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To: Personnel Committee

Date: 8 June 2016

Subject: Employee Relations Casework Activity

Classification: **Unrestricted**

SUMMARY: This report updates Personnel Committee on employee relations case work activity for the period 1 April 2015 to 31 March 2016.

1. INTRODUCTION

- 1.1 Personnel Committee has previously received reports on discipline, capability and grievance activity which provided an overview of the distribution of cases. This report updates the Committee on the full year figures for 2015-16.
- 1.2 The figures are provided in the context of there being increasingly less HR resource and a greater focus on KCC managers leading performance management successfully. HR continues to take a lead in working with managers to raise standards and their confidence in managing employee relations. Also, understanding the level of case activity is a useful barometer in demonstrating how KCC is approaching the management of its employees' performance.

2. CASE ANALYSIS

- 2.1 The greatest volume of cases in the year were those concerning ill health (Appendix 1). However, there were 43 fewer cases on the previous year, which continues the trend from 2013/14. Whilst the numbers are falling there are a continuing high number of cases. This does not reflect, necessarily, high levels of continuing ill health in the organisation but indicates managers are addressing sickness absence at an early stage. HR has continued to support and skill up managers to ensure that they can deal with these type of cases effectively at the informal stage. This means that these cases are less likely to require recourse to using the formal procedure.
- 2.2 The number of disciplinary cases has fallen by 25 against the previous year. In February 2015 the Council replaced its grievance and harassment policy and procedures with a resolution policy. For the period of this report there were 39 resolution cases that came into HR (this included 3 opened before April). This is a slightly smaller volume of activity compared to 2014/15 and there is an expectation that this could reduce further as managers increasingly deal with disputes without relying on a formal process. There

were also 10 mediation requests from 1 April 2015 to 31 March 2016 (three of which were subsequently withdrawn).

- 2.3 The number of Employment Tribunal cases against KCC remains relatively few for an organisation of its size. This is partly attributable to the business focused, risk aware advice given by KCC's HR Advisers in liaison with their Legal Services colleagues. Of the claims in 2015/16, two were heard by an Employment Judge; four are still outstanding and five cases did not proceed. KCC was successful in one of the cases heard by an Employment Judge.

3. DISMISSAL APPEALS HEARD BY SENIOR OFFICERS

- 3.1 Appeals against dismissal are managed through HR and they are arranged with the support of the Challenger Group, which has resulted in this task being better distributed across the management population.
- 3.2 Seven dismissal appeals were heard by senior officers between 1 April 2015 and 31 March 2016. The table below illustrates the distribution between directorates, case type and outcomes.

Directorate	No. of Appeals	Case Type	Outcomes
Social Care, Health & Wellbeing	3	3 conduct	dismissals upheld
Strategic & Corporate Services	1	1 conduct	dismissal upheld
Education & Young People's Services	3	3 conduct	dismissals upheld
TOTAL	7		7 dismissals

4. RECOMMENDATION

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

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Background Document – none