay progression could be linked to KCC's Total Contribution Pay Scheme. Where teachers worked closely with schools feedback on performance would be sought.

(3) RESOLVED that the implementation of the 'Kent County Council Pay Policy Statement 2013-14 for Teachers covered by the School Teachers Pay & Conditions' document, as set out in Appendix 1 of the report and the statement regarding the discretions available in this document as set out in paragraph 5.1 of the report be endorsed.

*(Mr Sweetland declared that his wife was a teacher employed by a school).*

**24. The Living Wage**

*(Item 5)*

(1) Mrs Beer and Mr Miller introduced a report which considered the Living Wage and its potential impact on the wider authority. As part of this, specific feedback had been sought to assess the impact on schools and how other organisations were

approaching this matter. Also circulated at the meeting was an illustration of a potential reward package for someone on the top of KR2.

(2) Mr Whybrow was invited to speak on this item. He acknowledged that Kent County Council was a fair employer and welcomed the useful analysis of the package at KR2. He suggested that the Living Wage in relation to commissioned services should be included in the discussions with the unions and suggested wording along the following lines:

*"KCC would consider favourably a commitment to the Living Wage from bidders for commissioned services, believing this to be in line with the wider considerations allowed for by the Public Services Social Value Act."*

(3) Mr Whybrow confirmed that he supported negotiations with the unions on the Living Wage and suggested that the wording in paragraph 7.2 should be amended to read:

*"It is agreed that it is good in principle and that a pragmatic decision will be taken to move KCC in this direction for all staff directly employed by the Council. This includes the desire to set the lowest pay rate as close to or at the Living Wage level without overt commitment to match it, due to budget constraints, the need to minimise job losses, and complications with commissioning services."*

(4) Whilst not being against the principle of the Living Wage, Mr Simmonds expressed reservations about the robustness of the way in which it was calculated and the implications for future County Councils budgets if it was adopted.

(5) Two other issues in relation to the Living Wage were raised by the Chairman for clarification, these were the impact on schools and the impact on the standard wage paid to apprentices of KCC adopting the Living Wage.

(6) RESOLVED that the Committees discussion inform the corporate pay bargaining process with the trade unions and that there be a report back to the Committee in January on the outcome of the negotiations and more information on how other local authorities have implemented to the Living Wage

## **25. Disciplinary & Grievance Activity**

*(Item 6)*

(1) Mr Allwright presented a report which updated the Committee on employee discipline and grievance case work activity for the period 2012-13. The report also set out changes to the Disciplinary Procedure and sought the Committee's approval to a revised Disciplinary Policy and, Policy and Hearings Procedure.

(2) Members welcomed the intended approach to changing the Council's Grievance procedure.

(3) Mrs Beer undertook to provide Members with the rules around Officers canvassing Members support on Human Resources matters.

(4) RESOLVED that :

(a) the report of employee relations activity including senior officer appeals hearings be noted .

(b) the Disciplinary Policy and Procedure and the Hearings Procedure and the proposed approach to dispute resolution be approved.

(c) a report be submitted to the next meeting of the Committee setting out additional figures on grievances which could be included in the performance dashboard.

## **26. Annual Workforce Profile**

*(Item 7)*

(1) Ms McCarthy submitted a paper which provided a mid year update to the Annual Workforce Profile report which contained details of changes in the size and composition of the Authority's workforce for the period ending 30 September 2013. The report included staffing information as at that date and details of trends identified within the period. The report was divided into sections, each covering different sectors of the Authority's workforce.

(2) In relation to sickness levels, which had been decreasing overall, Mrs Beer explained that in the Family and Social Care Directorate there were rigorous processes in place to access the reasons for absence and explained why sickness absence tended to be higher in this Directorate.

(3) RESOLVED that the update be noted.

## **27. Kent Manager - Presentation**

*(Item 8)*

(1) Ms Cudmore gave a PowerPoint presentation on KCC's Leadership and Management Development Strategy, including the work being undertaken to support Facing the Challenge and the Future Manager Programme.

(2) RESOLVED that the presentation be noted.

## **28. Facing the Challenge**

*(Item 9)*

(1) Mrs Beer introduced a report which updated the Committee on the HR approach to supporting the overall Facing the Challenge agenda and on the top two tier restructuring.

(2) RESOLVED that the progress of the top two tier restructuring, the proposed approach to restructuring and the Human Resources project based response to Facing the Challenge be noted.

## **29. Dates of meetings in 2014**

*(Item 10)*

RESOLVED that the following dates for meetings in 2014 be noted:

Wednesday 29 January 2014

Wednesday 4 June 2014  
Tuesday 9 September 2014  
Thursday 27 November 2014

All meetings would start at 2.00pm.



**By:** Gary Cooke – Cabinet Member for Corporate & Democratic Services  
Amanda Beer – Corporate Director Human Resources

**To:** Personnel Committee

**Date:** 29 January 2014

**Subject:** Grievance Activity

**Classification:** **Unrestricted**

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**SUMMARY:** This report updates Personnel Committee on grievance case work activity for the period 2012-13 and associated timescales for the resolution of disputes.

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## **1. INTRODUCTION**

- 1.1 On 28 November 2013 Personnel Committee received a report on discipline and grievance activity which provided an overview of the distribution of cases.
- 1.2 The figures that were provided were set in the context of there being increasingly less HR resource and a greater focus on KCC managers leading performance management successfully. The case team part of the HR Advisory Team has taken a lead in working with managers to raise standards and their confidence in managing employee relations.
- 1.3 Following consideration of the paper Personnel Committee asked that a subsequent report be presented which analyses the time taken to complete grievances.

## **2. CASE ANALYSIS**

- 2.1 Whilst the Council's grievance procedure provides a framework for formally managing disputes it also encourages, and positively supports, managers and employees resolving matters informally. Due to the local management of such disputes there are no figures available to demonstrate the level of this activity. However, it is expected that the Kent Manager has the skills to resolve matters as swiftly and as near to the point of dispute as possible.
- 2.2 The figures presented are, therefore, for cases that could not be resolved at team level or were escalated up the steps in the procedure due the case's significance or due to the parties involved. These are cases where HR advise on the process.
- 2.3 The analysis also does not include whistle blowing cases as they are dealt with through a separate policy to ensure speedy identification and investigation of the issues raised.

- 2.4 The timescales shown in the following table should be considered in the context that there is no set timescale for employees to move a grievance to the next step of the procedure if they are unhappy with the decision made at the previous stage. The figures will also include grievances that require investigation into the matters raised which can have an impact on the length of time it takes to conclude the procedure.

**April 2012 – March 2013**

**Grievances – resolution timescale**  
**Total = 59 Cases**

<b>Under 1 month</b>	<b>1 to 2 months</b>	<b>2 to 4 months</b>	<b>Over 4 months</b>	<b>Pending</b>
26	18	7	4	4

**April 2013 – October 2013**

**Grievances – resolution timescale**  
**Total = 39 Cases**

<b>Under 1 month</b>	<b>1 to 2 months</b>	<b>2 to 4 months</b>	<b>Over 4 months</b>	<b>Pending</b>
19	8	9	0	3

*The number of cases and the chosen time periods correspond to those in the report of the 28 November 2013.*

*The pending column is cases that were opened but not resolved in the period for the table. The outcomes for the cases pending at the end of March 2013 are included in the April 2013 table.*

- 2.5 These tables show that for April 2012 to March 2013 just under 50% of cases were resolved in less than a month and 75% in less than two months. A very similar percentage can be seen for the period April 2013 to October 2013. The calculations do not include the pending cases as they have no close date.
- 2.6 Every effort is made to close grievances quickly and it can be seen that in the period from April 2013, whilst not a full year's figures, there had been no cases remaining unresolved after four months.
- 2.7 The analysis of the 4 cases that took over four months in the period April 2012 to March 2013 shows that 2 of them were linked to disciplinary cases and had to be managed in the context of the investigations involved. Of the other two one required an investigation before an outcome was given and the other saw difficulties in the availability of the parties involved.
- 2.8 Of the other cases that took over 2 months a variety of issues resulted in these timescales including investigations required, ill health and maternity leave.

- 2.9 The current grievance procedure does give scope for employee's grievances to be resolved in a timely fashion. There are many factors that can influence timescales not least continued escalation through the process by the employee. Personnel Committee agreed on the 28 November 2013 to embark on changing the Council's approach to resolving grievances through the introduction of a dispute resolution procedure. The emphasis of this type of procedure is to resolve disputes without reference to more formal processes and in finding mutually acceptable outcomes. This should have a positive impact on the speed of resolution.

### **3. RECOMMENDATIONS**

- a) Personnel Committee notes the report of the timescales to resolve disputes raised under Kent County Council's grievance procedure.

**Ian Allwright**  
**Employment Policy Manager**  
**Ext 4418**

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By virtue of paragraph(s) 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Agenda Item B1

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Agenda Item B2

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