

From: Brian Collins – Deputy Leader  
Paul Royel – Director HR & OD  
To: Personnel Committee – 23 September 2025  
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 31 March 2025.

**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 numbers and distribution of cases. This report updates the Committee on the activity for the year 1 April 2024 to 31 March 2025.
- 1.2 The report reflects the range of Employee Relations 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 number of formal cases that were supported by the HR/OD Team during 2024/25 in comparison to the previous year. This increase amounts to 51 cases across the different case types. The increase in case activity is in line with what was identified during the half year report produced for Personnel Committee in November 2024. The highest proportion of cases were managed in the CYPE (48%) and ASCH (33%) Directorates (Appendix 1).

- 2.2 Additional analysis of the data on case numbers relative to Directorate headcount identifies that for CYPE the number of cases recorded for 2024/25 amounts to just over 6% of that Directorate's headcount. For the ASCH Directorate, the proportion of cases is similar, at around 6%. For the GET Directorate the figure is just over 3% (Appendix 1).
- 2.3 Analysis of the case activity data (Appendix 1) has identified that, in line with the previous three years, the greatest volume of cases in 2024/25 were those which concern ill health (42%). 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. The case data indicates that managers continue to take a proactive approach in progressing cases in accordance with our formal process. The increase in ill health cases from 2023/24 is likely to be attributable to the additional supported targeted activity regarding managing ill health that the HR/OD Team have been undertaking with managers during the last twelve months.
- 2.4 Disciplinary cases account for 27% of the total case activity during 2024/25. There has been a broadly similar number of disciplinary cases in comparison to the previous twelve month period. Managers continue to take a robust approach to managing conduct cases where necessary with HR advice and support.
- 2.5 Resolution cases, which represent just over 8% of all case activity, registered a very a minor increase on the numbers from 2023/24. For the 2024/25 year there was also an increase in resolution cases which were identified as being related to bullying and harassment, however, these cases represent a small proportion (5.9%) 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 in 2024/25 has slightly increased from the figure for 2023/24. Performance cases account for 9.7% 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 in 2024/25, where claims are lodged against KCC, has increased from the previous twelve months, however, remains significantly lower than the figures for 2021/22 and 2022/23. There are currently 6 claims pending, where hearing dates have been arranged for next year and 5 claims were settled.

### **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/OD.

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

- 3.2 For 2024/25 there were 6 appeals against dismissal that were examined through the formal process. 3 of appeals were not upheld, 1 appeal was upheld and a lower level disciplinary sanction was applied, 1 appeal was withdrawn and there is currently 1 case where a decision is pending.

<b>Children young People &amp; Education</b>	<b>3</b>	3 x Conduct	Appeals not upheld
<b>Adult Social Care &amp; Health</b>	<b>1</b>	1 x Conduct	Appeal upheld
<b>Growth, Environment &amp; Transport</b>	<b>2</b>	1 x Some Other Substantial Reason 1 x Conduct	Appeal pending Appeal withdrawn
<b>TOTAL</b>	<b>6</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 largely 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.

Report Author:

Jane Clayton, HR &OD Manager

Telephone number Ext 416885

Email address jane.clayton@kent.gov.uk

Relevant Director:

Paul Royel, Director of HR&OD

Telephone number Ext 416631

Email address paul.royel@kent.gov.uk