

PERSONNEL COMMITTEE

Wednesday, 28th January, 2015

2.00 pm

Wantsum Room, Sessions House, County Hall,
Maidstone





AGENDA

PERSONNEL COMMITTEE

Wednesday, 28th January, 2015, at 2.00 pm Ask for: **Denise Fitch**
Wantsum Room, Sessions House, County Telephone **03000 416090**
Hall, Maidstone

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 L Burgess
- Labour (1) Ms A Harrison
- Liberal Democrat (1): Mrs T Dean, MBE

Please note: that the unrestricted part of this meeting may be filmed by any member of the public or press present.

By entering into this room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

UNRESTRICTED ITEMS

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

A. COMMITTEE BUSINESS

- A1 Substitutes
- A2 Declarations of Interests by Members in items on the Agenda for this meeting.
- A3 Minutes - 9 September 2014 (Pages 5 - 8)
- A4 Discipline & Grievance Activity (Pages 9 - 14)

- A5 Annual Workforce Profile Report update (Pages 15 - 26)
- A6 Update on Terms and Conditions for Public Health Staff (Pages 27 - 36)
- A7 Membership of the Personnel Member Appointment Panel (Pages 37 - 38)
- A8 Date of Next Meeting

The next programmed meeting of the Committee will be held on 3 June 2015 at 2.00pm

- A9 Motion to Exclude the Press and Public

RESOLVED that under Section 100A of the Local Government Act 1972 the 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, 2 and 4 of part 1 of Schedule 12A of the Act.

B. EXEMPT ITEMS

- B1 Local Pay Bargaining - 2015/16 (Pages 39 - 44)
- B2 Discretionary Payments (Pages 45 - 64)
- B3 Strategic & Corporate Services Restructure (Pages 65 - 114)
- B4 Deferred Redundancy (Pages 115 - 116)
- B5 Senior Management Appointment

Peter Sass
Head of Democratic Services
03000 416647

Tuesday, 20 January 2015

KENT COUNTY COUNCIL**PERSONNEL COMMITTEE**

MINUTES of a meeting of the Personnel Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Tuesday, 9 September 2014.

PRESENT: Mr P B Carter, CBE (Chairman), Mr G Cooke (Vice-Chairman), Mr N J Bond, Mrs T Dean, MBE, Ms A Harrison, Mr C P D Hoare (Substitute for Mr L Burgess), Mr J D Simmonds, MBE, Mrs P A V Stockell and Mr B J Sweetland.

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

UNRESTRICTED ITEMS**32. Minutes of the meetings held on 17 July 2014**
(Item A3)

RESOLVED that the minutes of the meeting held on 17 July 2014 be taken as a correct record and signed by the Chairman.

33. Retention Policy
(Item A4)

(1) Mr Fairburn introduced a report which outlined KCC's retention strategy and how was informed by understanding why some people choose to leave KCC. The report set out information on the data from the new joiner 'on boarder, pilot and details of workforce planning including talent management.

(2) Mrs Beer and Mr Fairburn answered questions and noted comments from Members.

(3) Mr Fairburn explained there was no evidence that new employees were being given unrealistic expectations regarding progression within the organisation. He also outlined the work that was being carried out with managers in relation to succession planning and talent management. As part of this managers were encouraged to identify people with potential and ambition in order to provide them with the opportunity to broaden their skills. Mrs Beer confirmed that reference to experience had been removed from recruitment material in favour of aptitude and ability. Also use was made of flexible deployment where appropriate.

(4) In relation to the new joiner 'on boarder', pilot mention was made of the 5% of respondents who had left KCC employment within 6 months. It was confirmed that these were on fixed term contracts and therefore were always going to leave KCC, but they were still able to provide valuable feedback about the organisation. Mr Fairburn undertook to provide data comparing turnover with other authorities in the South East.

(5) In response to comments from Members about the move away from carrying out exit surveys, Mrs Beer explained that there was a view amongst HR professionals that the responses when available were not reliable. She confirmed HR was not resourced to carry out exit interviews and therefore they would currently need to be carried out by the line manager which might have an impact on the responses given.

(6) Members suggested that it would be helpful to have the data from the new joiner survey broken down into types of work as there might be some areas that were showing a high turnover of workforce and issues in those areas may need to be specifically addressed.

(7) It was noted that work was being carried out on Total Contribution Pay (TCP) to achieve a correlation with other data.

(8) RESOLVED that the Retention Strategy be endorsed and that reports be submitted to future meetings of the Personnel Committee on:

- (a) the use of exit interviews including the cost of using an external provider.
- (b) the result of the work being carried out to correlate information about individual's development activity with TCP ratings.

34. Employment Value Proposition (EVP)
(Item A5)

(1) Mr Allwright introduced a report which provided an executive summary of the findings of the 2014 EVP survey outlining key improvements in the levels of employee engagement.

(2) Officers undertook to circulate to Members of the Committee the free text comments from the survey and the data broken down by Directorate/ Department.

(3) RESOLVED that the EVP survey results and the improvements in levels of employee engagement be noted.

35. Employment Policy Update
(Item A6)

(1) Mr Allwright introduced a report which provided an update on the Kent Scheme Terms & Conditions of Service and on guidance to support change management in the Authority.

(2) RESOLVED that the changes to the Kent Scheme Terms & Conditions of Service and the revised and new guidance introduced to support change management in the Authority be noted.

36. Discretionary Payments
(Item A7)

(1) Mr Miller introduced the annual report which outlined payments made to staff where the Authority could exercise discretion.

(2) Mr Miller answered a number of questions on the process and reasons for granting discretionary payments in relation to both market premium payments and pay enhancements. Members were assured that these payments were related to performance and that there was a system in place to ensure that the payments were reviewed by the Corporate Director on an annual basis.

(3) RESOLVED that the report be noted and a list be submitted to the next meeting setting out the reasons for each of the market premiums which would be considered in the part of the “exempt” part of the meeting.

(Post Meeting Note: The figure reported for Finance Business Partner – Families & Social Care, (£20,000 for 2013/14) was incorrect as the figure included other changes to pay which took place that year. A net market premium payment of £10,000 was made within the 12 month review period which is consistent with the agreed and approved value.)

37. Facing the Challenge - HR Implications & Policies

(Item A8)

(1) Mr Royel introduced the report which highlighted the immediate and planned impact that Facing the Challenge had driven in HR policy and practice.

(2) Members acknowledged the key role that good managers played in the transformation process. Mr Royel emphasised the importance of giving managers the confidence to discharge their role and make good judgements.

(3) RESOLVED that the changes made and direction proposed for Human Resources Policy and Practice be endorsed.

38. Motion to exclude the press and public

RESOLVED 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 paragraph 1 and 2 of Part 1 of Schedule 12A of the Act.

EXEMPT ITEM

39. Deferred Redundancy

(Item B1)

(1) Mrs Beer introduced the report which outlined reasons for seeking an extension to a deferred redundancy and updated this report at the meeting.

(2) Mrs Dean expressed concerns on behalf of her Group regarding this request which were noted

(3) RESOLVED that the extension to the deferred redundancy be approved.

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

To: Personnel Committee

Date: 28 January 2015

Subject: Disciplinary & Grievance Activity

Classification: Unrestricted

SUMMARY: This report updates Personnel Committee on employee case work activity for the period 2013-14.

1. INTRODUCTION

- 1.1 Personnel Committee has previously received reports on discipline, capability and grievance activity which provided an overview of the distribution of cases. This report updates the Committee on the current figures and their comparison to the previous year.
- 1.2 The figures are provided 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 (HRAT) has taken a lead in working with managers to raise standards and their confidence in managing employee relations.

2. CASE ANALYSIS

- 2.1 The greatest volume of cases for the years ending March 2013 and March 2014 are those concerning ill health (Appendix 1) although there has been a fall in this type of case of 42% over the year. This continuing high number of cases does not reflect greater levels of ill health but is indicative of managers addressing sickness absence at an early stage. This preparedness to manage sickness absence is shown in the continuing reduction in the levels of sickness absence throughout the Council – over this period sickness absence reduced from 7.38 to 6.84 days per year. Also, since April 2013, the HRAT Case Team has undertaken a lot of work in supporting and skilling up managers to ensure that they can deal with these type of cases effectively at the informal stage. This means that these cases are less likely to require recourse to using the formal procedure.
- 2.2 The number of disciplinary cases has fallen by about 30%. The overall number of cases shows that managers are dealing with misconduct when it arises. The level of grievance and harassment activity in 2013/14 is similar to the previous year.

- 2.3 The number of Employment Tribunal cases against KCC remains relatively few for an organisation of its size. Of the claims that went to tribunal only 4 were heard by an Employment Judge (two are still outstanding) of which KCC was successful in all but one of the cases. This is in no small part attributable to the business focused, risk aware advice given by KCC's HR Advisers in liaison with their Legal Services colleagues.
- 2.4 It is important that the cases discussed in this paper are managed in a timely fashion. This ensures that:
- Procedural timescales are met
 - Employees have a resolution in a suitable timescale, and
 - Managers can begin to move beyond the issues at hand in a timely fashion
- 2.5 Analysis of the length of time it takes to complete each type of case shows that the percentage of capability ill health cases that take over 12 weeks is 66%, which is an increase of 15% on the previous year. These type of cases and the length of time they take are sensitive to the type of condition people are suffering. The increase in cases recorded is due to the number of people who have been suffering severe and chronic illnesses, particularly cancer.
- 2.6 There has been a 6% increase (to 55%) in the percentage of disciplinary cases that take over 12 weeks. Analysis shows that there is a significant percentage of these cases (40%) where people are becoming sick during proceedings. This impacts on timescales as the employee's ability to engage with the process has to be assessed (including referrals to Occupational Health) and managed accordingly and sensitively.
- 2.7 The percentage of grievances resolved in less than 4 weeks has increased by 6% to 45%. The number taking more than 12 weeks has reduced by 3% to 14% (or 8 cases).

3. SENIOR OFFICER APPEALS

- 3.1 Appeals against dismissal are managed through HR and they are arranged with the support of the Challenger Group, which has resulted in this task being better distributed across the management population.
- 3.2 8 senior officer dismissal appeals were heard in 2013/14, which was a reduction of nearly 40% on the number from the previous year. The table below illustrates the distribution between directorates, case type and outcomes.

Directorate	No. of Appeals	Case Type	Outcomes
FSC	6	3 conduct 3 capability	6 dismissals upheld
C&C	1	1 conduct	1 downgrading upheld
BSS	1	1 conduct	1 dismissal upheld
TOTAL	8		7 dismissals 1 downgrading

Please note that the old Directorate names are used as these figures apply to the year 2103/14 before the introduction of the new directorate structure.

4. RECOMMENDATIONS

- a) Personnel Committee notes the report of employee relations activity including senior officer appeals hearings.

Background Documents - none

Contact details:-

Ian Allwright
Employment Policy Manager
Ext 4418

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Number of Employee Relations Cases

April 2011 – March 2012

	Total
Appeals	18
Appeals (Dismissal)	9
Capability – Ill Health	496
Capability – Other	10
Capability – Poor Performance	101
Disciplinary	239
Grievance	49
Harassment	27
Employment Tribunal	12
Grand Total	961

April 2012 – March 2013

	Total
Appeals	27
Appeals (Dismissal)	13
Capability – Ill Health	414
Capability – Other	4
Capability – Poor Performance	88
Disciplinary	210
Grievance	59
Harassment	16
Employment Tribunal	17
Grand Total	848

April 2013 – March 2014

	Total
Appeals	22
Appeals (Dismissal)	8
Capability – Ill Health	287
Capability – Other	3
Capability – Poor Performance	87
Disciplinary	147
Grievance	56
Harassment	17
Employment Tribunal	17
Grand Total	644

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

To: Personnel Committee

Date: 28 January 2015

Subject: Annual Workforce Profile Report update

Classification: Unrestricted

Annual Workforce Profile Report

Summary:

This report provides an update to the Annual Workforce Profile report, presented to Personnel Committee in June 2014. This report provides information on the changes in staffing levels, demographics and diversity of Kent County Council's workforce in the six month period ending 30 September 2014.

1. Headlines:

- KCC Staffing levels have fallen by around 492 full-time equivalents (FTE) since March 2014
- The twelve month rolling average shows that sickness levels in the non-schools sector have gradually increased since 1 April 2014
- Turnover* in the non-schools sector gradually increased during the first half of 2014-15 from 12.1% in March 2014 to 14.2% in September 2014 (**excluding CRSS staff*)
- All Directorates have shown a decrease in FTE since April 2014, other than Strategic and Corporate Services, where there has been a 2.7 FTE increase.
- 15 schools went to academy status in the half-year April to Sep 14.

2. Changes in staffing levels, demographics and diversity by sector

2.1. Kent County Council's workforce

KCC staffing levels continue to decrease, although the rate of decline slowed slightly in more recent months. September 2014 figures show that the full-time equivalent (FTE) has reduced by almost 500 since March 2014.

Across the Authority, the proportion of Casual Relief, Sessional and Supply contracts has increased since March 2014 and now stands at 18.6%. The breakdown of staff on the Kent Scheme by grade band has remained relatively static over the first half-year, with a marginal decrease in the number of posts graded KR1-6, offset by small increases in grades KR7 to KR13.

2.2. Non-Schools

Staffing levels in the non-schools workforce have fallen since the start of the year and the full-time equivalent is now around 125 FTE lower than on 1 April 2014.

Turnover increased slightly each month in the first half year, rising to 14.2% in September 2014, compared with 12.1% at March 2014.

The first half of 2014 has shown a gradual rise in sickness, with the 12 month rolling average increasing to 7.08 days lost per FTE.

During the first half of the year, the proportion of CRSS contracts increased from 18.7% to 19.3% and the percentage of both temporary and fixed-term contracts dropped slightly. In the same period, the number of 'zero hours' contracts increased to around 2,000. As at 30 September 2014, there were 88 employees on apprentice grades within the non-schools sector, a similar number to March 2014, when there were there were 90 staff on apprentice grades.

As at 30 September 2014 action was being taken to fill 139.0 FTE vacancies, a significant increase on the March 2014 figure 81.4 FTE. KCC continues to attract people from across the protected characteristics; however the proportion of people applying does not always correspond to the proportion of those appointed eg 32.5% of those applying were male, but 25.5% were appointed, whereas 67.5% of those that applied were female and 74.5% were appointed. Figures suggest that under 25s have been more successful in securing roles in the first six months of 2014-15 as they represented 33.1% of applicants and 28.2% of those recruited, compared to 30.1% applicants and 22.5% recruited in the previous year.

September 2014 figures show 564 agency staff employed in the Non-schools sector, a reduction on the March 2014 figure of 713. The latest available information shows agency staff being employed primarily in 'qualified social worker' and business /administrative roles. Year-to-date spend on agency staff is estimated at £12,261,800 in the first half-year, equating to approximately 7.2% of the staffing budget for the period.

Around 156 people were made redundant in the first half-year and redundancy payments for the year to date totalled £2,120,404, suggesting an average payment of around £13,600. This figure is estimated as the date of leaving due to redundancy and the redundancy payment do not necessarily occur in the same year.

September 2014 analysis of the Non-schools workforce by diversity strand showed minor changes from the March 2014 figures. Within the Leadership group some changes were more significant, such as the proportion of females increasing from 52.6% to 55.7%. The average age dropped slightly to 45.2 years but the age performance indicators show little variation from the initial April 2014 figures.

2.3. Directorates

All Directorates have shown a decrease in FTE since April 2014, other than ST, where there has been a 2.7 FTE increase.

The percentage of permanent contracts varies considerably by Directorate, from around 61% in EY to almost 88% in ST. ST has the highest number of both temporary and fixed-term contracts at 5.1% and 5.5% respectively. EY has the highest proportion of CRSS contracts, which account for around one third of their contracts.

Year to date figures for the new Directorates show that sickness levels were highest in SC at 4.1 days lost per FTE in the first half year and lowest in GT at 2.1 days lost per FTE.

Distribution across the salary bands varies significantly, with the proportion on KR6 & below ranging from 30.6% in ST to 55.6% in GT. ST has the highest proportion of staff on the higher grades (KR14 & above), at 4.1%.

In the first six months of the financial year 2014-15, turnover varied between the directorates, from 5.9% in GT to 9.8% in EY.

Analysis of the workforce by diversity strand shows quite wide variation by directorate. For example females account around three quarters of the SC leadership group but a third of GT's. Analysis of the age profile in Directorates shows ST to have the highest proportion of younger staff and GT to have a higher proportion of older staff.

2.4. Schools

A total of 15 schools adopted academy status in the half year April to Sep 14. Of these 14 were primary and 1 was a secondary school. This looks to be on course for approximately the same in numbers as previous years.

As of September 2014 this year there were 430 schools of which 366 are Primary, 41 are Secondary (including the Pupil Referral Units) and 23 Special schools. There were 2 amalgamations of schools in the first half of the year.

At September 2014 there were 13,283 FTE school based staff.*

**figure based on schools buying HR services from KCC*

3. Further information

Further information on the areas covered in this report is available in the attached appendices:

- Appendix 1 Staffing levels
- Appendix 2 Contract details
- Appendix 3 Agency staff
- Appendix 4 Salaries
- Appendix 5 Turnover
- Appendix 6 Sickness
- Appendix 7 Equalities
- Appendix 8 Equality in recruitment

4. Action required

Members are asked to note the content of this report and to indicate if they wish to continue receiving information on school based staff.

Background Documents - none

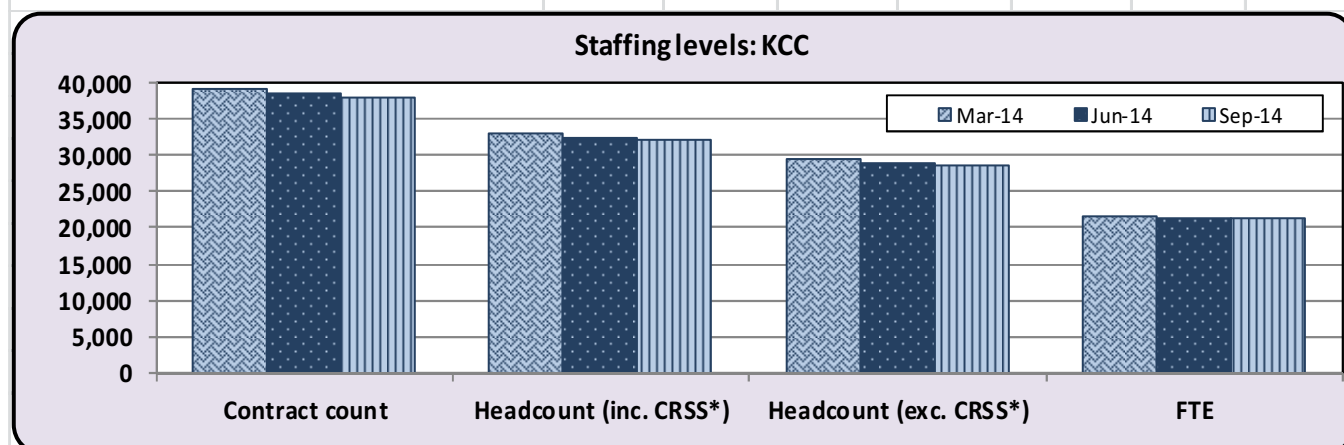
Contact details:-

Teresa McCarthy
Strategic Business Information Manager
03000 416453

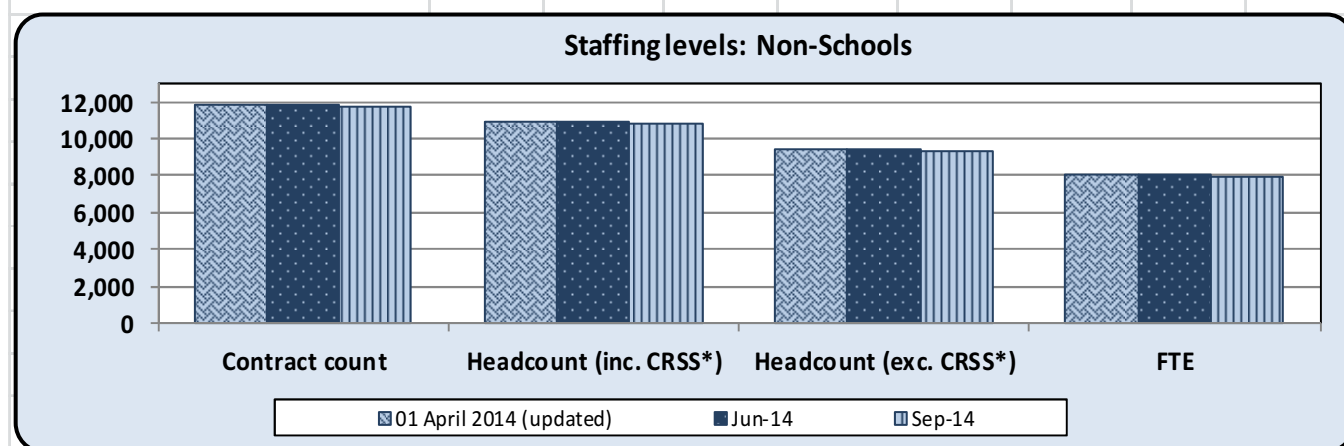
Appendix 1 - Staffing

Staffing levels: KCC's workforce					
	Mar-14	Jun-14	Sep-14	Change Mar - Sep 2014	
Contract count	39,194	38,690	38,160	-1,034.0	-2.6%
Headcount (inc. CRSS*)	33,095	32,604	32,267	-828.0	-2.5%
Headcount (exc. CRSS*)	29,456	28,942	28,597	-859.0	-2.9%
FTE	21,769.8	21,416.3	21,278.0	-491.9	-2.3%

*CRSS = Casual Relief, Sessional and Supply staff



Staffing levels: The Non-schools workforce					
	01 April 2014 (updated)	Jun-14	Sep-14	Change 01/4/14 - 30/09/14	
Contract count	11,904	11,920	11,789	-115.0	-1.0%
Headcount (inc. CRSS*)	10,994	10,969	10,881	-113.0	-1.0%
Headcount (exc. CRSS*)	9,512	9,498	9,363	-149.0	-1.6%
FTE	8,119.5	8,089.1	7,995.0	-124.6	-1.5%



Appendix 1 - Staffing

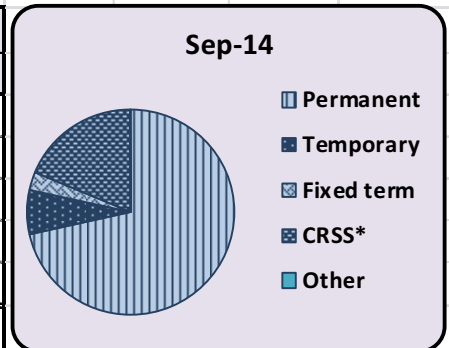
Staffing Levels: Directorates								
Directorate	Assignment count		Headcount (inc CRSS)		Headcount (exc CRSS)		FTE	
	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14
Education & Young People's Services	2,971	2,924	2,734	2,678	1,927	1,884	1,580.0	1,534.8
Growth, Environment & Transport	2,366	2,381	2,175	2,179	1,698	1,652	1,369.1	1,339.7
Social Care, Health & Wellbeing	4,738	4,644	4,334	4,259	4,109	4,039	3,508.6	3,459.2
Strategic & Corporate Services	1,829	1,840	1,817	1,831	1,794	1,803	1,658.5	1,661.2

Staffing levels: Schools- March 2014 to September 2014							
	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14
Contract count	27,199	27,100	26,895	26,770	26,698	26,388	26,371
Headcount (inc. CRSS*)	22,135	22,034	21,826	21,727	21,682	21,483	21,462
Headcount (exc. CRSS*)	19,928	19,841	19,620	19,488	19,418	19,220	19,270
FTE	13,607.9	13,568.4	13,404.4	13,327.2	13,289.4	13,157.0	13,283.0

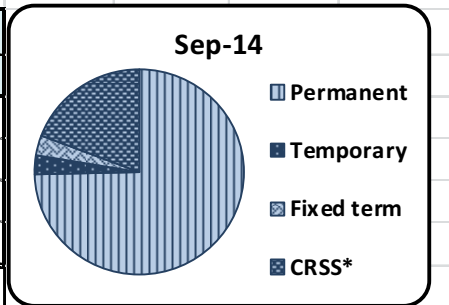
*CRSS = Casual Relief, Sessional and Supply staff

Appendix 2 - Contracts

Staff by contract type (grouped): KCC's workforce				
	Mar-14		Sep-14	
Permanent	27,715	70.7%	27,289	71.51%
Temporary	3,102	7.9%	2,658	6.97%
Fixed term	1,248	3.2%	1,091	2.86%
CRSS*	7,105	18.1%	7,095	18.59%
Other	24	0.1%	27	0.07%
	39,194	100.0%	38,160	100.00%



Staff by contract type (grouped): The Non-schools workforce					
	0	01-Apr-14	30-Sep-14		
Permanent		8,891	74.7%	8,796	74.6%
Temporary		376	3.2%	350	3.0%
Fixed term		408	3.4%	372	3.2%
CRSS*		2,232	18.7%	2,271	19.3%
	0	11,907	100.0%	11,789	100.0%

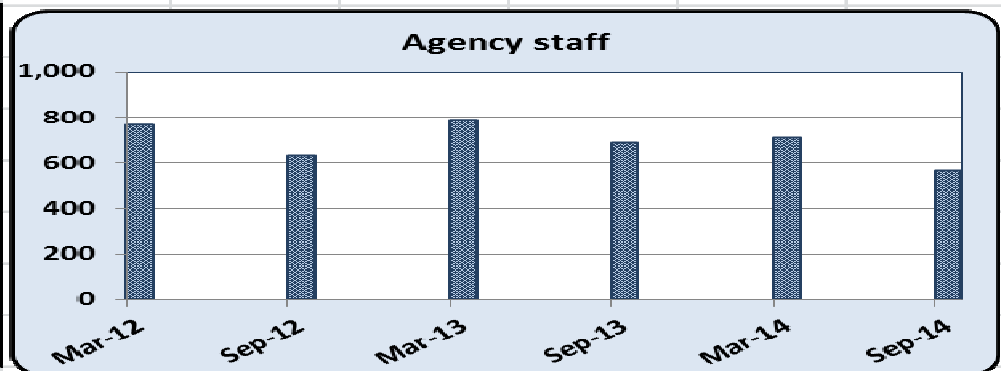


*CRSS = Casual Relief, Sessional and Supply staff

Staff by contract type (grouped): Directorates								
Directorate	CRSS		Fixed-term		Permanent		Temporary	
	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14
Education & Young People's Services	33.4%	33.8%	6.2%	1.6%	57.3%	61.2%	3.2%	3.4%
Growth, Environment & Transport	27.3%	29.7%	2.7%	2.6%	68.3%	64.9%	1.8%	2.8%
Social Care, Health & Wellbeing	11.9%	11.7%	2.1%	3.0%	83.1%	82.9%	2.9%	2.5%
Strategic & Corporate Services	1.6%	1.8%	3.4%	5.5%	89.4%	87.6%	5.5%	5.1%

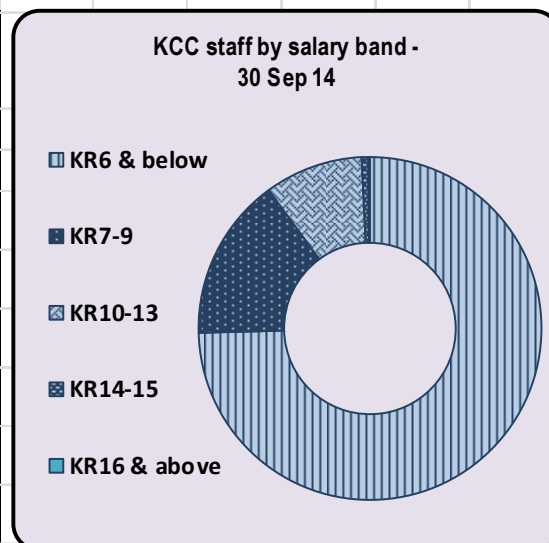
Appendix 3 - Agency Staff

Agency staff	
Mar-12	764
Sep-12	632
Mar-13	786
Sep-13	689
Mar-14	713
Sep-14	564



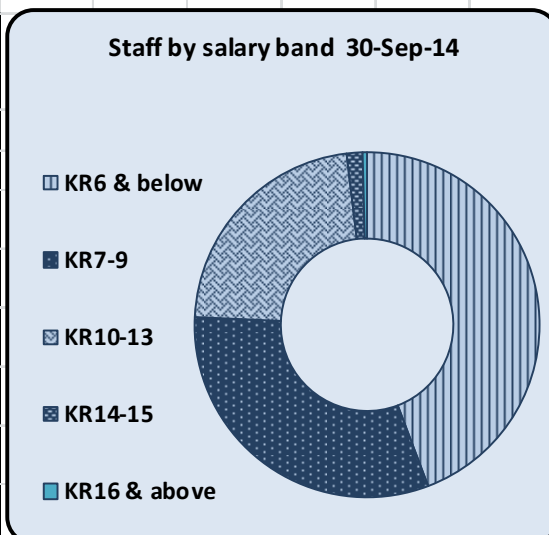
Appendix 4 - Salaries

Staff by salary band (all staff on Kent Range grades): KCC's workforce				
Grade	Mar-14		Sep-14	
	Count	%	Count	%
KR6 & below	17,475	74.6%	16,853	74.2%
KR7-9	3,598	15.4%	3,546	15.6%
KR10-13	2,174	9.3%	2,146	9.4%
KR14-15	142	0.6%	145	0.6%
KR16 & above	38	0.2%	35	0.2%
	23,427	100.0%	22,725	100.0%



Notes: Based on staff with 'KR' in grade name (excluding CRSS staff)

Staff by salary band (all staff on Kent Range grades): The Non-Schools workforce				
Grade	01-Apr-14		30-Sep-14	
	Count	%	Count	%
KR6 & below	3,978	44.2%	3,886	43.7%
KR7-9	2,834	31.5%	2,833	31.8%
KR10-13	2,014	22.4%	2,003	22.5%
KR14-15	132	1.5%	140	1.6%
KR16 & above	38	0.4%	35	0.4%
	8,996	100.0%	8,897	100.0%



Notes: Based on staff with 'KR' in grade name (excluding CRSS staff)

Staff by salary band (all staff on Kent Range grades): Directorates										
Directorate	KR6 & below		KR7-9		KR10-13		KR14-15		KR16 & above	
	Apr-14	Sep-14	Apr-14	Sep-14	Apr-14	Sep-14	Apr-14	Sep-14	Apr-14	Sep-14
Education & Young People's Services	38.0%	37.8%	41.4%	42.3%	18.8%	18.0%	1.4%	1.5%	0.4%	0.3%
Growth, Environment & Transport	56.8%	55.6%	25.8%	26.6%	16.1%	16.5%	1.0%	1.0%	0.3%	0.4%
Social Care, Health & Wellbeing	46.9%	46.7%	31.0%	30.9%	20.9%	21.1%	1.0%	1.2%	0.1%	0.1%
Strategic & Corporate Services	31.4%	30.6%	29.8%	30.5%	34.6%	34.8%	2.9%	3.0%	1.2%	1.1%

Appendix 5 - Turnover

Turnover (12 month rolling average): The Non-schools workforce						
	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14
NS Turnover (including CRSS)	13.3%	13.6%	13.9%	14.2%	14.6%	14.7%
NS Turnover (excluding CRSS)	12.3%	12.5%	12.9%	13.2%	13.9%	14.2%
NS Turnover (excluding CRSS) and excluding Compulsory Redundancies/Transfers/School closing*	11.6%	11.8%	12.2%	12.4%	13.0%	13.1%

**Actual leaving reasons excluded = Compulsory Redundancy, Employee Transfer, Schools Closing moving to Academy status, School Closing and TUPE transfer*

Turnover (Cumulative year to date figures) : The Directorates						
	2014/15					
	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14
Education and Young People Services	1.0%	2.5%	3.9%	6.1%	8.8%	9.8%
Growth, Environment and Transport	1.0%	1.9%	2.8%	3.5%	4.8%	5.9%
Social Care	0.7%	1.7%	2.7%	3.9%	6.2%	8.0%
Strategic and Corporate Services	1.5%	2.6%	4.0%	4.6%	5.9%	7.5%

Note: 12 month rolling average is not available as only 6 months data is available for the new Directorates.

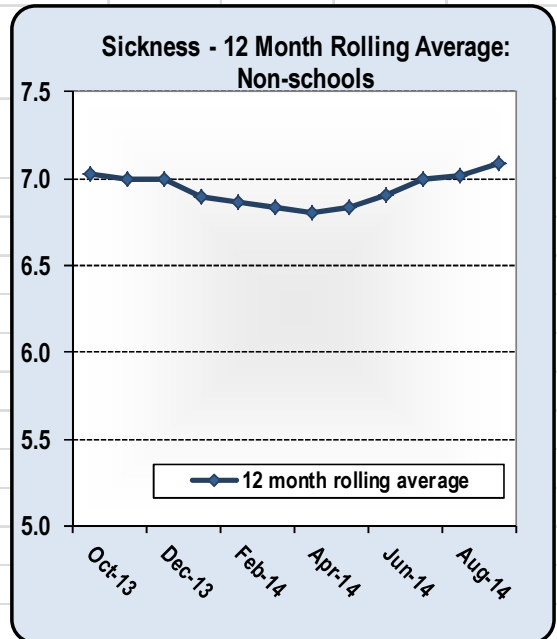
Headcount based on CO7 query

Leavers based on D36 query

Appendix 6 - Sickness

Sickness (Year to September 2014): The Non-schools workforce

Month	Days lost per FTE in month	12 month rolling average
Oct-13	0.66	7.02
Nov-13	0.62	6.99
Dec-13	0.63	7.00
Jan-14	0.65	6.89
Feb-14	0.60	6.86
Mar-14	0.56	6.84
Apr-14	0.53	6.80
May-14	0.59	6.83
Jun-14	0.55	6.91
Jul-14	0.61	7.00
Aug-14	0.49	7.02
Sep-14	0.59	7.08



CRSS staff sickness is included within the figures in the above table

Source: Oracle HR C03 reports

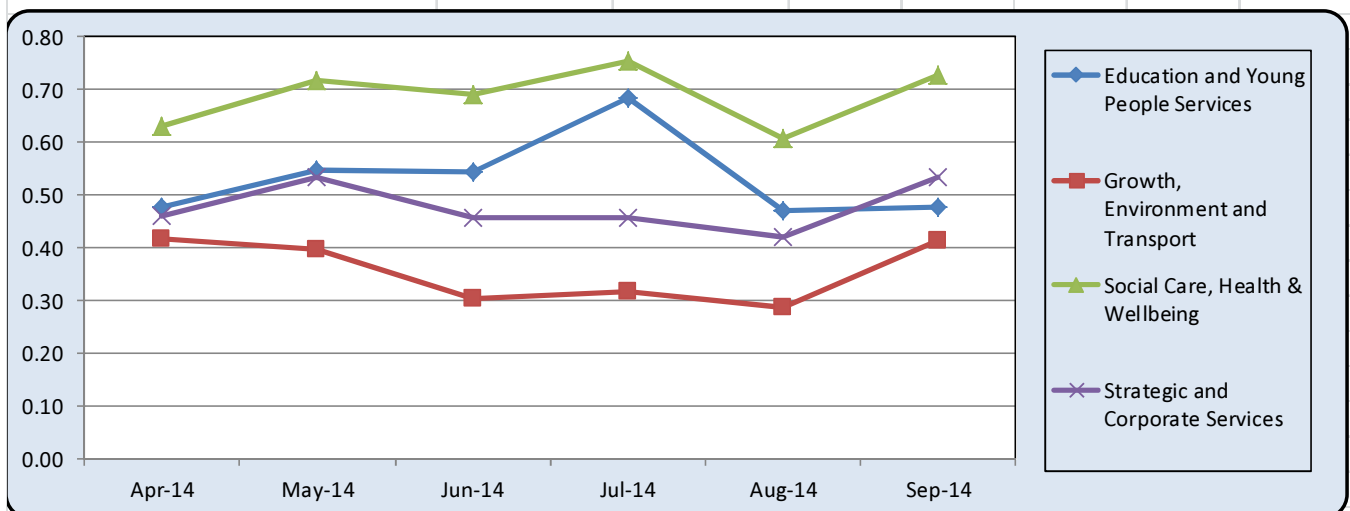
Sickness (Year to September 2014): The Directorates

Directorate	Days lost per FTE						
	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	YTD
Education and Young People Services	0.48	0.55	0.55	0.68	0.47	0.48	3.20
Growth, Environment and Transport	0.42	0.40	0.31	0.32	0.29	0.42	2.14
Social Care, Health & Wellbeing	0.63	0.72	0.69	0.75	0.61	0.73	4.13
Strategic and Corporate Services	0.46	0.53	0.46	0.46	0.42	0.53	2.86

Notes: Only 6 months data is available for the new Directorates

CRSS staff sickness is included within the figures in the table

Source: Oracle HR C03 reports



Equality Performance Indicators:

Equalities Performance Indicators: The Non-schools workforce				
	Non-School based (Exclusions: CRSS and Schools)		Leadership Group (Exclusions: CRSS and Schools)	
	01-Apr-14	Sep-14	01-Apr-14	Sep-14
% Females	76.7%	76.6%	52.6%	55.5%
% BME	5.7%	5.8%	5.6%	6.1%
% Considered Disabled	4.2%	4.0%	4.1%	4.1%
% Faith	66.5%	65.5%	67.9%	65.0%
% LGB	2.3%	2.3%	1.6%	2.3%

Equalities Performance Indicators: Directorates										
Directorate	% Females		%BME		% Considered Disabled		% LGB		% Faith	
	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14
Education & Young People's Services	81.3%	80.8%	4.7%	4.6%	4.2%	4.4%	1.5%	1.6%	67.9%	66.6%
Growth, Environment & Transport	60.5%	60.5%	3.0%	3.2%	4.0%	3.9%	2.3%	2.1%	65.0%	65.0%
Social Care, Health & Wellbeing	86.2%	86.2%	7.0%	7.1%	4.2%	3.8%	2.8%	2.7%	68.5%	67.6%
Strategic & Corporate Services	65.1%	65.3%	5.7%	6.0%	4.0%	4.2%	2.1%	2.2%	70.4%	60.0%

Equalities Performance Indicators: Directorates (Leadership group)					
Directorate	% Females	%BME	% Considered Disabled	% LGB	% Faith
	30-Sep-14	30-Sep-14	30-Sep-14	30-Sep-14	30-Sep-14
Education & Young People's Services	53.8%	2.3%	4.7%	7.4%	55.6%
Growth, Environment & Transport	31.5%	8.7%	0.0%	0.0%	71.8%
Social Care, Health & Wellbeing	75.0%	6.5%	3.3%	1.4%	58.0%
Strategic & Corporate Services	51.1%	6.3%	6.1%	2.5%	70.7%

Age Performance Indicators:

Age Performance Indicators: The Non-schools workforce				
	Non-School based (Exclusions: CRSS and Schools)		Leadership Group (Exclusions: CRSS and Schools)	
	01-Apr-14	Sep-14	01-Apr-14	Sep-14
% aged 25 and under	6.9%	7.5%		
% aged 30 and under	15.3%	15.9%	1.0%	1.5%
% aged 50 and over	40.3%	39.7%	54.9%	54.5%
% aged 65 and over	2.1%	2.3%	1.4%	2.1%

Age Performance Indicators: Directorates								
Directorate	% aged 25 and		% aged 30 and		% aged 50 and		% aged 65 and	
	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14	01-Apr-14	30-Sep-14
Education & Young People's Services	6.4%	7.4%	13.6%	15.0%	40.1%	39.0%	1.5%	1.5%
Growth, Environment & Transport	6.7%	6.3%	14.4%	13.2%	44.0%	44.8%	3.5%	3.8%
Social Care, Health & Wellbeing	5.3%	5.7%	12.8%	13.8%	43.7%	42.8%	2.2%	2.5%
Strategic & Corporate Services	11.3%	12.8%	23.5%	24.3%	29.0%	28.9%	1.3%	1.6%

Notes:

1) Leadership Group = staff on KR13 or above and £49,612 minimum salary

2) Exclusions: CRSS and Schools

The 'Faith' performance indicator previously showed the percentage of staff with a faith other than Christianity. In April 2014, this was revised and now the indicator shows the proportion of respondents that declared they have a faith.

Appendix 8 - Equality in Recruitment

Equality in Recruitment Statistics (April to Sept 2104): the Non-schools workforce

Gender	Applied		Recruited		Ethnicity	Applied		Recruited	
Male	3,508	32.5%	89	25.5%	White	8,589	83.4%	309	91.7%
Female	7,284	67.5%	260	74.5%	BME	1,706	16.6%	28	8.3%
Total	10,792	100.0%	349	100.0%	Total	10,295	100.0%	337	100.0%

Sexual Orientation	Applied		Recruited		Disability	Applied		Recruited	
Heterosexual	9,760	97.5%	318	97.8%	Disabled	536	5.0%	10	2.9%
LGB	246	2.5%	7	2.2%	Not disabled	10,183	95.0%	335	97.1%
Total	10,006	100.0%	325	100.0%	Total	10,719	100.0%	345	100.0%

Religion	Applied		Recruited		Age	Applied		Recruited	
Faith	5,816	56.8%	179	53.8%	Under 25	3,547	33.1%	97	28.2%
None	4,429	43.2%	154	46.2%	26-35	2703	25.2%	92	26.7%
Total	10,245	100.0%	333	100.0%	36-45	2106	19.7%	67	19.5%
					46-55	1788	16.7%	69	20.1%
					56-65	551	5.1%	18	5.2%
					over 65	12	0.1%	1	0.3%
					Total	10,707	100.0%	344	100.0%

Note: These figures are based on data provided by those applicants/staff who opted to disclose diversity information

From: Gary Cooke, Cabinet Member Corporate and Democratic Services
 Amanda Beer, Corporate Director Human Resources

To: Personnel Committee

Date: 28 January 2015

Subject: Update on terms and conditions for Public Health staff

Classification: Unrestricted

Summary: This paper asks Personnel Committee for a decision on the terms and conditions for Public Health staff from 1 April 2015.

1. Background

- 1.1 In March 2013 Personnel Committee considered a report on terms and conditions for Public Health staff and approved time limited arrangements for Public Health to recruit new Consultants and Specialists on NHS terms and conditions until March 2015 and for future changes to NHS terms and conditions to be applied to transferred staff until 31 March 2015.
- 1.2 A further report was provided to Personnel Committee in June 2013 on the salary bands for Public Health Consultants compared to Kent Scheme salary ranges
- 1.3 In June 2014 a report to Personnel Committee confirmed the outcome of the Court of Justice of the European Union (CJEU) in relation to the applications of changes to terms and conditions to transferred staff post-transfer and confirmed that it would be possible for KCC to renegotiate terms and conditions covered by collective agreements as long as the overall change is no less favourable.

2. Context

- 2.1 The transfer of the public health workforce to KCC did not fall within the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE), but was covered by a statutory staff transfer scheme enacted under the Health and Social Care Act 2012. The provisions of this transfer referred to any changes being subject to an economic, technical or organisational (ETO) reason, which would have to withstand the usual ETO tests that would apply in TUPE situations if there was any challenge.
- 2.2 A comparison of Kent Scheme and Public Health salaries is attached at Appendix 1.
- 2.3 There are currently 70 members of staff employed within Public Health and 29 of these are employed on NHS terms and conditions. Of these, 17 members of

staff are working in administrative and/or management roles. The remaining 12 employees are qualified medical and public health specialists or consultants.

- 2.4 Five new appointments have been made in the last year within Public Health, four of which have been administrative and managerial staff appointed on Kent Scheme terms and conditions. One Head of Health Intelligence was appointed on NHS terms and conditions
- 2.5 There have been 2 advertisements for Consultant and Specialist roles since April 2014. However no suitable applications were received for these roles and internal temporary arrangements were made to cover these.
- 2.6 KCC has a NHS Pensions Directions Order which allows continued access to the NHS Pension Scheme for Public Health professionals including new recruits where appropriate. Arrangements to ensure that updates to NHS terms and conditions are applied to public health staff are in place.
- 2.7 South East Employers have carried out a survey of authorities in the region regarding these issues and have advised that authorities have recruited new staff on their own terms and conditions but no authorities have moved away from the transfer scheme for inherited staff as yet.

3. Issues to consider

- 3.1 Any alteration to terms and conditions for Public Health staff who transferred in to KCC on 1 April 2013 would need to rely on an ETO reason for any changes. Harmonisation to make things easier would not be sufficient reason if challenged.

Whilst the original transfer agreement does specify that the arrangements were in place for 2 years, there is no specific business reason to make changes beyond April 2015. The staffing impact of making changes could be detrimental to KCC as a result of experienced health staff leaving at a time when recruitment is difficult and the public health agenda is challenging.

- 3.2 Continuing to maintain NHS terms and conditions including access to the NHS Pension Scheme would give KCC the option to offer this employment package for appointments to Consultant and Specialist roles if required. Given the recruitment difficulties that we have experienced, we are more likely to recruit specialists from the NHS if we have continued alignment with NHS terms and conditions including pensions as these would be more attractive to this group of staff.
- 3.3 As an employer we currently operate a variety of terms and conditions for different groups of staff including teachers, Soulbury staff and specific national terms and conditions. Changes to these specific terms and conditions are implemented as required for the staff affected. Continuing to include NHS terms and conditions in these arrangements would be manageable
- 3.4 The NHS terms and conditions in relation to managing performance, capability and disciplinary matters have been adopted as part of the transfer and can be used to manage specific staffing issues. In addition a specific Pay Progression

Policy was adopted to ensure compatibility with KCC's TCP and performance management arrangements (Appendix 2).

- 3.5 We continue to appoint new administrative and managerial staff on Kent Scheme terms and conditions as a matter of course, which means that over time there will be a reducing number of staff on NHS terms and conditions as a result of natural wastage and demography.

4 Options for consideration

- 4.1 Continue to operate the terms and conditions for all staff who transferred in April 2013 and update in line with the NHS changes.

Given the low number of staff on public health terms and conditions, it would be relatively straightforward to maintain the current arrangements for this group of transferred staff.

Continue to recruit new administrative and managerial staff on Kent Scheme terms and conditions and maintain NHS terms and conditions, including access to the NHS Pension Scheme, to utilise for specialist Public Health roles that are difficult to recruit to.

Keep this group of staff under review alongside other non-Kent Scheme staff groups.

- 4.2 Whilst there is no specific ETO reason for changing terms and conditions across the board, it is worthwhile identifying the key employment procedures and aligning these with KCC procedures. This would mean that all staff would experience consistent employment processes regardless of whether they are employed on Kent Scheme or NHS terms.

- 4.3 Undertake a programme of change to move all staff currently on NHS terms and conditions on to Kent Scheme terms and conditions. This would require a specific business case to demonstrate the ETO reasons for change; decisions around salary levels and the application of market premiums to match the higher rates and involve formal consultation with all affected staff to effect the change.

The potential risk to KCC's ability to attract and retain specialist staff would need to be understood and accepted.

5. Recommendation(s)

Recommendation(s): Personnel Committee is:

- 5.1 invited to consider the options identified in Section 4 of this report
- 5.2 asked to agree to items 4.1 and 4.2 above,
- 5.3 asked to keep this issue under review to ensure the terms and conditions for Public Health are fit for the future.

6. Background Documents

6.1 Personnel Committee Reports

19 March 2013 - Terms and conditions for Public Health staff

6 June 2013- Salary bands for Public Health Consultants

4 June 2014 – Progress report on terms and conditions for Public Health staff

7. Contact details

Report Author

- Karen Ray – HR Business Partner for Social Care, Health and Wellbeing
- 03000 416948
- karen.ray@kent.gov.uk

PUBLIC HEALTH PAY SCALE COMPARISON

Kent Scheme April 2014			NHS Pay Scales April 2014					
Kent Range			Agenda for change			Doctors in Public Health		
			Pay Band	Pay point		Health Pay Scale YC72		
Director	KR17	£109,109	9	54*	£98,453	£101,451*	8	
				53*	£93,944	£95,860	7	
		£91,800				£90,263	6	
Director or Head of Service	KR16	£90,357			52	£89,640		
					51	£85,535	£84,667	5
		£71,550			50*	£81,618	£82,318	4
					49*	£77,850	£79,961	3
		£71,549		8D	48	£74,084	£76,424	2
							£75,249	1
Head of Service	KR15	£62,934	8C	47	£70,631	*Plus £1015 non-consolidated payment		
					46		£67,805	
		£62,933			45		£65,922	
	KR14	£55,592			44		£61,779	
					43		£59,016	
		£55,591			42		£56,504	
	KR13	£49,612	8B	41	£54,998			
					40	£52,235		
		£49,611			39	£49,473		
	KR12	£42,359			38	£47,088		
					37	£45,707		
		£42,358		36	£43,822			
	KR11	£36,808	7	35	£42,190			
					34	£40,558		
		£36,807			33	£39,239		
				32	£37,921			
	KR10			31	£36,666			
				30	£35,536			

				29	£34,530
				28	£32,898
				27	£31,768
	KR9	£31,135	6	26	£30,764
				25	£29,759
		£27,223		24	£28,755
	KR 8	£27,222		23	£27,901
			5	22	£26,822
		£23,753		21	£25,783
				20	£24,799
	KR7	£23,752		19	£23,825
				18	£22,903
		£20,878		17	£22,016
	KR6	£20,877	4	16	£21,478
				15	£21,265
		£19,032		14	£20,638
	KR5	£19,031		13	£19,947
				12	£19,268
		£17,303	3	11	£18,838
	KR4	£17,302		10	£18,285
				9	£17,794
		£16,469		8	£17,425
	KR3	£16,468	2	7	£16,811
				6	£16,271
		£14,527		5	£15,851
	KR2	£14,526	1	4	£15,423
				3	£15,013
		£13,505		2	£14,653
				1	£14,294

* Pay spine points 49 and 50 at the top of Band 8D and 53 and 54 at the top of Band 9 are annually earned

d.

Performance Pay Progression Policy for Public Health Staff on Agenda for Change terms and conditions

Introduction:

In February 2013 the NHS Staff Council agreed changes to the NHS terms and conditions of service handbook which covers staff on Agenda for Change contracts in England.

Two of the amendments require a local agreement to be put in place:

- *progression through all incremental pay points in all pay bands to be conditional on individuals demonstrating that they meet locally agreed performance requirements in line with Annex W (England) of the handbook*
- *for staff in bands 8C, 8D and 9, pay progression into the last two points in a band will become annually earned, and only retained where the appropriate local level of performance is reached in a given year **

For Kent County Council this requires a policy to be put into place for those Public Health Staff currently employed on Agenda for Change (AfC) terms and conditions.

At the moment staff on AfC terms and conditions receive an automatic increment on the anniversary of their appointment. With effect from 1 April 2014 individuals will only progress if they meet agreed performance requirements.

Requirements:

In line with TCP requirements for Kent Scheme Staff, individuals on AfC terms and conditions will need to show that an appropriate performance level is attained. Targets may change or be removed throughout the year and it is acceptable for the assessment to reflect these changes. However, reasons for the change must be recorded. Individuals should not be penalised if the non-achievement of the original target(s) is outside their control.

If an individual does not meet all targets (as amended by negotiation) or demonstrate behavioural competency to the necessary standard, then they will default to Performance Improvement Required and they will not be awarded an increment. The Knowledge and Skills Framework (KSF)/other relevant competency frameworks will continue to be the basis for the annual systems of review and development for staff.

The increment will be paid when the required performance level has been attained. This will be where targets and behaviours, as set out in the action plan and reviewed throughout the year, can be evidenced against clear outputs.

* From "Summary of the amendments to the NHS terms and conditions service handbook" – NHS Employers Website

Performance attainment is as expected according to the role and the action plan and all objectives are realised. This would be considered a normal delivery with quality standards reached. Expectations are consistently realised. The standard of behaviour, as defined in the action plan, is consistently displayed. There is evidence of the use of positive behaviours across the whole framework and effort made to enhance these. The success of a team may be directly influenced by the behaviour of the individuals within it, and managers should ensure that they differentiate appropriately.

Development should be undertaken in accordance with the action plan and the individual should have responded to needs emerging over the year. They recognised the value of a range of development undertaken i.e. not just training based. They can demonstrate that changes were made through the application of new skills, knowledge and behaviours and the new skills and knowledge were shared with others.

For staff in formal capability procedures the increment will be withheld.

Under the AfC terms and conditions a cost of living payment will be applied to the salary scales in April if agreed by the NHS Staff's Council.

Pay spine points 45 and 46 at the top of pay band 8C; pay spine points 49 and 50 at the top of pay band 8D and pay spine points 53 and 54 at the top of pay band 9 are annually earned and assessment will be undertaken annually to determine whether one, two or no additional points are paid for the forthcoming year.

It is possible, therefore, that where performance is not of the required standard these points could be removed and staff will revert to the ceiling point of their grade. Staff already (as at 31 March 2013) on pay points 45 and 46, 49 and 50, 53 and 54, will be protected. However, for new staff the top of the grade will be points 44, 48, and 52 respectively but there will be ability to be awarded one point for performance rated as "Above" and 2 points for "Outstanding" performance. These points will be paid as a non-consolidated lump sum paid in 12 instalments over the year.

Appeals:

The Appeals process will be the same as that laid down for Kent Scheme Staff, with the exception that the appeal would need to be made within one calendar month of receiving the confirmation of the performance assessment. Where an increment is likely to be withheld, however, it is the Manager's duty to ensure that the individual is informed and given adequate time to improve before the final assessment is made.

Policy Review:

This policy will be reviewed as part of the wider review of Public Health staff terms and conditions.

By: Peter Sass, Head of Democratic Services
To: Personnel Committee
Date: 28 January 2015
Subject: Membership of the Personnel Member Appointment Panel

Classification: Unrestricted

SUMMARY: To agree the number of Members to serve on the Personnel Member Appointment Panel

1. The Personnel Management Rules (Appendix 2 Part 6 of the Constitution) provide for interviews for the appointment of Senior Managers to be carried out by either the Personnel Committee or a Member Appointment Panel (a sub-committee of the Personnel Committee).

2. In order to ensure the maximum representation of opposition groups, these interviews have been carried out by the Personnel Committee, with Members substituting as necessary, consisting of the following agreed proportionality:

- 5 – Conservative
- 2 – UKIP
- 1 – Labour
- 1 – Liberal Democrat

3. Concern has been expressed that this size of interviewing panel can be daunting for candidates and it reduces the amount of participation each Member can have in the interviews. In order to address this, the UKIP group has offered to reduce its Membership when the interviewing function is being carried out from 2 to 1. In order to comply with the legal requirement for political proportionality, the Leader has agreed that, if these interviews are carried out by the Personnel Member Appointment Panel, then the Conservative group would also be willing to reduce its Membership of the Panel from 5 to 4.

RECOMMENDATION

4. The Committee is asked to agree that the membership of the Personnel Member Appointment Panel be:

- 4 – Conservative
- 1 – UKIP
- 1 – Labour
- 1 – Liberal Democrat.

Background documents: None

Contact:

Denise Fitch
Democratic Services Manager (Council)
03000 146090

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of the Local Government Act 1972.

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