

PERSONNEL COMMITTEE

Thursday, 24th January, 2019

2.00 pm

Wantsum Room - Sessions House





AGENDA

PERSONNEL COMMITTEE

Thursday, 24th January, 2019, at 2.00 pm
Wantsum Room - Sessions House

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 in the Chair), Mrs C Bell, Mr P W A Lake, Mr P J Oakford, Mrs P A V Stockell and Mr B J Sweetland
- Liberal Democrat (1) Mr R H Bird
- Labour (1) Dr L Sullivan

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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 - 13 November 2018 (Pages 5 - 8)
- 4 Employee Relations Casework Activity (Pages 9 - 10)
- 5 Gender Pay Gap Reporting (Pages 11 - 18)
- 6 Staff Survey 2018 Results (Pages 19 - 26)

7 Exclusion of 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 4 of part 1 of Schedule 12A of the Act.

EXEMPT ITEMS

8 Local Pay Bargaining - 2019/20 (Pages 27 - 58)

Benjamin Watts
General Counsel
03000 416814

Wednesday, 16 January 2019

KENT COUNTY COUNCIL

PERSONNEL COMMITTEE

MINUTES of a meeting of the Personnel Committee held in the Wantsum Room - Sessions House on Tuesday, 13 November 2018.

PRESENT: Mr P B Carter, CBE (Chairman), Mr E E C Hotson (Vice-Chairman), Mrs C Bell, Mr R H Bird, Mr P W A Lake, Mr P J Oakford, Mrs P A V Stockell, Dr L Sullivan and Mr B J Sweetland

IN ATTENDANCE: Mrs A Beer (Corporate Director Engagement, Organisation Design & Development), Ms D Fitch (Democratic Services Manager (Council)) and Mr P Royel (Head of HR & OD)

UNRESTRICTED ITEMS**61. Declarations of Interests by Members in items on the agenda for this meeting.**

(Item 2)

Dr Sullivan declared her Disclosable Pecuniary Interest, as her husband is employed by the County Council in the Early Help and Prevention Team. There were no specific items on this agenda that would require her to withdraw from the meeting or decision making.

62. Minutes - 11 October 2018

(Item 3)

RESOLVED that the minutes of the meeting held on 11 October 2018 are correctly recorded and that they be signed by the Chairman as a correct record.

63. People Strategy 2017 to 2022

(Item 4)

(1) Mr Royel introduced a report which provided an update on progress made in the first year of the 5-year People Strategy which had been agreed by this Committee on 3 July 2017.

(2) Mr Royel explained that the Strategy contained 4 elements, some of which were better embedded within the organisation than others. He gave the example of the improved recruitment strategy and value-based recruitment which had been a recent pilot and so had yet to be rolled out across the organisation.

(3) In relation to mental health, Mr Royel confirmed that work had been undertaken to improve the awareness and knowledge of managers to enable them to support their staff.

(4) Mrs Beer confirmed that managers were engaged with the People Strategy agenda.

(5) RESOLVED That the progress made in delivering the People Strategy 2017-2022 be noted.

64. Total Contribution Pay Equalities 2017/18 Update

(Item 5)

(1) Mr Royel introduced an update report on activity to address the appraisal rating distribution and equalities profile for the 2017/18 outturn as identified by the Committee at their meeting on 12 June 2018.

(2) Mr Royel referred to the development of a specific staff forum and the work being carried out with managers to ensure a consistent approach to part-time and full-time staff with the aim of achieving an improvement in the TCP distribution for part-time staff in 2019. Mr Royel confirmed that all part-time staff had the same benefits package as full-time staff.

(3) Mrs Beer undertook to brief Members outside of the meeting on the engagement with library staff in relation to the proposed changes to opening hours.

(4) Mrs Beer confirmed that work was ongoing with managers to ensure that there was a recognition of the positive outcomes from allowing flexibility in working arrangements for all staff including part-time staff.

(5) There was an acknowledgement that there had been positive steps made to address the identified differential in the appraisal distribution profile between full and part time-staff.

(6) RESOLVED that the proposed engagement of part time staff and the action taken to improve the management and assessment process for all staff be noted.

65. Annual Workforce Profile Report update

(Item 6)

(1) Mr Royel introduced an update to the Annual Workforce Profile report presented to Personnel Committee in June 2018. The update included information on the changes in staffing levels, demographics and diversity of Kent County Council's workforce in the six-month period ending 30 September 2018.

(2) Mr Royel confirmed that the data included the recently transferred staff to The Education People and Cantium, which had an impact on the six-month data. The full year data would only include KCC staff to assist in the identification of trends.

(3) Mrs Beer explained that workforce trends for KCC wholly owned companies should be reported to the individual shareholder boards. Also companies who brought their Human Resource service from KCC were able to adopt the People Strategy or parts of it but they were not obliged to do so.

(4) It was noted that in future this report would include the apprenticeship profile.

(5) RESOLVED that the report be noted.

66. The new approach to the KCC Staff Survey

(Item 7)

(1) Mrs Beer introduced a report which outlined the approach taken to the development and delivery of the new staff survey. Over 4,000 members of staff had completed the survey (51% response) which was a considerable increase on previous staff surveys. However, as the survey had only recently closed it had not been possible to complete the analysis of the data in time to report it to this meeting.

(2) Mrs Beer undertook to brief Members on the outcomes from the survey as soon as possible in addition to reporting it formally to the Committee. She would ensure that both Members and staff were informed of the outcome of the survey before it was publicised externally.

(3) RESOLVED that the approach to the development and delivery of the staff survey and the intention to brief Members on the outcome of the staff survey as soon as possible be noted.

67. Date of Next Meeting

(Item 8)

It was noted that the next meeting of the Committee would be held on 24 January 2019.

68. Exclusion of the Press and Public

(Item 9)

RESOLVED that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following items 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.

EXEMPT ITEMS

(Open minutes)

69. Pay review

(Item 10)

(Mr Shipton, Head of Finance, was present for this item.)

(1) Mr Royel referred to the increasing National Living Wage and the new minimum pay point for the National Joint Council pay scale. This had provided an opportunity to consider the development of the kent pay scale to ensure it remained fit for purpose. The report outlined the request from the recognised trade unions regarding this matter as part of the 2019/20 local pay bargaining submission and the considerations to be taken into account by Members.

(2) RESOLVED that:

- (a) the key principles outlined in paragraph 3 of the report and the request for a mandate outlined in paragraph 5 of the report be endorsed.
- (b) the low pay reforms be separately identified and prioritised within the Medium Term Financial Plan.

70. Adult Social Care & Health - Director of Partnerships - briefing
(Item 11)

(1) The Chairman welcomed Mrs Tidmarsh, the newly appointed Adult Social Care & Health – Director of Partnerships, to the meeting and invited her to brief the committee on the way in which she intended to undertake this new role.

(2) RESOLVED that the briefing be noted.

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

To: Personnel Committee

Date: 24 January 2019

Subject: Employee Relations Casework Activity

Classification: **Unrestricted**

SUMMARY: This report updates Personnel Committee on employee relations case work activity for the period 1 April 2018 to 30 September 2018.

1. INTRODUCTION

- 1.1 Personnel Committee receives regular reports on discipline, capability and resolution activity which provide an overview of the distribution of cases. This report updates the Committee on figures for April 2018 – 30 September 2018.
- 1.2 The figures are provided in the context of a greater focus on KCC managers leading performance management successfully. The HR Team continues to take a lead in working with managers to raise standards and confidence in managing 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 greater number of ill health cases than in 2017 -18. The HR Team has continued to support and upskill 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 As with ill health, 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.
- 2.3 Resolution cases are projected to be higher than the previous year. This is generally to be expected when managers take more robust action over dealing with performance and conduct issues.

- 2.4 Poor performance cases are showing a potentially lower number than 2017-18. This is indicative of managers being successful in resolving performance issue through informal means rather than needing to resort to a formal process.
- 2.5 The number of Employment Tribunal cases against KCC remains relatively few for an organisation of its size. Of the claims between April and September 2018, one was settled and 2 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 (other than staff in probation) are managed through HR and arranged with the support of the Challenger Group, which has resulted in this task being better distributed across the management population.
- 3.2 Two dismissal appeals were heard by senior officers between 1 April and 30 September 2018. The table below illustrates the distribution between Directorates, case type and outcomes. All appeals were unsuccessful

Directorate	No. of Appeals	Case Type	Outcomes
Children, Young People & Education	2	1 x Dismissal (SOSR) – risk by association 1 x Ill health	Both appeals not upheld
TOTAL	2		2 upheld dismissals

4. DISMISSAL APPEALS AGAINST TERMINATION IN PROBATION

- 4.1 There was one appeal against termination in probation and this was unsuccessful.

5. RECOMMENDATIONS

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

Paul Royel
Head of HR&OD
Ext 416631

Background Documents: None

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

To: Personnel Committee **Date:** 24 January 2019

Subject: **Gender Pay Gap Reporting**

Classification: Unrestricted

Summary: There is a legal obligation for KCC to publish a Gender Pay Gap Report (GPGR) annually which was done for the first time in March 2018 based on data from March 2017. This report compares the second report prior to publishing which is based on data from March 2018.

1. BACKGROUND

- 1.1 From April 2017, all organisations that employ over 250 employees are required to calculate and report annually on their gender pay gap. This shows the difference in average earnings for men and women. For the public sector, the calculation will be based on the hourly pay rate for each employee during the pay period that includes 31 March.
- 1.2 Through legislation, there are set calculations to show the difference in hourly pay and other payments between men and women. The mean percentage shows the difference in the average pay and the median is the middle value for all the payments when put in a list. We also need to show the proportions of men and women receiving a bonus and the gender proportions in each quarter of the pay structure.
- 1.3 The figures generated for producing the Gender Pay Gap Report are not the same as for equal pay. Equal pay concentrates on the difference between males and females undertaking roles of equal value, i.e. on the same grade.
- 1.4 The first Gender Pay Gap Report is published on Kent.gov.uk. The data is also submitted to a government website. The second year's data is due to be published by March 2019 based on 'snapshot' data from 31 March 2018. These figures have already been established.

2. **RESULTS**

2.1 To aid comparison the results are tabulated below:

Measure	2016/17	2017/18
Mean Gender Pay Gap	12.6%	11.1%
Median Gender Pay Gap	18.2%	11.7%
Mean Bonus Pay Gap	25.1%	31.7%
Underlying Mean Bonus Pay Gap	-	6.3%
Median Bonus Pay Gap	14.3%	16.7%
Proportion of male employees receiving a bonus	3.1%	4.1%
Proportion of female employees receiving a bonus	2.9%	2.5%

Pay Quartiles by Gender

	Male	Male	Female	Female
Band	2016/17	2017/18	2016/17	2017/18
Lower Quartile	20%	20%	80%	80%
Lower Middle	17%	18%	83%	82%
Upper Middle	25%	23%	75%	77%
Upper Quartile	30%	30%	70%	70%

3. **ASSESSMENT**

- 3.1 Given the short period of time between the first results being published and the 'snapshot date' for the second year, it is not surprising that there is no large difference between the salary figures.
- 3.2 A larger difference appears for the bonus figures. However on investigation this is caused by a small number of individuals skewing the data. For example, by removing the payments above £500 – 10 payments, (6 to men and 4 to women) the mean bonus pay gap reduces to 6.3%. This highlights the need to be cautious when interpreting the results and drawing conclusions as the numbers of people receiving a bonus is low.
- 3.3 Enhancing the statutory requirements and assessing the gender pay gap on a grade basis, weighting the figure according to the number of women who work in that grade then adding the proportional pay gaps together, gives an overall proportional pay gap of -0.55%, i.e. it is positive in favour of women.
- 3.4 It is important to ensure that the narrative explaining the results is sufficiently clear and robust to mitigate the risk of a misinterpretation of what the data is actually showing.
- 3.5 There are many factors impacting the Gender Pay Gap figures such as appointing salaries, progression awards, job segregation (jobs 'preferred' by men or women). All these need to be designed and operated without bias to help reduce the gender pay gap.
- 3.6 We have already implemented changes to the managing performance / Total Contribution Pay cycle to ensure as many people as possible receive an

appraisal rating resulting in a pay increase from 1 April. Previously there was a 9-month aggregate rule which deferred an assessment. Although payments were backdated appropriately, removing this rule helps ensure that people receive pay increases in a consistent and timely way.

- 3.7 Opportunities are taken, including through KMail, KNet, ELearning, Guidance, to engage with managers and remind them about their responsibilities to deliver fairness and equality in the round. This is intended to help treat everyone in an unbiased way and reduce the Gender Pay Gap figure over time.

4. CONCLUSION

- 4.1 There are numerous factors which influence the gender pay gap figure. KCC continually reviews policies, procedures and processes to ensure they are gender neutral in their design and operation.
- 4.2 Closing the Gender Pay Gap was always going to require time to address and correct. It took 20 years to reduce the national gender pay gap from 25% to 18%. Our progress to date is positive with scope for further improvement.
- 4.3 Attached is the proposed report and narrative that will be published both on kent.gov.uk and the relevant Government website in March 2019.

5. RECOMMENDATIONS

- 5.1 Personnel Committee consider the report and endorse the proposed statement.

Paul Royel
Head of HR & OD
03000 416631

Background Documents:

Personnel Committee – Mandatory Gender Pay Gap Reporting and Statement – 23 January 2018.

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Kent County Council

Gender Pay Gap Reporting Statement

2018

What is Gender Pay Gap Reporting?

This is the second Gender Pay Gap Report. For the public sector, the calculation will be based on the hourly pay rate for each employee during the pay period that includes 31 March each year.

The gender pay gap is not the same as equal pay. Most organisations that pay men and women the same rate for work at the same level will still have a gender pay gap. This is because of the different proportions of men and women working across the whole organisational structure. If there are proportionately more men at higher levels within organisations this is what the gender pay gap figures highlight. By undertaking this calculation, it helps organisations understand their own position and to consider ways to reduce the difference. Figures from the Office of National Statistics (ONS) indicate that the average pay gap is 17.9%.

What we need to calculate

The legislation sets calculations to show the difference in hourly pay and other payments between men and women across the whole of the organisation. The mean percentage shows the difference in the average pay and the median is the middle value for all the payments when put in a list. In line with legislative reporting requirements, we also need to show the proportions of men and women receiving an amount outside of the hourly pay calculation, this is referred to as a bonus in terms of the regulations and the gender proportions in each quarter of the pay structure.

Our data

This is Kent County Council's (KCC) annual gender pay gap report for the snapshot date of 31 March 2018.

- The mean gender pay gap for KCC is 11.1% and the median is 11.7%.
- The mean gender bonus pay for KCC is 31.7% and the median is 16.7%.
- The proportion of male employees in KCC receiving a bonus is 4.1% and the proportion of female employees receiving a bonus is 2.5%.

Pay quartiles by gender

Band	Males	Females
Lower quartile	20%	80%
Lower middle quartile	18%	82%
Upper middle quartile	23%	77%
Upper quartile	30%	70%

What the figures indicate

- **Pay** – The gender pay gap for KCC is significantly below the national average which is very positive, 11.1% v 17.9% respectively. The difference is explained by the higher proportion of men in the upper middle and upper pay quartiles. Both the mean and median figures have reduced since last year which were 12.6% and 18.2% respectively.
- **Bonus** – This has a broad definition within the scope of gender pay gap reporting requirements and KCC does not operate a traditional bonus scheme. As can be seen from the figures, only a small proportion of the workforce receive these payments and the data needs to be interpreted carefully because of this. For example, by removing any payments above £500 – 10 payments in total, (6 to men and 4 to women) the mean bonus pay gap reduces to 6.3%. This highlights the need to be cautious when interpreting the results and drawing conclusions as the numbers of people receiving a bonus is low. Comparing the figures with 2017 shows that there is an increase in the number of males receiving a bonus has increased from 3.1% to 4.1 % whereas women have decreased from 2.9%% to 2.5%.
- **Gender distribution** – The proportion of women to men across KCC is c77% v 23% respectively. Within the lower half of the organisation the balance is further in favour of women, however the proportion changes by around 10% within the upper quartile. There is therefore still a significant female dominance in each of the pay quartiles. This may help explain why the KCC mean salary difference is lower than the national average.

The wider KCC context

KCC has a deep and longstanding commitment to the promotion of equality and fairness in the workplace. We know from undertaking equal pay audits previously that we pay men and women in a consistent way for work of equal value. This is underpinned by a grading structure and job evaluation system which takes into account roles rather than

gender differences. It is, however important not to be complacent. There are many touch points where both equality and diversity are promoted. These include:

- A simple and robust approach to job evaluation is intended to ensure people are paid in a fair and consistent way for the roles which they undertake across the authority.
- Inclusive and accessible training – much training is now eLearning based which enables greater access and availability and is not dependant on where and when people work
- Enhancing conversation and dialogue within our approach to managing performance will help individuals discuss their aspiration and identify the appropriate development and support to achieve these.
- Diversity training is promoted to all which increases knowledge and awareness of all aspects of equality and inclusion for protected characteristics.
- Staff groups are forums set up to support the equality and diversity agenda.

There are four:

Aspire for employees under 30 which supports and develops younger people to realise their potential.

Level Playing Field promotes best practice and broadens the knowledge around disability issues within KCC.

The Black and Minority Ethnic Forum supports BME staff in all directorates and helps the council to develop and review council policies that affect both staff and the wider community to ensure that they are inclusive.

Rainbow supports members of the Lesbian, Gay, Bisexual and Transgender (LGBT) staff community and gives advice on the services that KCC provides to ensure that all aspects of the organisation's work are accessible and appropriate to all Kent's residents, regardless of sexual orientation.

- Flexible working arrangements are used to help both men and women balance domestic and work/career commitments in a way which works for them and the organisation.

As we move forward, KCC will continue to find opportunities to promote and enhance pay parity. The new focus within managing performance is to promote dialogue and inclusion. This is a key aspect for identifying aspirations, development opportunities and the support required to help people progress and ensure that any actual or perceived barriers are removed.

I confirm that the data reported is accurate.

David Cockburn
Head of Paid Service

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

To: Personnel Committee

Date: 24 January 2019

Subject: 2018 KCC staff survey report

Classification:

SUMMARY: This report outlines the results of the new whole-KCC staff survey and outlines next steps to make best use of the data now available to us.

1. INTRODUCTION

- 1.1 The new whole-KCC staff survey was open to all KCC permanent and temporary/fixed contract staff (8174 colleagues) for a three-week period. It was available online via the link from any device, including personal smartphones.
- 1.2 In total across KCC, 4130 staff participated giving a 51% response rate. This was higher than anticipated for the first year of a new approach and higher than the industry standard for staff surveys. Every directorate achieved 45% participation or higher, giving us a robust, whole-organisation picture.
- 1.3 The survey included 82 statements, organised into 13 themes, with respondents asked to indicate the extent to which they agree/disagree with each. The scale also included a 'neither/ no opinion' option. The 13 themes are:
 - My Work
 - Resources and workload
 - Learning and development
 - My team
 - My manager
 - Inclusion and fair treatment
 - My wellbeing
 - Organisational culture
 - Organisational objectives and purpose
 - Leadership and managing change
 - Pay and benefits
 - Employee engagement
 - My plans for the future

2. Results

The detailed results of the staff survey have been published on KNet:

<http://knet/ourcouncil/Documents/KCC-Total-2018-staff-survey-results-KNET.pdf>

The results against each of the 13 themes by Directorate are shown at Appendix 1.

3. Reporting and action planning

- 3.1 The new approach has allowed a fast turnaround of reports and results have been presented to CMT and DMTs. Divisional and service-level results continue to be shared and cascaded through management teams as appropriate.
- 3.2 The next phase of analysis is looking at the breakdown by characteristic to identify any trends with particular groups and support targeted action-planning both at whole-KCC and directorate level. We will continue to protect the identity of any individuals in any further analysis and reporting.
- 3.3 A manager support pack, which can be found here: <http://knet/ourcouncil/Documents/Manager%20support%20pack%202018.docx> has been produced to support action planning and subsequent conversations within teams and additional briefings by request are being supported. The document outlines both the areas where managers should be considering taking action in conversations with their teams and some of the many tools available to them to support their action planning.
- 3.4 We are working through our Leadership Capabilities to strengthen further our approach to Leadership and this has already received positive feedback. We will use these survey results to focus on the priority areas that staff.
- 3.5 It is the intention to return to DMTs in February 2019 to gather updates on action plans and ongoing communications through both corporate and directorate channels will be used over the coming months to keep all staff informed on how their feedback is being used.
- 3.6 The survey results are currently being mapped against other key organisational indicators including our People Strategy outcomes, Leadership Capabilities and Engagement Strategy to support CMT's whole-organisation action planning.
- 3.7 Some colleagues raised concerns about the anonymity of the survey, in particular in light of the 'About You' section of questions. Individuals were reassured during the survey open period and there will be further

communications to show how that data is being used, in order to provide further reassurance.

4. Conclusion

- 4.1 The new approach to the staff survey has given us very rich data, which we will make the most of to respond in the best possible way.
- 4.2 Following completion of all the report production, we will review the new approach, taking on board feedback received from staff to ensure the process is as smooth and as accessible as possible.

5. Recommendation

Personnel Committee is invited to note and comment on the initial results of the staff survey.

Report Author:

Diane Trollope
Head of Engagement and Consultation
03000 416781

Kate Nowowiecki
Engagement Development Manager
03000 410287

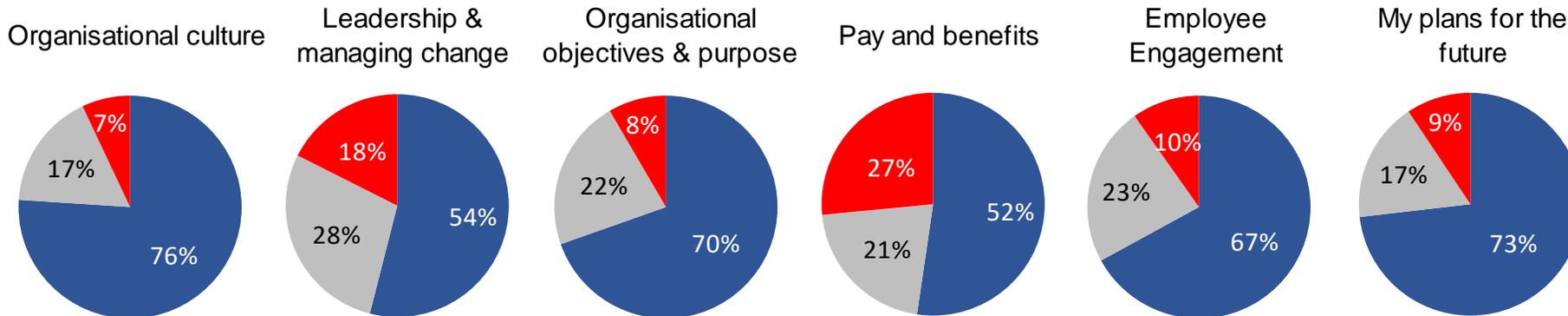
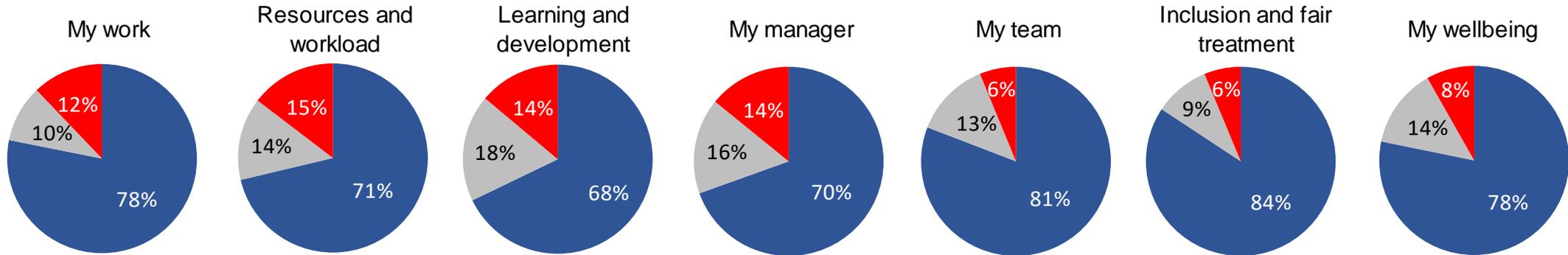
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KCC Staff Survey 2018

Adult Social Care and Health (ASCH)

This report shows the results of the 2018 KCC Staff Survey for Adult Social Care and Health (ASCH). This analysis is based on 1251 respondents and displays final data.

Overall Summary

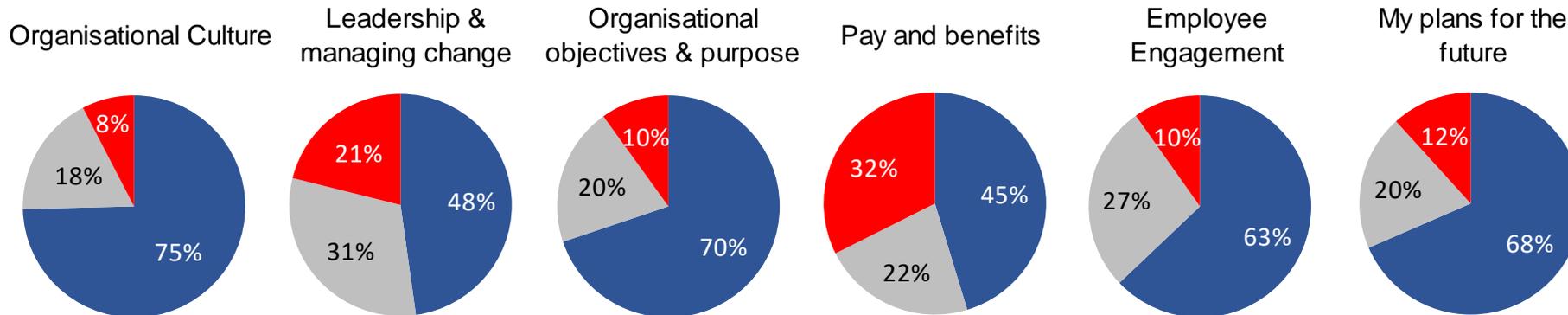


KCC Staff Survey 2018

Children, Young People and Education (CYPE)

This report shows the results of the 2018 KCC Staff Survey for Children, Young People and Education (CYPE). This analysis is based on 1307 respondents and displays final data.

Overall Summary



KCC Staff Survey 2018

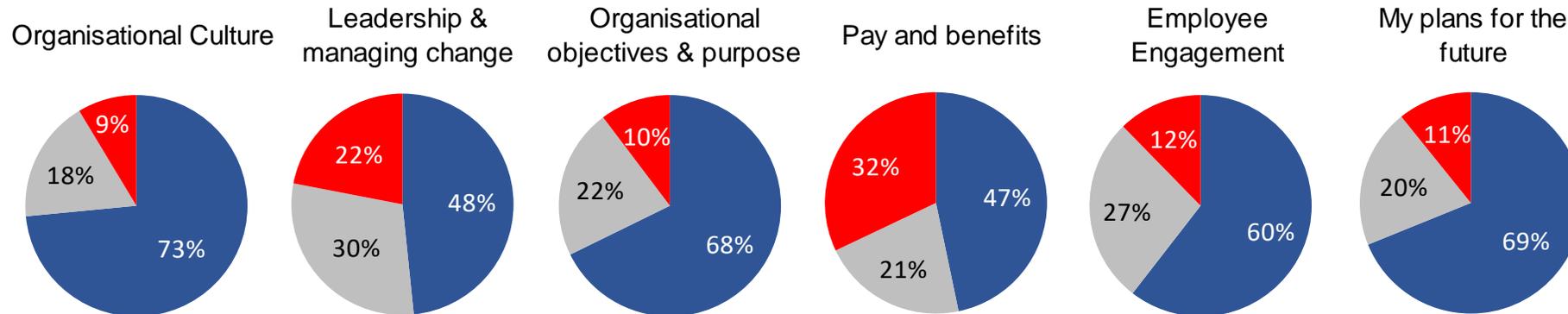
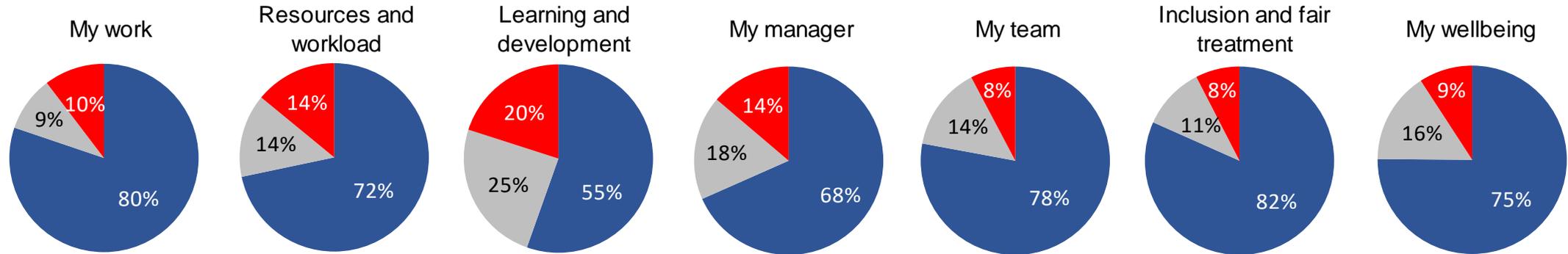
Growth, Environment and Transport (GET)

This report shows the results of the 2018 KCC Staff Survey for Growth, Environment and Transport (GET). This analysis is based on 1010 respondents and displays final data.

Overall Summary



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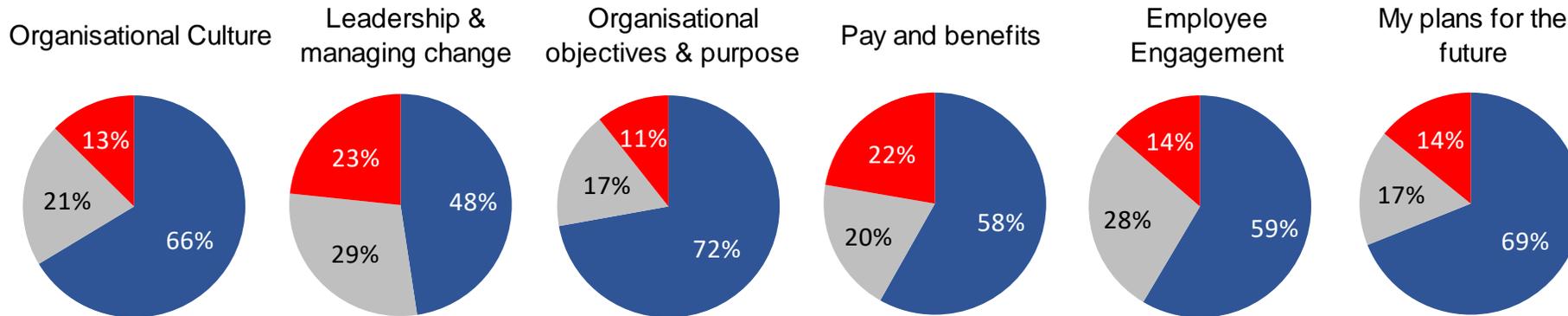
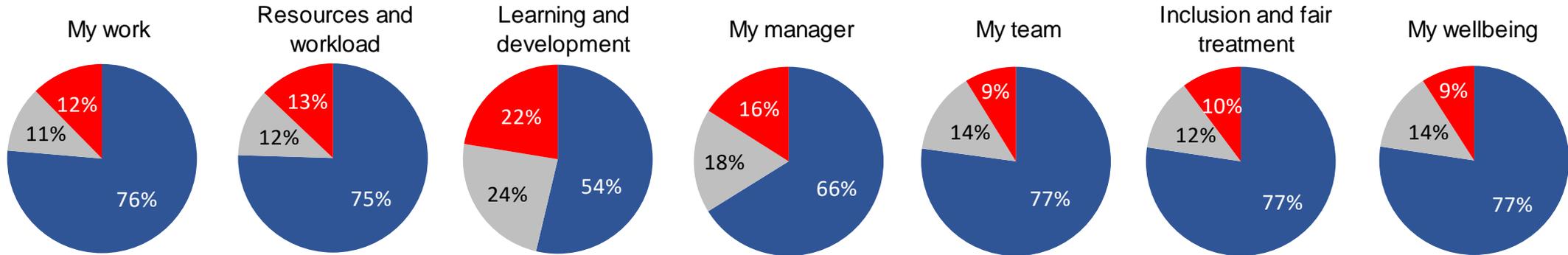


KCC Staff Survey 2018

Strategic and Corporate Services (ST)

This report shows the results of the 2018 KCC Staff Survey for Strategic and Corporate Services (ST). This analysis is based on 562 respondents and displays final data.

Overall Summary



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