

From: Peter Oakford, Deputy Leader, and Cabinet Member for Finance,  
Corporate and Traded Services  
Paul Royel – Director HR & OD

To: Personnel Committee - 28 November 2024

Subject: Employee Relations Casework Activity

Classification: Unrestricted

**Summary:** This report updates Personnel Committee on employee relations case work activity for the period 1 April 2024 to 30 September 2024.

**Recommendation(s):**

The Committee is asked to note the report of employee relations activity including senior officer appeals hearings and Employment Tribunal claims.

## 1. Introduction

- 1.1 Personnel Committee are provided with an update on the disciplinary, capability, resolution, and Employment Tribunal case numbers to give an overview of the level of activity and distribution of cases. This report updates the Committee on the activity for the half year 1 April 2024 – 30 September 2024.
- 1.2 The report reflects the range of ER cases being managed by our KCC Managers and provides a comparison of the level of case activity over the last three years. Management of performance is led by Managers and HR/OD continue to develop interventions and tools available for reference and guidance. The HR/OD Team provide professional advice to enable Managers to manage complex employee relations cases confidently and proficiently.

## 2. Case Analysis

- 2.1 There has been an increase in the overall level of cases being formally managed at this stage of the year in comparison to the same period in 2023. If this situation is replicated during the second half of the year, the level of case activity in 2024/25 will be higher than that of 2023/24. During the period April to September 2024, the highest proportion of cases have been managed in the CYPE Directorate accounting for 49% of the cases, the second highest was the ASCH Directorate on 32% (Appendix 1).

- 2.2 Further analysis of the data on case numbers relative to Directorate headcount identifies that for CYPE the number of cases recorded in the period April to September 2024 amounts to 4% of that Directorate's headcount. For the ASCH Directorate, which has the second highest proportion of cases, the figure is just under 4%. For the GET Directorate the figure is just over 2% (Appendix 1).
- 2.3 Analysis of activity has identified that the greatest volume of cases remains those which concern ill health (44%). The HR/OD Team continue to provide a range of health and wellbeing support and advice to enable Managers to be able to address issues concerning health at an early stage. Teams who have been identified to have a particularly high level of absence are supported with a range of targeted interventions. Case data indicates that managers are continuing to take a proactive approach in formalising the process when informal support has not been successful. The increase in ill health cases from the same period in 2023 is likely to be attributable to the additional supported activity regarding managing ill health that the HR/OD Team have been undertaking with managers during 2024.
- 2.4 Disciplinary cases account for 27% of the total case activity during the period April to September 2024. There has been a broadly similar number of disciplinary cases in comparison to the same period in 2023. Managers continue to take a robust approach to managing conduct cases where necessary with HR advice and support.
- 2.5 Resolution cases which represent almost 10% of all case activity are at a slightly higher level than during the same period in 2023. Those resolution cases concerning bullying and harassment have also increased in number from the same period in 2023 but represent a small proportion (5.5%) of the total of all cases. Case levels indicate these types of cases are being managed with Managers taking a proactive approach where there is a need for a formal review.
- 2.6 The proportion of case activity concerned with the formal management of performance has slightly decreased from the same period in 2023. Performance cases account for 27% of the total case activity. The HR/OD Team continue to advise and support Managers in addressing performance concerns and where necessary through formal performance management procedures where informal interventions have not been successful.
- 2.7 The number of Employment Tribunal cases, where claims are lodged against KCC, in the first half of the 2024/25 year has decreased and is lower than the last three years. There are currently five claims pending, where hearing dates have been arranged for next year and two claims have been settled in the first half year.

### **3. Dismissal appeals heard by senior officers.**

- 3.1 Appeals against dismissal (other than in probation) are managed through HR/OD and senior officers who are members of the Challenger Group are expected to sit on the appeal panel supported by Invicta Law and HR.

Dismissal decisions are therefore independently reviewed by a range of senior officers with legal and HR advice.

3.2 From 1 April 2024 to 30 September 2024 there was one appeal against dismissal that was examined through the formal process. The appeal was unsuccessful and the summary dismissal decision was upheld.

<b>Children young People &amp; Education</b>	<b>1</b>	1 x Conduct	Appeal not upheld
<b>TOTAL</b>	<b>1</b>		

#### 4. Conclusions

The ER case activity overall, has remained broadly in line with previous years and, aside from the increase in ill health cases associated with the additional targeted activity in this area, the analysis shows there are no other significant upward trends.

#### **Recommendation(s):**

Personnel Committee is asked to note the report of employee relations activity including senior officer appeals hearings.

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