

PERSONNEL COMMITTEE

Thursday, 12th October, 2017

2.00 pm

Wantsum Room, Sessions House, County Hall,
Maidstone





AGENDA

PERSONNEL COMMITTEE

Thursday, 12th October, 2017, 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 (7): Mr P B Carter, CBE (Chairman), Mr E E C Hotson (Vice-Chairman),
Mrs C Bell, Mr P J Oakford, Mr J D Simmonds, MBE,
Mrs P A V Stockell and Mr B J Sweetland

Liberal Democrat (1) Mr R H Bird

Labour (1) Dr L Sullivan

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)

- 1 Substitutes
- 2 Declarations of Interests by Members in items on the Agenda for this meeting.
- 3 Minutes - 3 July 2017 (Pages 5 - 10)
- 4 Apprenticeship Levy Update (Pages 11 - 22)
- 5 Ban the Box (Pages 23 - 26)

6 Employee Relations Casework Activity (Pages 27 - 30)

7 Leadership & Management Strategy - Presentation

8 Date of Next Meeting

The next meeting of the Committee will be held on 23 January 2018 at 2.00pm

9 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 4 of part 1 of Schedule 12A of the Act.

10 Managing Performance & Pay (Pages 31 - 42)

John Lynch,
Head of Democratic Services
03000 410466

Wednesday, 4 October 2017

KENT COUNTY COUNCIL

PERSONNEL COMMITTEE

MINUTES of a meeting of the Personnel Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Monday, 3 July 2017.

PRESENT: Mr E E C Hotson (Vice-Chairman in the Chair), Mrs C Bell, Mr R H Bird, Mr P J Oakford, Mr J D Simmonds, MBE, Mrs P A V Stockell, Dr L Sullivan and Mr B J Sweetland.

IN ATTENDANCE: Mr I Allwright (Employment Policy Manager), Mrs A Beer (Corporate Director Engagement, Organisation Design & Development), Ms D Fitch (Democratic Services Manager (Council)), Mr P Royel (Head of HR) and Ms D Trollope (Head of Engagement and Consultation).

UNRESTRICTED ITEMS

2. Election of Vice-Chairman

(Item A2)

Mrs Stockell proposed and Mr Sweetland seconded that Mr Hotson be elected Vice-Chairman of the Committee.

Agreed without a formal vote

3. Declarations of Interests by Members in items on the Agenda for this meeting.

(Item A3)

Dr Sullivan declared that her husband was a KCC employee in the Early Help and Prevention Service. There were no specific items on this agenda that would require her to withdraw from the meeting or decision making.

4. Minutes - 24 January, 23 March and 25 May 2017

(Item A4)

RESOLVED that the minutes of the meetings held on 24 January, 23 March and 25 May 2017 are correctly recorded and that they be signed by the Chairman as a correct record.

5. People Strategy 2017 to 2022

(Item A5)

(1) Mr Royel introduced the draft People Strategy. This Strategy was intended to be an over-arching HR strategy for the organisation, a 5 year plan for recruitment, retention, development and management of people and their performance. The report also set out where the Strategy fitted in with other relevant strategies and 'guiding employment principles'.

(2) Mr Royel undertook to include specific reference to succession planning in the Strategy.

(3) The importance of the Committee having the opportunity to review the Strategy at regular intervals was discussed by Members and there was general agreement that there would be an update on the Strategy to the Committee in 9 months.

(4) In response to a question on how the employee voice was captured and reflected in the Strategy, Mrs Beer explained that the item later in the meeting on the Employment Value Proposition would set out one method, also there were the T200 middle management events and ad-hoc focus groups.

(5) Mrs Beer confirmed that over the past 3 years the officer training budget had been spent which illustrated the commitment to training and developing staff.

(6) RESOLVED that the People Strategy circulated with the report be agreed subject to the inclusion of a reference to succession planning.

6. Employee Relations Casework Activity

(Item A6)

(1) Mr Royel introduced a report which updated Personnel Committee on employee relations case work activity for the period 1 April 2016 to 31 March 2017 including senior officer appeals hearings.

(2) RESOLVED that the report be noted.

7. Annual Workforce Dashboard

(Item A7)

(1) Mr Royel introduced a report which provided information on the staffing levels in the various sectors of the Authority's workforce as at 31 March 2017, together with comparative information from recent years. The report also provided information on the diversity and demographics of the current workforce including a breakdown of staff by each of the diversity strands.

(2) Members were invited to ask questions on the dashboard which were answered by Mrs Beer and Mr Royel and included the following:

- Some disappointment was expressed at the apprenticeship take up. Mrs Beer confirmed that there would be a full report on the apprenticeship scheme to the October meeting of the Committee, which could include information on investing in existing staff and skill levels.
- In relation to KCC's age profile officers explained that there was a tendency for staff to join KCC later in their career, the last time an analysis of this was carried out the average age of recruits was 36. There was no compulsion for people to retire at a particular age. It was also pointed out that the retirement age was rising, particularly for female staff and there was a trend for people to stay employed longer. There were advantages in this for the organisation in relation to retaining knowledgeable and experienced staff.

- Regarding the reducing number of staff and the re-distribution of workload, Mrs Beer stated that, although some teams felt that their workload was increasing, there had been streamlining of back office process with the ability to do more online, also there had been the introduction of new ways of working and, in some cases, work had been externalised.
- Mr Royel confirmed that Senior Managers were still only 1.9% of a reducing workforce.
- Mrs Beer explained that the responsibility for deciding on the use of agency staff rested with managers.
- In relation to working days lost due to “musculoskeletal”, Mrs Beer confirmed that this was monitored by a Health and Safety Committee which include staff representatives. Also there were colleagues across the authority trained to carry out work place assessments.

(3) RESOLVED that the report be noted.

8. Total Contribution Pay Equalities 2016/17

(Item A8)

(1) Mr Royel introduced a paper which provided an overview of the appraisal distribution profile and the equalities assessment for the 2016/17 Total Contribution Pay out-turn.

(2) Mr Royel undertook to provide the data in graphical form in future reports.

(3) Mrs Beer explained the steps that were taken to ensure consistency of Total Contribution Pay (TCP) across Directorates. Also in theory it would be possible for all staff to be assessed as outstanding and the system would be able to cope with this.

(4) RESOLVED that the outturn and the continued progress to the ideal appraisal distribution profile be noted.

9. Workforce Health & Wellbeing Strategy

(Item A9)

(1) Mr Allwright introduced a report which provided an overview of the proposed refresh of the County Council’s Workforce Health and Wellbeing Strategy.

(2) Mrs Beer and Mr Allwright answered questions on the Strategy which included an explanation from Mr Allwright of the work with managers to enable them to support their staff’s health and wellbeing as part of an awareness of the importance of work life integration.

(3) RESOLVED that the proposed health and wellbeing strategy, circulated as Appendix 1 to the report, be approved.

10. Employment Value Proposition

(Item A10)

(1) Ms Trollope introduced a report which provided a summary of the findings of the 2016 Employment Value Proposition (EVP) survey outlining the levels of employee engagement.

(2) Ms Tollope and Mrs Beer answered questions from Members which included the following;

- Ms Tollope stated the survey confirmed that staff trusted information provided by their line managers who were a key form of communication.
- Mrs Beer referred to the Talk to the Top sessions that had been held in various office venues which gave staff the opportunity to raise concerns directly with Senior Managers and Members, this had been valued by staff and could be re-instated.
- Reference was made to the opportunity for Members to arrange to shadow a social worker to gain an insight into that area of work. Members could contact the appropriate Cabinet Member to make the necessary arrangements.
- In response to a question on the excessive workload pressures on staff, Ms Tollope referred to the critical role of managers and the management of workload as part of service design within the transformation programme. She reminded Members that perception of workload pressure was an individual matter but officers generally acknowledged that the reality of working in the public sector included pressures from increase demand with reducing resources.

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

11. Date of Next Meeting

(Item A11)

It was noted that the next programmed meeting of the Committee would be held on Thursday 12 October 2017 at 2.00pm

12. Motion to Exclude the Press and Public

(Item A12)

RESOLVED that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of part 1 of Schedule 12A of the Act.

13. Interim Senior Management Appointment

(Item A13)

(1) Mrs Beer introduced a report on the interim appointment of Graham Willetts to the role of Director Education Quality and Standards being extended for a period of up to 12 months.

(2) Mrs Beer undertook to ensure that prior to any future interim extensions coming before the Committee, the Group Leaders would have the opportunity to be introduced to the officer concerned

(3) RESOLVED that Mr Willett continue as the interim Director of Education Quality and Standards on his current consultancy contract for a period of up to 12 months.

(Dr Sullivan asked for her vote against this decision to be recorded)

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By: Eric Hotson – Cabinet Member for Corporate & Democratic Services
Amanda Beer – Corporate Director Engagement, Organisation Design and Development

To: Personnel Committee **Date:** 12 October 2017

Subject: **Apprenticeship Levy Update**

Classification: Unrestricted

1. Background

1.1 In October 2016 Personnel Committee considered and endorsed a report which outlined the KCC approach to implementing the Apprenticeship levy.

1.2 In October 2016 Corporate Board were updated on some of the work in place to support the apprenticeship changes and the proposed new 'Apprenticeships for all' pathway designed to meet KCC's strategic ambition for young people.

2. Context

2.1 The purpose of the apprenticeship levy is to fund an increase in the number of quality apprenticeships to meet the Government target of £3million apprenticeship starts by 2020. It was asserted that the introduction of the levy would give more control to employers through direct access to training funds and the ability to participate in trailblazer groups to create new Apprenticeship standards appropriate to organisational needs.

2.2 Since April 2017 KCC has been paying a 0.5% levy on its pay bill each month; these funds have been credited to KCC's digital account and from May 2017 have been available to spend on apprenticeship training.

2.3 KCC's ambition is to be an employer of choice, attracting and retaining a workforce with skills, knowledge and behaviours for the future. Developing career pathways and opportunities which meet the aspirations and expectations of individual employees and directly supporting the needs of the business.

3 Levy update

3.1 Since the last Personnel Committee report Government have raised the time limit on spending the funding in the digital account from 18 months to 24 months.

3.2 The Digital account which also includes KCC schools and connected partners has been successfully established and the relevant authorisations have been set up to ensure that operation of the digital account is effectively controlled

3.3 The government has invited Training providers to apply to be part of its Register of Approved training providers (ROATP) and details of these are available via the digital account.

4 Targets / Funding

4.1 The target for public sector apprenticeships is 2.3% of total headcount. In the last Personnel Committee paper the KCC figures were estimated to be 243 (which included connected parties – Commercial services, Gen2 & Kent Legal Services) and the target for schools was estimated to be 464 making a total of 707. Since this time the figures have been recalculated to include only Community & Voluntary Controlled (KCC Schools) and to reflect current headcount figures resulting in revised figures of 230 for KCC and 293 for KCC schools making a new target 523.

4.2 Staff have been able to apply for Apprenticeship training since 1st April via a newly designed Development request process

4.3 Apprenticeship Data to September 2017 with indications of pipeline starts for October 2017 can be found in Appendix 1.

4.4 The current forecast of the total funding under the apprenticeship levy in 2017/18 which will be paid into the digital account is £2.2m. This equates to a monthly payment into the account of £190k from KCC and its connected parties (GEN2, Invicta Law and community and voluntary controlled schools).

It should be noted the forecast is likely to reduce as School's become academies and no longer pay into KCC's digital account and headcount figures reduce.

4.5 Current monthly spend relating to Apprenticeship training numbers in Appendix 1 is as follows:-

KCC

- 74 starts since April to September 2017 - £9,500 per month
- 42 pipeline starts commencing October 2017 - £18,000 per month

Schools

- 28 starts since April 2017 - £3,900 per month

Total current financial commitment per month £31,400

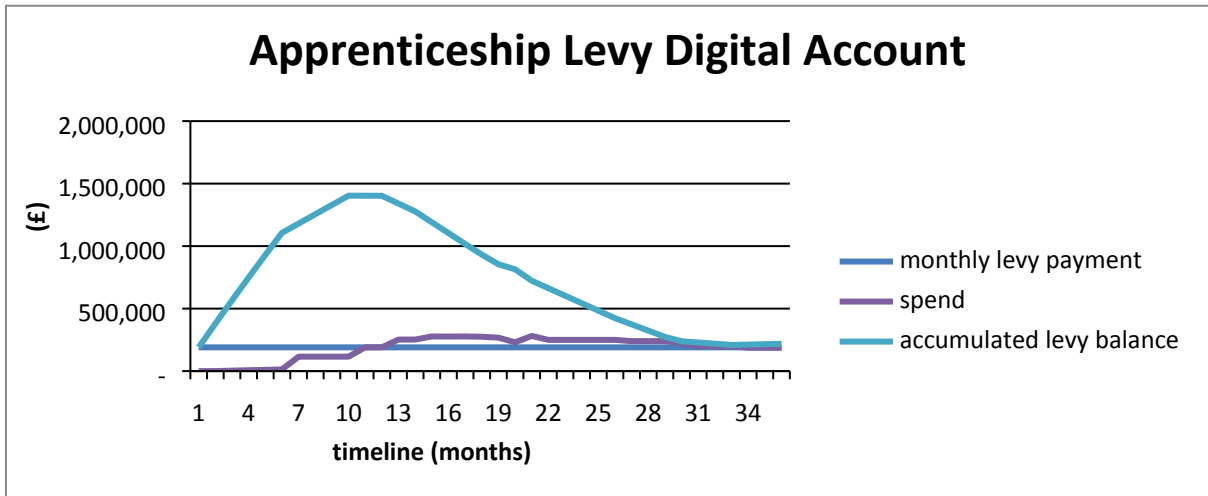
4.6 In terms of the agreed strategic priorities to be funded from the Apprenticeship Levy for 2017/2018 the following represents the progress to date with projected spend to come through on the current unallocated places

Apprenticeship development	Number of funded places allocated	Current numbers	Available places	Additional forecast monthly spend
Adult care worker - level 2	10	8	2	£333
Lead adult care worker - level 3	40	21	19	£2,375
Leader in Adult care Level 5	20	14	6	£667
CMI level 5 - Business graduates	7	7	0	£0
Business Administration - level 2 F/W	17	8	9	£1,000
Business Administration - level 3 F/W	20	10	10	£1,389
Business Administration - level 4 F/W	4	0	4	£667
Customer Service level 2	5	2	3	£1,000
Operational delivery officer - level 3	10	4	6	£1,000
Totals	151	74	59	£8431

Funds are available in the digital account for a period of 24 months and current guidance from central government suggests any funds unspent after this period of time will be removed from the account.

As the figures above show KCC is contributing more into the digital account than it is spending currently. The strategy is to assess KCC's needs alongside the existing standards and as new standards go live. As the new apprenticeship scheme grows and more standards become available the built up surplus will be used to invest in key areas of development. Currently plans are in place to target degree higher level standards such as in Social work degrees.

4.7 The graph below shows a timeline projection of the digital account as the apprenticeship scheme grows and then finds its natural balance between funding and spending.



5 Wider Kent Engagement

5.1 Middleton Murray were engaged to help support 'Made in Kent' phase 1 which generated a large increase in numbers using the website to nearly 6000, and an increase in the number of people registering to over 400.

5.2 The 2017 stand at the County show was themed 'Be an Apprentice - Made in Kent'. During the three days 53 people registered on the Apprenticeskent website, with another 30 registering in the following days. Additionally, 15 employers offered Apprenticeship vacancies.

5.3 Presentations have been delivered in 172 schools, apprenticeship advice offered to 42 schools and 31 apprenticeship roles have been identified.

5.4 Work has continued with Kent Guilds to identify skills needed by employers. So far this year 111 employers have engaged with the guilds and to date 40 new apprenticeship opportunities and 85 work placements have been offered. The guilds continue to work with the Kent and Medway Skills commission on the skills agenda.

5.5 KCC is working closely with all training providers and Colleges through different partnerships. The apprenticeship partnership group which works with Kent Association of Training Organisations (KATO) and Kent FE Colleges continues to meet and together they develop the apprenticeship offer across the county, sharing activities, information and supporting employers in the recruitment of apprentices. All our guilds have apprenticeship providers as part of its membership to support employers in developing their workforce.

6 KCC Progress

6.1 Preparing KCC

- Awareness of the introduction of the Apprenticeship levy has been raised across the organisation through the delivery of 45 presentations to Committees, boards, groups, management teams, Organisation Development groups & team meetings.
- Managers have received training on the introduction of the levy as well as recruiting apprentices via webinars.
- All KNet pages, policies and processes have been reviewed and updated to include reference to & guidance on Apprenticeships.
- Value Based Interview questions have been designed and are accessible to managers via KNet pages when recruiting new apprentices.

6.2 Systems

Existing systems functionality has been reviewed and changes have been commissioned and delivered to support the introduction of the Levy. Additional fields have been incorporated into Oracle to ensure that we have the capability to capture data required for reporting purposes.

Changes have been made to the Taleo recruitment system to ensure that we are able to track vacancy numbers and successful and unsuccessful candidates

Payroll system actions have been delivered to ensure that all payroll providers who deliver payroll services on behalf of KCC declare the levy and funds are placed into KCC's digital account.

6.3 Training

Training providers have been commissioned to deliver core Apprenticeship training (social care, Business admin & Customer care), as additional requirements emerge from the Development request process providers are being robustly procured.

Professional development and qualification requests are being reviewed to identify where Apprenticeship training opportunities can be accessed to maximise the levy.

6.4 Procurement

Corporate board in October 2016 agreed that from February 2017 all procurement specifications for contracts in excess of £1m value would include KCC expectations on Apprenticeships. Head of Procurement has amended processes and raised awareness with both managers and procurement staff.

6.5 Utilising the Levy

Accessing Apprenticeship levy funding will enable KCC to offer a diverse range of specialist qualification training which will be good for retention, motivation and career progression of staff.

Examples of this are:

- Civil Engineering qualifications in Highways
- Laboratory Scientist in Kent Scientific Services
- HR qualifications in EODD, BSC
- Leadership & Management qualifications for our graduate intake
- Procurement
- Social care qualifications
- Marketing
- Digital technology
- Finance & Accountancy
- Early years Education
- Surveying in Highways

7 Forward plans to Maximising the Levy

7.1 KCC is involved in Trailblazer activity in respect of the following Apprenticeship standards;

- Occupational Therapy degree
- Social work degree
- Teaching degree
- Procurement level 5 & degree
- Health Intelligence professional (Public health) – masters

7.2 KCC representatives will be offering support to employers on understanding the Apprenticeship levy at the 'Meet the buyer' element of the construction expo event at Detling showground in October.

7.3 Events to celebrate the success of Apprentices in Schools and KCC are planned late 2017 / early 2018.

7.4 Made in Kent' Phase 2 will be launched in October; this will offer interviews to 16 – 24 year olds for potential apprenticeship roles. A taster day has been held in Maidstone - All employers found the event useful and 17 young people attended who were given clear instructions on the opportunities available and further interviews for selected roles. Further discussion is planned with KATO and FE Colleges to agree roles and responsibilities for the next events during October.

7.5 The Kent Choices local event will be held in November and will offer information and interviews to those attending. Last year the event attracted over

90 schools, 2,687 young people and 250 exhibitors. This year links will be made to 'Made in Kent' phase 2.

7.6 Explore opportunities for KCC to;

- 'Grow its own Graduates' and review existing Graduate programmes to incorporate Apprenticeship standards
- Explore opportunities to work with Partner organisations to develop joint career pathway opportunities
- Identification of additional trailblazer involvement to meet skills shortages, succession planning gaps and deliver strategic and directorate priorities.

8. Recommendation

8.1 Personnel Committee are invited to consider and note the contents of this report and endorse the proposed activity to maximise the Apprenticeship levy.

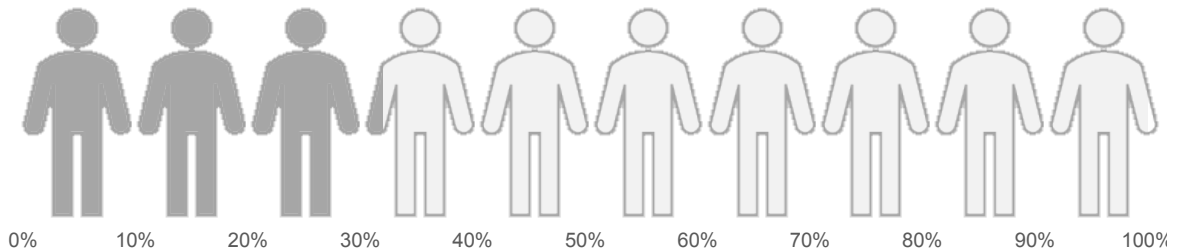
Julie Cudmore
Head of Organisation Development
Ext: 417212

Background Documents: None

Appendix 1

Corporate Core Data

KCC's Position Against Apprenticeship Levy Target

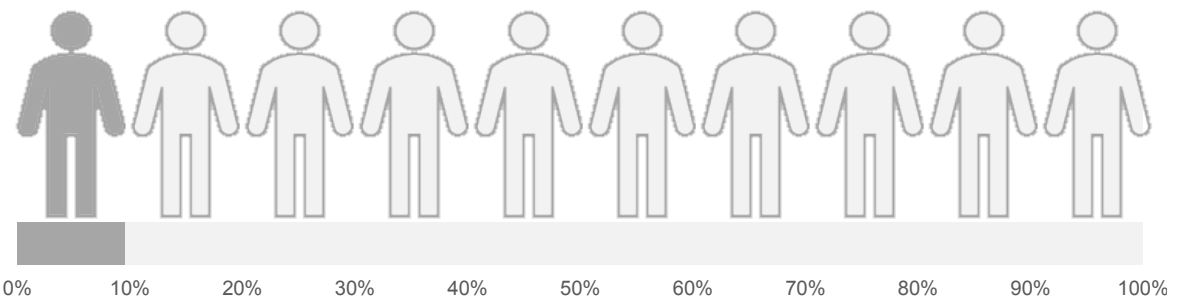


Total no of KCC levy apprenticeships 74

KCC Target 230

% of KCC target complete 32%

School's Position Against Apprenticeship Levy Target

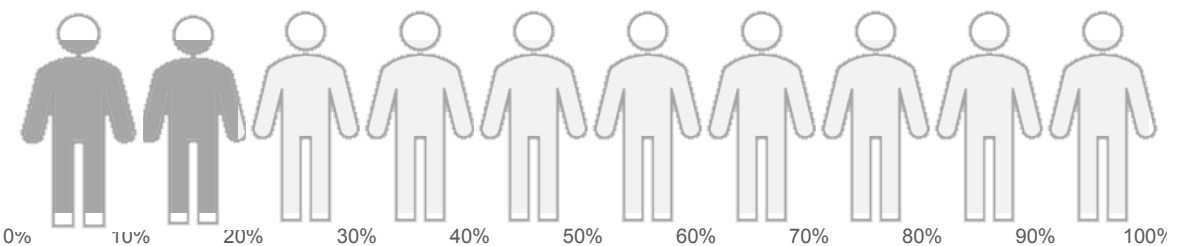


Total no. of Schools levy apprenticeships 28

Schools Target 293

% of Schools target complete 10%

Overall Position Against Apprenticeship Levy Target



Total no. of current levy apprenticeships 102

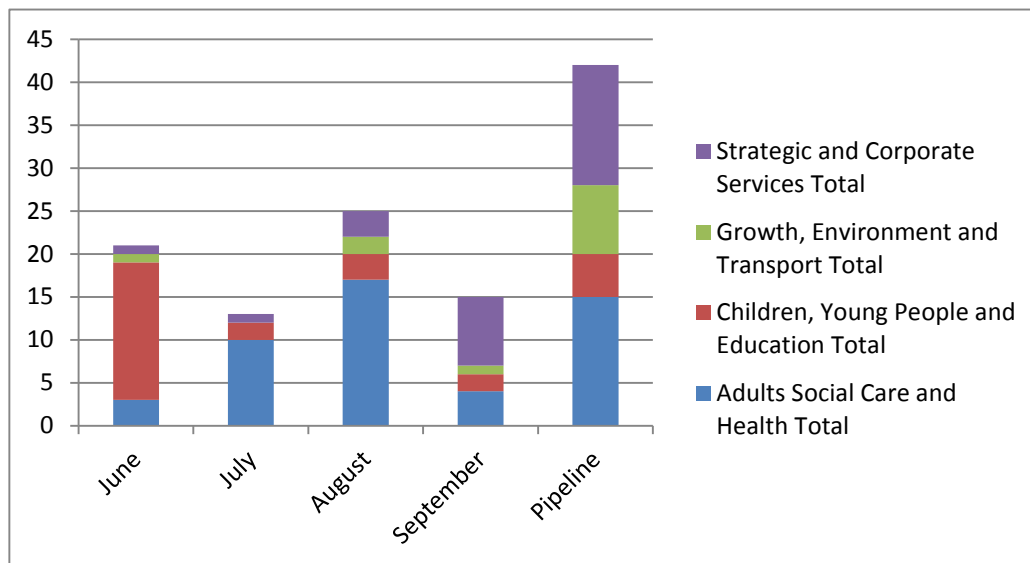
Overall Target 523

% of Overall target complete 20%

New Apprenticeship training starts by Directorate / Division

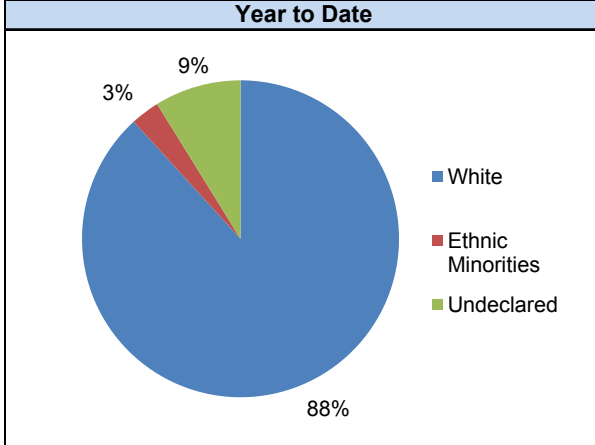
Division/Direcorate	June	July	August	September	Pipeline	YTD (excluding Pipleine)
AH - Dis Children Adult Learning Dis Mental Health	3	7	14	0	2	24
AH - Older People and Physical Disability	0	3	3	4	13	10
AH - Corporate Director's Office	0	0	0	0	0	0
AH - Public Health	0	0	0	0	0	0
Adults Social Care and Health Total	3	10	17	4	15	34
CY - Early Help and Preventative Services	14	2	1	1	2	18
CY - Education Quality and Standards	1	0	1	0	3	2
CY - Specialist Children's Services	1	0	1	1	0	3
CY - Education Planning and Access	0	0	0	0	0	0
CY - Corporate Director's Office	0	0	0	0	0	0
Children, Young People and Education Total	16	2	3	2	5	23
GT - Economic Development	0	0	0	0	0	0
GT - Environment, Planning and Enforcement	1	0	2	1	0	4
GT - Highways, Transportation and Waste	0	0	0	0	6	0
GT - Corporate Director's Office	0	0	0	0	0	0
GT - Libraries, Registration and Archives	0	0	0	0	2	0
Growth, Environment and Transport Total	1	0	2	1	8	4
ST - Engagement, Organisation Design and Dev'ment	0	0	1	1	0	2
ST - Finance	0	0	0	0	1	0
ST - Infrastructure	1	1	1	7	5	10
ST - Strategic Commissioning	0	0	1	0	8	1
ST - Strat Policy Relationships and Corp Assurance	0	0	0	0	0	0
ST - Governance and Law	0	0	0	0	0	0
ST - Corporate Director's Office	0	0	0	0	0	0
Strategic and Corporate Services Total	1	1	3	8	14	13
Grand Total	21	13	25	15	42	74

Year to Date

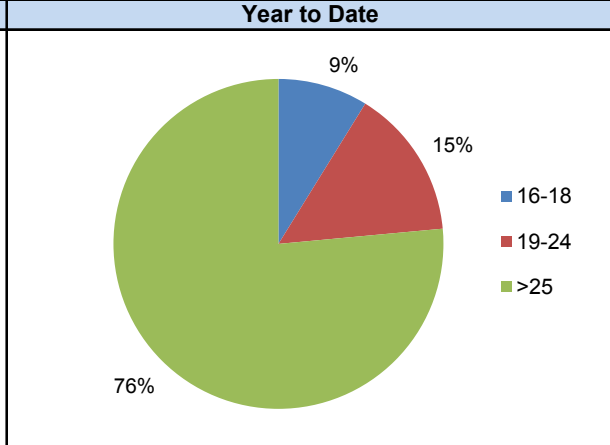


Equalities Information

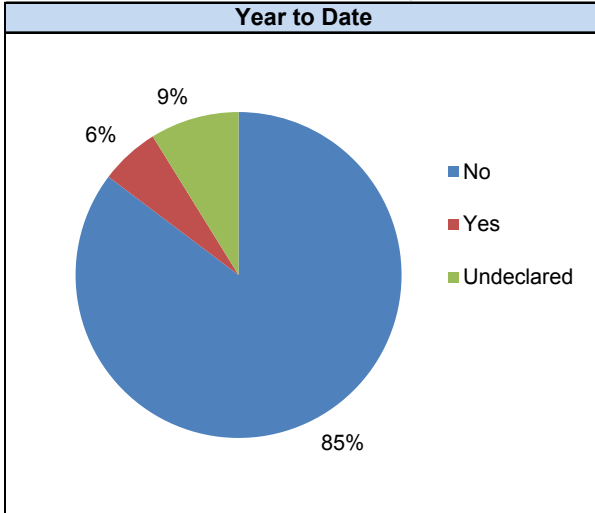
Protected Characteristics - Ethnicity



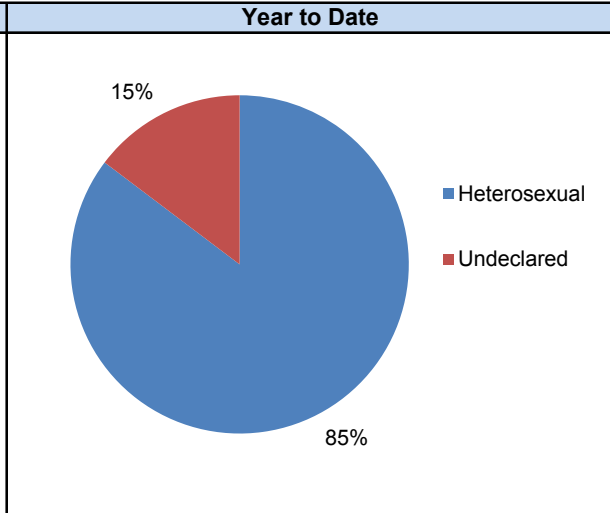
Protected Characteristics - Age



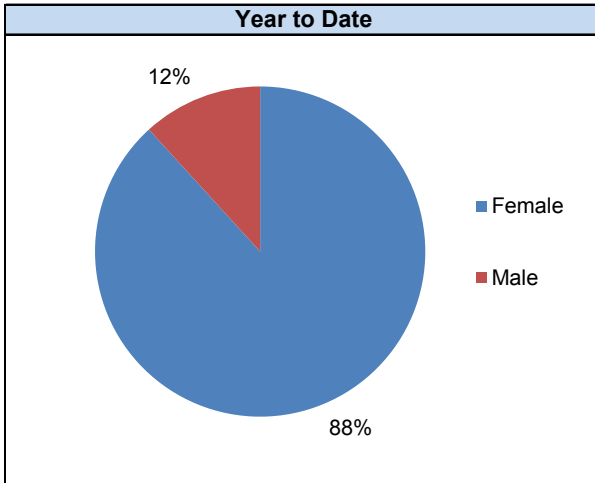
Protected Characteristics - Disability



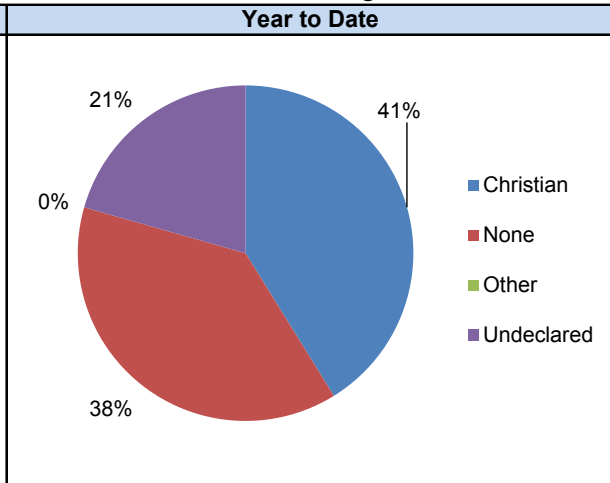
Protected Characteristics - Sexual Orientation



Protected Characteristics - Gender

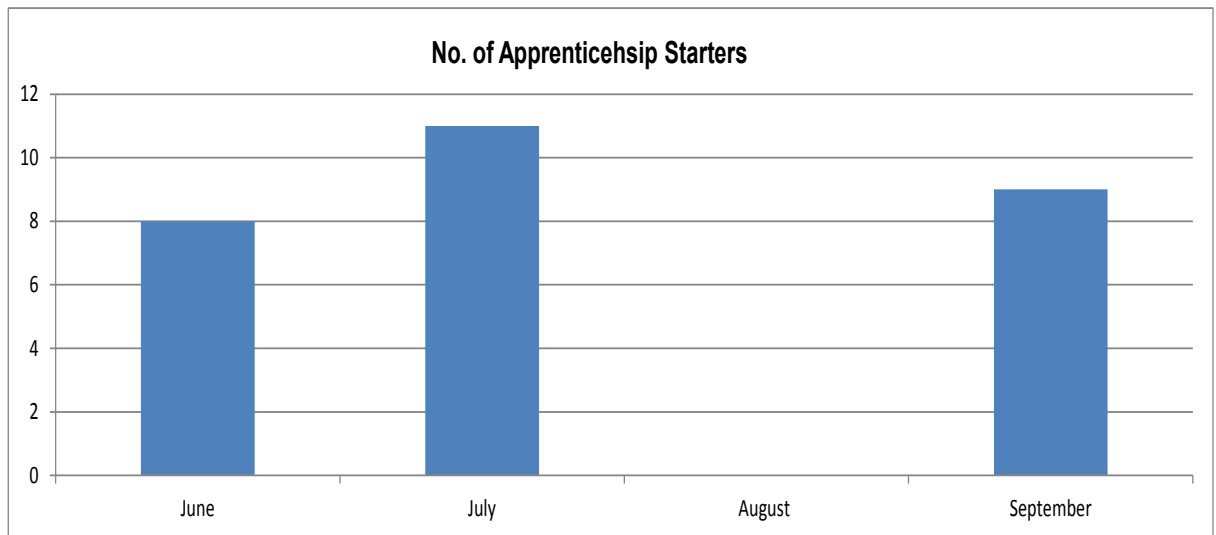


Protected Characteristics - Religious Belief



New Apprenticeship training starts for KCC Schools

No. of Apprenticeship Starters	June	July	August	September	Grand Total
	8	11	0	9	28



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

To: Personnel Committee

Date: 12 October 2017

Subject: **Ban the Box**

Classification: Unrestricted

1. Background

- 1.1. The national charity Unlock, established back in 2000, promotes and campaigns for the rehabilitation of offenders and supporting those with convictions, both generally and specifically in the workplace. They have been continuously campaigning to encourage employers to amend their recruitment process as far as possible to support greater applications from individuals with criminal records. Evidence would suggest that very few such individuals pose a serious risk of harm to the public but they can make it challenging to find employment. This specific campaign is 'ban the box'. The box being referred to is on the application form which requires a tick to state that the applicant has a criminal record.
- 1.2. There are an estimated 10 million people with a criminal record in the UK, which represents a significant proportion of the population. At present, over 60 per cent of short-term prisoners re-offend within a year of release at great cost to business, communities and taxpayers. However, research shows that employment reduces reoffending by up to a half, so it is critical to reduce barriers to work for individuals with criminal convictions. Most crime committed is relatively minor, often resulting in fines and community sentences.
- 1.3. It is reported that individuals with a minor conviction which does not have any consequence to their appointment can be put off applying for a job by having to disclose this early in the process. A number of applicants therefore deselect themselves at the outset. There is not a legal obligation to ask at the application stage.
- 1.4. There is however the matter of what is described as 'Regulated activity', where employees and workers are engaged in work that has regular and unsupervised access to children and vulnerable adults. There is no doubt that roles in this area require a mandatory approach to the disclosure of all spent and unspent convictions as a fundamental element of the recruitment process. These roles represent the minority of posts within the County Council.

2. Other employers

- 2.1. There are some 76 employers who have agreed to 'ban the box' from both the private and public sector, financial, service provision and legal companies. One such employer is the Civil Service.
- 2.2. The Minister for the Cabinet Office set out his vision for the Civil Service to lead the way in improving social mobility through an inclusive working environment. To do this they need to ensure they have the best possible mix of talent and act to remove barriers for all individuals, including ex-offenders. Consequently the Civil Service is championing the [Ban the Box campaign](#).
- 2.3. The Civil Service will still ask about criminal convictions during the recruitment process, but we will do this after the initial application form stage. They recognise that there may be some roles with specific security requirements and these will be exempt from this approach.

3. Consultation with the business

- 3.1. The implications have been considered and shared with service Directors, and HR colleagues involved in facilitating the recruitment process.
- 3.2. There is agreement and support across the Directorates in principle to remove the early 'criminal conviction' question from the recruitment process although understandably there is concern for 'regulated' posts. It is important that our supporting recruitment policy is updated and robust in clarifying our position to ensure a suitably consistent approach to this issue and for managers to be clear on our responsibilities and how we expect them to be discharged.

4. Recruitment Process implications

- 4.1. There are 3 categories of posts in terms of declarations of convictions and the required 'checks':
 - Those that do not require any as they are not working with children, vulnerable adults or their sensitive records
 - A basic check is required for those working with sensitive records
 - An enhanced check is appropriate for those working with children and vulnerable adults.
- 4.2. It is possible to alter the application form for general applications but retain for regulated activity roles requiring a DBS check where applicants will need to answer the question in order to apply. For roles requiring a basic check the question can be added as a task for the recruiting manager. If it is established during the application process, or subsequently, that there has been failure to disclose a conviction when required, then this would mean

removal of the person from the process or potential dismissal from employment.

- 4.3. The Oracle recruitment system is currently undergoing significant development which will provide the opportunity for such a process to be automated and monitored.

5. Conclusion

- 5.1 The Ban the Box campaign seeks to support people with criminal records back into the workplace. This is something which KCC can help achieve in a way which is proportionate and does not cause increased risk, particularly to roles which are a regulated activity.
- 5.2 Personnel Committee are invited to consider whether this is something that could be supported with appropriate processes and safeguards.

Paul Royel
Head of HR & OD
Ext 416631

Background documents: None

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

To: Personnel Committee

Date: 12 October 2017

Subject: Employee Relations Casework Activity

Classification: **Unrestricted**

SUMMARY: This report updates Personnel Committee on employee relations case work activity for the period 1 April 2017 to 31 August 2017.

1. INTRODUCTION

- 1.1 Personnel Committee has previously received reports on discipline, capability and resolution activity which provided an overview of the distribution of cases. This report updates the Committee on figures for April 2017 to 31 August 2017.
- 1.2 The HR Team continues to take a lead in working with managers to raise standards and their confidence in managing performance and employee relations. Understanding the level of case activity is an indicator of how KCC is approaching the management of its employees' performance.

2. CASE ANALYSIS

- 2.1 The greatest volume of cases so far in the year are those concerning ill health (Appendix 1). If this level of activity continues the full year effect will see a slightly greater number of ill health cases than in 2016-17. The HR Team has continued to support and skill up managers to ensure that they can identify and deal with these types of cases. The higher figure is indicative of managers taking a more proactive approach to formalising the process when informal activity has been unsuccessful.
- 2.2 The number of disciplinary cases suggests the potential for there being a higher number than the previous year. This is indicative of managers taking a more robust approach to managing conduct issues. Poor performance cases are also showing a potentially higher number than 2016-17. As with disciplinary cases this suggests managers taking the initiative and managing more robustly. Resolution cases are projected to be no greater than the previous year and significantly less than 2015-16, which is a reflection of managers continuing to deal with matters at a local level and before the need to seek redress through a formal procedure.

- 2.3 The number of Employment Tribunal cases against KCC remains relatively few for an organisation of its size. Of the claims between April and August 2017 one was withdrawn, one was settled before the hearing and 3 are still outstanding. 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.

3. DISMISSAL APPEALS HEARD BY SENIOR OFFICERS

- 3.1 Appeals against dismissal are managed through HR and are arranged with the support of the Challenger Group, providing a better distribution across the management population.
- 3.2 Three dismissal appeals were heard by senior officers between 1 April and 31 August 2017. The table below illustrates the distribution between directorates, case type and outcomes. One appeal was resolved before the appeal was heard – this was in Adult Social Care & Health. Two cases have not yet been heard – one of these is in Children, Young People & Education and one is in Adult Social Care & Health.

Directorate	No. of Appeals	Case Type	Outcomes
Children, Young People & Education	1	1 conduct	dismissal not upheld
Adult Social Care & Health	1	1 conduct	dismissal upheld
Growth, Environment & Transport	1	1 conduct	dismissal upheld
TOTAL	3		3 dismissals

4. RECOMMENDATIONS

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

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Background Documents: None

Appendix 1

Number of Employee Relations Cases

April 2015 – March 2016

	<i>Total</i>
<i>Appeals</i>	16
<i>Appeals (Dismissal)</i>	11
<i>Capability – Ill Health</i>	235
<i>Capability – Other</i>	8
<i>Capability – Poor Performance</i>	48
<i>Disciplinary</i>	124
<i>Grievance</i>	39
<i>Harassment</i>	7
<i>Employment Tribunal</i>	11
<i>Early Conciliation</i>	0
Grand Total	597

April 2016 – March 2017

	<i>Total</i>
<i>Appeals</i>	11
<i>Appeals (Dismissal)</i>	8
<i>Capability – Ill Health</i>	146
<i>Capability – Other</i>	10
<i>Capability – Poor Performance</i>	70
<i>Disciplinary</i>	122
<i>Resolution</i>	20
<i>Resolution - Harassment</i>	9
<i>Employment Tribunal</i>	1
<i>Early Conciliation</i>	12
Grand Total	409

April 2017 – August 2017

	<i>Total</i>
<i>Appeals</i>	6
<i>Appeals (Dismissal)</i>	6
<i>Capability – Ill Health</i>	73
<i>Capability – Other</i>	7
<i>Capability – Poor Performance</i>	36
<i>Disciplinary</i>	70
<i>Resolution</i>	9
<i>Resolution - Harassment</i>	2
<i>Employment Tribunal</i>	5
<i>Early conciliation</i>	1
Grand Total	215

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