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To: Personnel Committee

Date: 17 September 2012

Subject: Employment Policies and Procedures - Update

Classification: **Unrestricted**

SUMMARY: To provide a general policy update focusing on:

- 1) Social Enterprise Guidance,
 - 2) Carer's Leave,
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1. INTRODUCTION

- 1.1 The Personnel Committee receives an annual report on updates to Kent County Council's employment policies and procedures.
- 1.2 Following the HR Division's restructure in July 2011, the Employment Policy Team has maintained an overview of employment policies to ensure that they meet statutory requirements and business need. During this period the team has also concentrated on delivering a range of projects including:
 - the introduction of the Council's Employee Engagement Strategy
 - delivery of a Council wide Engagement Survey (EVP)
 - development and introduction of new Trade Union consultation framework
 - supporting the development of the HR element of KNet to make it more accessible for managers and employees
 - development and introduction of new Workforce Equality and Diversity objectives
- 1.3 The Employment Policy Team is now looking to reinvigorate its policy review programme in order to:
 - respond to the Government's proposed changes to employment law,
 - reflect any changes needed as a result of the Council's terms and conditions review,
 - further ensure that the Authority's suite of employment policies and procedures are relevant and fit for purpose
- 1.4 This paper provides the Personnel Committee with an update on two specific areas of policy. The Committee is invited to note guidance for managers and

employees on Social Enterprises. There is also an update regarding the current take up of Carer's Leave following its assimilation into the Kent Scheme three years ago.

2. SOCIAL ENTERPRISE GUIDANCE

- 2.1 The Community Right to Challenge was introduced through the Localism Act and enacted on the 27 June 2012. The aim of the Act is to give community groups and staff more power to have their ideas heard and an opportunity to run services.
- 2.2 In preparation for the Act's introduction it was recognised that if staff choose to set up a social enterprise with a view to submitting an expression of interest there are potential implications for their employment relationship with Kent County Council. In order to help staff and managers understand what can and cannot be done within the realms of an employee's contract of employment, the Employment Policy Team developed two sets of guidance: one for employees and one for managers. They were produced in collaboration with the Policy & Strategic Relationships Team in BSS.
- 2.3 The guidance does not cover how to set up a social enterprise as an employee, although there are signposts for where to obtain information, but looks at:
 - what can be done within work time,
 - confidentiality and data protection issues,
 - contractual restrictions there are on employees
 - any related employee relations issues.
- 2.4 Corresponding guidance for managers was written to help them understand what employees can and cannot do and what considerations, as a manager, they may have to take into account when staff are establishing a social enterprise. The guidance documents are at appendices 1 and 2.

3. CARER'S LEAVE

- 3.1 Carer's Leave was introduced on a pilot basis in June 2007. In September 2008 Personnel Committee agreed to extend the pilot and in 2009 agreed to establish Carer's Leave as a permanent part of Kent County Council's terms and conditions of service. The Committee requested an annual update on the take up of Carer's Leave.
- 3.2 The use of Carer's Leave has now bedded down into the usual practice of how staff and teams operate.
- 3.3 From the period 1 August 2011 to 31 July 2012:
 - 451 staff took Carer's Leave,
 - the number of times these staff took leave was 764,
 - 78% of the 764 occurrences were for just one day
 - staff took an average number of 2.53 days leave per occurrence.

3.4 As discussed by Personnel Committee at the time of the introduction of Carer's Leave, these figures suggest that this provision is being used in the manner that was anticipated and is helping people manage short term and emergency situations without resorting to other options such as sick leave. As a result the Council has not noticed pressures on sick leave during a period when the overall levels of sick leave have been declining amongst the Council's workforce.

4. RECOMMENDATIONS

4.1 Personnel Committee is invited to note the uptake of Carer's Leave and the Social Enterprise guidance.

Ian Allwright
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