

PERSONNEL COMMITTEE

Thursday, 13th October, 2016

2.00 pm

Wantsum Room, Sessions House, County Hall,
Maidstone





AGENDA

PERSONNEL COMMITTEE

Thursday, 13th October, 2016, at 2.00 pm
Wantsum Room, Sessions House, County
Hall, Maidstone

Ask for: **Denise Fitch**
Telephone **03000 416090**

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

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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 (Pages 5 - 8)
- A4 Exit Payments Cap - Waiver Policy (Pages 9 - 12)

- A5 Recovery of Exit Payments - Waiver Policy (Pages 13 - 18)
- A6 Update on Apprenticeship Levy (Pages 19 - 22)
- A7 Succession Planning and Organisation Design (Pages 23 - 24)
- A8 Date of Next Meeting
The next meeting of the Committee will be held on 24 January 2017 at 2.00pm

- A9 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 paragraphs 1, 2 and 4 of part 1 of Schedule 12A of the Act.

EXEMPT ITEMS

- A10 Exempt Minute - 8 June 2016 (Pages 25 - 26)
- A11 Terms and conditions for Public Health staff (Pages 27 - 52)
- A12 Kent Scheme Childcare Vouchers (Pages 53 - 66)

Benjamin Watts
General Counsel (Interim)

Wednesday, 5 October 2016

KENT COUNTY COUNCIL**PERSONNEL COMMITTEE**

MINUTES of a meeting of the Personnel Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Wednesday, 8 June 2016.

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

IN ATTENDANCE: Mrs A Beer (Corporate Director Engagement, Organisation Design & Development), Ms D Fitch (Democratic Services Manager (Council)), Ms J Cudmore (Head of Organisation Development), Ms S Dunn (Head of Skills and Employability), Ms K Ray (HR Business Partner - Social Care, Health and Wellbeing) and Mr P Royel (Head of HR).

UNRESTRICTED ITEMS**92. Minutes**

(Item 3)

RESOLVED that the minutes of the meeting held on 26 January 2016 are correctly recorded and that they be signed by the Chairman as a correct record.

93. Employee Relations Casework Activity

(Item 4)

(1) Mr Royel introduced a report which updated the Committee on employee relations case work activity for the period 1 April 2015 to 31 March 2016. This included case activity and dismissal appeals heard by senior officers.

(2) Mr Royel clarified a number points for Members.

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

94. Annual Workforce Profile

(Item 5)

(1) Mr Royel introduced a report which provided information on the staffing levels in the various sectors of the Authority's workforce, together with comparative information from recent years. The report also provided information on the diversity and demographics of the current workforce including breakdowns of staff by each of the diversity strands.

(2) RESOLVED that the report be noted.

95. Apprenticeship Levy

(Item 6)

(1) Ms Cudmore and Ms Dunn introduced a report which updated the Committee on the changes to apprenticeship frameworks and funding which would come into effect on 6 April 2017. The report included consideration of the impact of the new apprenticeship levy, introduction of the new apprenticeship standards, targets and opportunities for KCC to deliver apprenticeships in a totally different way.

(2) Ms Cudmore and Ms Dunn explained that the funding which could be drawn down from government was only in relation to the training element of the apprenticeship. However, this training could be carried out in various ways including the use of e-learning, accredited in-house training with employees being assessors in order to maximise the return to the County Council. Ms Dunn confirmed that it would be possible for KCC to offer training provided to its own apprentices to other local authorities.

(3) Ms Dunn informed Members that in September the first KCC degree level apprenticeship would be piloted which would be targeted at young people who traditionally would not go on to Higher Education. It was intended that these young people would obtain a degree and a management qualification which would provide an opportunity for succession planning

(4) In response to a question from a Member regarding concerns that existing employees could be replaced by apprentices at a lower salary, Ms Cudmore confirmed that an apprenticeship was a training offer not an employment offer and that apprentices were employed on KCC's conditions of service. Ms Beer confirmed that when a vacancy occurred, one of the factors that managers considered was whether it would be appropriate to bring in an apprentice.

(5) Mrs Dunn informed the Committee that when a KCC apprenticeship was completed 95% of those young people either stayed with KCC, went to another job or onto further studying

(6) The Chairman emphasised the importance of the achievements of the KCC apprenticeship scheme being publicised to encourage support for apprenticeships across the County.

(7) Ms Dunn confirmed that clarification was still being sought on what would happen to the apprenticeship levy monies that were collected from KCC by central government and not drawn down by KCC for training,

(3) **RESOLVED** that the contents of the report be noted, further work incorporating government guidance expected in June 2016 be commissioned and that there be a standing item for each meeting of the Committee to receive an update on apprenticeships with a focus on the implementation of the apprenticeship levy and its benefits for KCC.

96. Date of Next Meeting

(Item 7)

It was noted that the next meeting of the Committee would be held on 13 October 2016.

97. Motion to exclude the Press and Public

(Item 8)

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 paragraphs 1, 2 and 4 of part 1 of Schedule 12A of the Act.

98. Interim Update on terms and conditions for Public Health staff

(Item 9)

(1) Ms Ray introduced a report which provided an update on the terms and conditions for Public Health staff and the next steps including initial options.

(2) In response to a question Ms Ray set out the key differences in the NHS and KCC conditions of service.

(3) It was noted that the Director of Public Health would be invited to attend the October meeting of the Committee.

(4) RESOLVED that the report be noted and that a further report on terms and conditions for staff in Public Health be submitted to the October meeting of the Committee.

99. Legal ABS

(Item 10)

(1) Mrs Beer introduced a report which set out the implications of the establishment of the Legal Services Alternative Business Structure and sought approval for the appointment of a Managing Director Designate and an Interim General Counsel. Mrs Beer answered questions from Members on these two appointments.

(2) RESOLVED that:

- a) the interim appointment of Mr B Watts to the post of General Counsel be endorsed.
- b) the appointment of Mr J Pigott as the Compliance Officer for Legal Practice in the new ABS company be noted.
- c) the appointment of Mr G Wild as the Managing Director of the new ABS company be noted.
- d) the arrangement, as outlined in 5.7 of the report be approved.

By: Gary Cooke – Cabinet Member for Corporate & Democratic Services
Amanda Beer - Corporate Director – Engagement, Organisation Design and Development

To: Personnel Committee

Date: 13 October 2016

Subject: Exit Payments Cap – Waiver Policy

Classification: **Unrestricted**

SUMMARY: The Council is required to have a policy that shows under what limited circumstances Kent County Council will determine whether to relax the cap of £95,000 on exit payments. This report proposes a policy to meet KCC's statutory obligations.

1. INTRODUCTION

- 1.1 The government announced on the 23 May 2015 that it intended to end six figure exit payments for public sector workers as they are not fair and do not offer value for money for the tax payers who fund them. The government has consulted twice on this proposal and is yet to reply to the last consultation which closed on 3 May 2016. However, draft regulations have been prepared and the best intelligence suggested they may be implemented in October 2016. This is looking unlikely now but it is believed that the cap will come into force in the coming months.
- 1.2 The regulations cover a wide range of payments including redundancy, the employer costs of early release of pension, payments made in relation to a voluntary exit from employment, payment made under a settlement or conciliation agreement and payment in lieu of notice. There is to be a cap for these aggregated payments of £95,000.
- 1.3 The regulations allow, in exceptional circumstances, for employers to relax the application of the cap so that the amount of £95,000 can be exceeded.
- 1.4 Decisions on relaxing the cap require full Council approval. Personnel Committee on 10 September 2013 considered the transparency requirements in the Localism Act 2011 which included the provision for the County Council to agree any severance payments over £100,000. It was determined that Personnel Committee would discharge this matter on behalf of the Council.

2. WAIVER POLICY

- 2.1 The Committee has the option to extend this role described in paragraph 1.4 to severance payments over £95,000. These payments would only then be

agreed if they meet the limited criteria set by the regulations for relaxing the cap. There is an expectation that decisions are made in a timely manner.

2.2 It is proposed that in considering whether to waive the cap, the Personnel Committee takes the following into account (only one of these criteria would need to be met for the waiver to be available):

- Is the payment in excess of the cap being made to support a particular programme of reorganisation where changes need to be made quickly to avoid undermining the continuing effectiveness of operational delivery?
- Are there special circumstances pertaining to an individual employee?
- Is it in the public interest to grant a waiver in respect of a particular severance payment used either to settle a statutory dispute or claim or disputes or claims under an individual employment contract?

2.3 Where the power to relax the restrictions on exit payments is used the Council is required to:

- (a) keep a record of the exercise of that power and the reasons for it for at least 36 months;
- (b) publish, as part of annual accounts or in a list published at the start of the financial year, details of all the times in the preceding twelve months that that power has been exercised and the reasons for it.

3. RECOMMENDATIONS

- a) Personnel Committee are asked to agree the proposed policy for the relaxation of the cap on exit payments.

Background documents:

“Pay Policy Statement for 2013/14”. Personnel Committee – 10 September 2013

Author:

Paul Royel
Head of Human Resources
Ext 416631

Exit Payment Cap – Waiver Policy

Issued by HR



If you require this policy in another format please go the end of this document for details.

Introduction

Under the Public Sector Exit Payment Regulations 2016 individuals who receive a severance payment upon leaving Kent County Council will have the amount capped at £95,000.

The Regulations apply to the following types of exit payment:

- redundancy payments
- payments made in relation to a voluntary exit from employment
- KCC funded top-up payments to allow an employee to take early retirement with an unreduced pension
- payments made in lieu of notice
- payments made in relation to the terms of a fixed term contract
- payments made under a settlement or conciliation agreement
- payment by way of shares consequent upon a loss of employment
- any other payment made as a consequence of, in relation, or conditional upon loss of employment whether under a contract of employment or otherwise

Payments excluded from the regulations include:

- payment for accrued annual leave
- payments made in respect of incapacity or death arising from an accident, injury or illness
- bonus payments determined to be due under a contract of employment
- payments made in accordance with an order of any court or tribunal

The Public Sector Exit Payment Regulations 2016 include a provision which allows, in exceptional circumstances, public sector employers to relax the cap on an employee's exit payment. This policy sets out KCC's approach to waiving the cap.

Scope

This policy applies to all KCC employees or officers who receive a severance payment equal to or exceeding £95,000.

General Principles

- The cap will be applied to the aggregated amounts of those payments covered by the regulations.
- The cap can be relaxed but only in line with this policy
- The waiver can only be applied by Personnel Committee

Relaxing the Payment Cap

Requests for relaxing the cap will be considered on a case by case basis and will only be agreed in exceptional circumstances - these may include:

- the payment in excess of the cap is being made to support a particular programme of reorganisation where changes need to be made quickly to avoid undermining the continuing effectiveness of operational delivery
- there are special circumstances pertaining to an individual employee
- it is in the public interest to grant a waiver in respect of a particular severance payment used either to settle a statutory dispute or claim or disputes or claims under an individual employment contract

Requirements for Requests to Waive the Cap

- Requests will only be accepted if they are made in writing and submitted to the Head of Human Resources (these may be submitted by either the employee or their Head of Service)
- All requests must provide sufficient detail regarding the reasons why they are requesting that the repayment requirement is waived.

KCC Standards

- All requests for relaxing the cap will be considered in the first instance by the Head of Human Resources
- Where the Head of Human Resources determines that the waiver request does not meet the exceptional circumstances criteria, written notification of this decision will be sent to the employee.
- Where the Head of Human Resources feels that there may be sufficient grounds on which to consider relaxing the cap the matter will be referred to Personnel Committee for a final decision
- There is no right of appeal against the decision taken by either the Head of Human Resources or Personnel Committee
- If a waiver request is agreed by Personnel Committee, the following information will be retained for three years:
 - the identity of the former employee
 - the amount and the type of payment that was waived
 - the date the decision was taken to waive the repayment
- KCC will, as part of the annual Statement of Accounts, publish the following information on the waiving of the repayment requirement:
 - the amount and type of payment that was waived
 - the date the decision was taken to waive the repayment
 - the reason for the decision to waive the repayment

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By: Gary Cooke – Cabinet Member for Corporate & Democratic Services
Amanda Beer - Corporate Director – Engagement, Organisation Design and Development

To: Personnel Committee

Date: 13 October 2016

Subject: Recovery of Exit Payments – Waiver Policy

Classification: **Unrestricted**

SUMMARY: The Council is required to have a waiver policy that shows under what circumstances Kent County Council will determine whether to exclude a person from re-paying the exit payments they received if they left and were receiving a salary of £80,00 plus at the time. This report proposes a policy to meet KCC's statutory obligations.

1. INTRODUCTION

- 1.1 The Small Business, Enterprise and Employment Act 2015 facilitates the recovery of exit payments made to employees in the public sector earning over £80,000 per annum if they are re-employed in the sector within a year of leaving their previous employer. The Regulations were to be implemented no later than the 1 April 2016. However, this did not happen and the best intelligence available suggests they may be implemented in October 2016, but definitely will be during 2016.
- 1.2 The regulations cover a wide range of payments including redundancy, the employer costs of early release of pension, payments made in relation to a voluntary exit from employment, payments made under a settlement or conciliation agreement. Repayment is made to the organisation from which the employee exited.
- 1.3 The amount of the exit payment to be recouped will be reduced pro-rotta depending on the proximity of the individual's return to when they left the public sector. There is a formula in the regulations which determines how much should be repayed.
- 1.4 The regulations allow, in exceptional circumstances, for employers to waive the requirement for an ex-employee to repay the exit payment. This is in recognition that in certain circumstances the repayment could have a significant impact on people's ability to work in the public sector within twelve months of leaving.

2. WAIVER POLICY

2.1 Decisions on waiving the repayment require County Council approval. The examples of exceptional circumstances identified by the Government are:

- i) where there is an urgent need to recruit a particular individual to deal with a particular issue
- ii) where unexpected effects occur as a result of machinery of government changes
- iii) where the exit payment includes a settlement in respect of an actual or potential claim of employer fault
- iv) where recovery could cause 'undue hardship'.

2.2 The County Council is required to publish a policy which sets out the limited circumstances under which consideration will be given to waiving the repayment. The attached policy (Appendix 1) sets out the recommended approach to manage waiving the recovery of an exit payment.

2.3 The proposed waiver policy includes all the elements that the regulations recommend.

- a) Where there is an urgent need to recruit a particular individual to deal with a particular issue

This would only come into force if an employee had left KCC and another organisation was asking for KCC's help in mitigating a recruitment problem they may have. KCC may wish to reserve the right to waive the payment if the ex-employee is looking to be employed by a partner agency in a role that KCC has a vested interest in being filled on an urgent basis. It is not anticipated that there would be many circumstances where this waiver would be applied.

- b) Where unexpected effects occur as a result of machinery of government changes

There is no guidance on exactly what this clause means. However, KCC's interpretation is that this might apply if the government looks to make changes in public services that override previous decisions made requiring what was needed by a public sector organisation in terms of knowledge and skills. People may have been let go from an organisation but within a year their services may be required again. This would be an unusual set of circumstances for a waiver to be asked for.

- c) where the exit payment includes a settlement in respect of an actual or potential claim of employer fault

Ex gratia and severance payments remain in scope of the regulations. This is because these payments can be made in order to facilitate an exit as well as to settle potential claims of employer fault. The government is mindful that

this could adversely impact upon the ability to settle potential employment claims with a voluntary severance payment. Therefore, the regulations make it so that a power to waive repayment of any exit payment that was made in order to settle an actual or potential claim of employer fault over comes this.

d) where recovery could cause 'undue hardship'

It is difficult to set parameters for this as the circumstances that result in 'undue hardship' may be different depending on people finances and situation. County Council would need to take a decision made on a case by case basis. This element is complicated by the fact that if a person receives a pension as part of being made redundant the cost to the employer is included in the exit payment. This is not money the employee sees and depending on their length of service and previous salary could result in a large sum to repay. Therefore, if they do secure a job early in the 12 months and have to repay the exit payments to KCC it may be that the financial impact would be significant because of these costs. The inclusion of these costs would potentially have the impact of sidelining the person for a year before they can seek future work in the public sector.

2.4 As well as having a waiver policy when it is applied and an ex-employee is not required to make a re-payment the Council has to:

- (a) keep a record of the exercise of that power and the reasons for it for at least 12 months;
- (b) publish, as part of annual accounts or in a list published at the start of the financial year details of all the times in the preceding twelve months that they have exercised that power and the reasons for it.

3. RECOMMENDATIONS

- a) Personnel Committee are asked to agree the proposed waiver policy for the recovery of exit payments.

Background documents:

None

Author:

Paul Royel
Head of Human Resources
Ext 416631

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Recovery of Exit Payments – Waiver Policy

Issued by HR



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Introduction

Under the Repayment of Public Sector Exit Payments Regulations 2016 individuals who earn £80,000 and above (pro rata if part time) who leave public sector employment and then rejoin it within a twelve month period will be required to repay to their former employer a proportion of the exit payment they received.

The Regulations set out that the repayment requirement applies to the following types of exit payment:

- redundancy payments
- payments made in relation to a voluntary exit from employment
- KCC funded top-up payments to allow an employee to take early retirement with an unreduced pension
- payments made in relation to the terms of a fixed term contract
- payments made under a settlement or conciliation agreement
- payment by way of shares consequent upon a loss of employment

Payments excluded from the regulations include:

- payment in lieu of notice
- payment for accrued annual leave
- payments made in respect of incapacity or death arising from an accident, injury or illness

The Repayment of Public Sector Exit Payments Regulations 2016 include a provision which allows, in exceptional circumstances, public sector employers to waive the requirement for an individual to repay their exit payment. This policy sets out KCC's approach to waiving the repayment requirement.

Scope

This policy applies to all former KCC employees who meet the criteria set out in the 'Introduction' section above.

General Principles

- Former employees who rejoin the public sector within twelve months of receiving an exit payment will be required to repay the appropriate proportionate amount
- The maximum time period for repayment is normally twelve months
- Any breach of the repayment agreement between the former employee and KCC will be notified to the individual's new public sector employer and could result in their dismissal
- The repayment requirement can be waived but only in line with this policy

Waiving the Repayment Requirement

Requests for waiving the required repayment will be considered on a case by case basis and will only be agreed in exceptional circumstances - these may include:

- where there is an urgent need to recruit a particular individual to deal with a particular issue
- where unexpected effects occur as a result of the machinery of government changes
- where an exit payment includes a settlement in respect of an actual or potential claim of employer fault (e.g. in a Settlement Agreement)
- proven hardship

Employee Requirements for Requests to Waive the Repayment Requirement

- Requests will only be accepted if they are made in writing and submitted to the Head of Human Resources
- All requests must provide sufficient detail regarding the reasons why they are requesting that the repayment requirement is waived.

KCC Standards

- All requests for the waiving of the repayment requirement will be considered in the first instance by the Head of Human Resources
- Where the Head of Human Resources determines that the waiver request does not meet the exceptional circumstances criteria, written notification of this decision will be sent to the former employee.
- Where the Head of Human Resources feels that there may be sufficient grounds on which to consider waving the repayment requirement the matter will be referred to Full Council for a final decision
- There is no right of appeal against the decision taken by either the Head of Human Resources or Full Council.
- If a waiver request is agreed by Full Council, the following information will be retained for three years:
 - the identity of the former employee
 - the amount and the type of payment that was waived
 - the date the decision was taken to waive the repayment
- KCC will, as part of the annual Statement of Accounts, publish the following information on the waiving of the repayment requirement:
 - the amount and type of payment that was waived
 - the date the decision was taken to waive the repayment
 - the reason for the decision to waive the repayment

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From: Paul Carter – Leader of the Council
Gary Cooke – Cabinet Member for Corporate & Democratic Services
Amanda Beer – Corporate Director Engagement, Organisation Design & Development

To: **Personnel Committee**

Date: 13 October 2016

Subject: Update on Apprenticeship Levy

Classification: **Unrestricted**

Summary: This report updates Personnel Committee on the changes to the apprenticeship training and funding coming into effect in April 2017.

1. Background

- 1.2 In June 2016 Personnel Committee considered a report on the Government proposals to change apprenticeship training and funding.
- 1.3 Corporate Management Team were invited to consider the impact of the changes to apprenticeship training and funding on 11 June 2016 and to comment on the options for discussion at Corporate Board on 22 July 2016.
- 1.4 A further report and discussion took place at Corporate Board on 22 July 2016. Corporate Board was asked to endorse a Task and Finish Group to take forward the employment priorities and oversee the implementation of the levy and a progress update for October 2016. An early update was requested and delivered at Corporate Board on 12 September 2016.

2. Context

- 2.1 KCC's strategic ambition is for all young people in Kent to become better qualified and more employable; to be able to participate and achieve success in education and work based training at least until the age of 18; and to ensure more 18 to 24 year olds can access higher learning or sustained employment that is appropriate to their needs and relevant to the local and national economy.
- 2.3 As an employer, KCC's ambition is to be an employer of choice, attracting and retaining a workforce with the skills, knowledge and behaviours for the future – not just keeping pace with change but leading the way. Developing career pathways and opportunities which meet the aspirations and expectations of individual employees and directly supporting the needs of the business.
- 2.4 From April 2017, an apprenticeship levy is to be introduced and employers operating in the UK with an annual pay bill of over £3 million will be required to pay a 0.5% levy on their pay bill each month.

2.5 The purpose of the apprenticeship levy is to fund an increase in the number of quality apprenticeships across all sectors to meet the government target of 3 million apprenticeship starts by 2020. The changes give more control to employers through direct access to training funds and creation of apprenticeship programmes through the Trailblazer process.

3 Levy Update

3.1 Since the last Personnel Committee Central Government have published further details in regards to the levy and these are summarised below:

3.1.1 Confirmation that the levy's introduction and payment which will be collected via the PAYE system will be effective from April 2017.

3.1.2 There are 15 funding bands proposed for apprenticeships, ranging from £1,500 to £27,000. Existing and new apprenticeship frameworks and standards will be placed within one of these funding bands. The upper limit of each funding band will cap the maximum amount of digital funds a levy paying employer can use towards individual apprenticeships.

3.1.3 To support additional costs associated with younger apprentices, young care leavers and young adults with additional learning needs, Government propose to make an additional payment of £1,000 to employers and a further £1,000 payment to training providers to help with these extra costs.

3.1.4 The government is committed to helping apprentices gain the minimum standard of Level 2 in English and Maths. Government propose to pay training providers £471 for each of these qualifications (as we do now) whilst an individual is working towards an apprenticeship standard. This will come direct from the government and will not be deducted from an employer's digital account.

3.1.5 Where an apprentice requires additional learning support as a result of conditions such as dyslexia, learning difficulties or disabilities, training providers will receive up to £150 a month to support these learners, plus additional costs based on evidenced need. This is a continuation of the current system.

3.1.6 Employers will be able to use funds in their digital account and access government co-investment support to retrain individuals to undertake an apprenticeship provided the training will allow them to acquire substantive new skills, and the content of the training is materially different from any prior training or a previous apprenticeship.

3.1.7 From 2018 levy-paying employers will be able to transfer up to 10% of the annual value of funds entering their digital accounts to other employers on the digital system.

4. Targets

4.1 The target for public sector apprenticeships is 2.3% of the total headcount. Based upon current figures the KCC target is estimated to be 243, this figure includes connected parties (Commercial Services, Gen2 and Kent Legal Services). The target for KCC schools is estimated to be 464, making an overall target for KCC including schools of approx. 707.

4.2 KCC's current apprenticeship target is 150 apprenticeships extended to 200 by April 2017.

5. Financial Impact for KCC

- 5.1 The levy will be charged at a rate of 0.5% of the annual pay bill. Finance has estimated the levy will be approximately £3.2 million, including KCC schools. The levy will be collected through PAYE on a monthly basis with employers having access to funds through a digital account. The levy funding remains available to the employer for 18 months.
- 5.2 The government will apply a 10% top-up to the funds for spending on apprenticeship training. Levy funding cannot be used to cover wages, supervision costs or overheads. Claims can only be made for new apprenticeships starting after 6 April 2017.

6. KCC Apprenticeships for All Programme

- 6.1 The introduction of new apprenticeship standards provides KCC with an opportunity to develop apprenticeship training programmes which build future capacity and capability, attract young people into the organisation, provide clear career pathways and help to retain future talent. Alignment of new standards with professional registration will meet our statutory requirements and increase the quality and quantity of training available for the sector.
- 6.2 Since Corporate Board on 22 July 2016 KCC have developed the 'Apprenticeships for All' programme which aims to provide employment opportunities for everyone irrespective of qualification grades. The programme sees the development of pathways into apprenticeships via work experience, traineeships, graduate placements and supported internships. In addition development of career pathway for existing staff is also underway.

7. Maximising the Apprenticeship Levy

- 7.1 Following the endorsement of Corporate Board in July 2016 a task and finish group has been established to oversee the implementation of the levy and take forward employment priorities. Key areas of activity within the HR/OD work stream include:
- A review of the existing training to identify opportunities for conversion to apprenticeship programmes.
 - Review of spend on professional development.
 - Ongoing work on the identification and development on potential apprenticeship career pathways.
 - Development and launch of the Social Care career pathway.
 - 'Kent Manager' apprenticeship programme at level 4 & 5.
 - Comprehensive communication and engagement plan.
 - Celebration of investment in apprenticeships and launch changes
 - Ongoing workforce planning activity to identified apprenticeship posts.
 - Develop KCC training provision for selected apprenticeship programmes
 - Identify and develop opportunities for income generation i.e. Apprentice assessment
 - Development of strategy for sharing and maximising the levy.

8. Timescales for Further Information

- 8.1 The government has set out a timetable for further information to be released regarding funding levels, eligibility and further employer guidance. The future key dates are October and December 2016.

9. Recommendations

- 9.1 Personnel Committee are invited to consider and note the contents of this report and endorse the approach to implement to Apprenticeship Levy.

Background documents:

“Apprenticeship Levy” Personnel Committee – June 2016

“Apprenticeship Levy” Corporate Management Team – June 2016

“Apprenticeship Levy” Corporate Board – July, September 2016

Author:

Julie Cudmore

Head of Organisation Development

03000 417212

From: Amanda Beer – Corporate Director Engagement, Organisation Design and Development

To: Personnel Committee

Date: 13 October 2016

Subject: Succession Planning and Organisation Design

Summary: This paper provides the context for a presentation to the Personnel Committee by the Corporate Director Engagement, Organisation Design and Development updating on actions arising from previous papers to the Committee about succession planning across the Authority and the impact of external and internal change agendas.

1. Introduction

- 1.1 Personnel Committee received reports on the implications of changes in government guidance and legislation around local authority duty to protect the vulnerable in April, June and November 2015 and how these implications impacted, alongside internal change agendas, on the responsibilities and expectations of senior roles in the Authority. These papers outlined and explored the drivers for change which are not repeated here but which remain very relevant when reviewing impacts on senior posts and the operating framework.
- 1.2 As a result of the previous reports, the Committee commissioned further work, including completion of succession plans by Corporate Directors for the senior posts in their Directorates by the end of 2015. The completion of the succession planning exercise has helped the analysis of current risks and highlighted some areas of concern.
- 1.3 Over the same period, work was undertaken to define commissioning responsibilities for senior posts to support the successful delivery of the commissioning framework. The impact of the move to a commissioning authority on senior posts was explored in the November 2015 paper to the Committee.
- 1.4 The ongoing budget pressures, market reviews, consideration of alternative service delivery models and the need to fundamentally transform some of our services have also led to significant proposals for further service redesign.
- 1.5 As noted in previous reports, the ability of the Authority to continuously review its operating framework has enabled it to respond effectively to both internal and external drivers for change over the last several years and it is considered crucially important that this approach continues.

1.6 This has been particularly important in relation to statutory posts which need to have the necessary authority and support to discharge the prescribed responsibilities effectively. The capacity and capability of the senior management cohort are critical success factors in the short, medium and long term.

2. Recommendation

The Personnel Committee is invited to agree that the Corporate Director Engagement Organisation Design and Development delivers a presentation on actions to be taken in response to the issues raised in Section 1 of this report.

Background papers:

Succession Planning - Personnel Committee November 2015

Protecting the vulnerable – an organisational review of our response to government guidance and lessons learnt elsewhere - Personnel Committee June 2015

Developments and Implications of recent government actions on statutory postholders, organisation design and employment policies - Personnel Committee April 2015

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Agenda Item A10

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Agenda Item A11

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