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To: Personnel Committee

Date: 4 June 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 31 March 2019.

1. INTRODUCTION

- 1.1 Personnel Committee continues to receive reports on discipline, capability and resolution activity which provides an overview of the distribution of cases. This report updates the Committee on the full year figures for 2018/19.
- 1.2 The HR Team continues to take a lead in working with managers to raise standards and their confidence in managing employee relations. Limited HR resources requires an on-going focus on KCC managers leading performance management successfully.

2. CASE ANALYSIS

- 2.1 As expected from the half year position, the greatest volume of cases are those concerning ill health (Appendix 1). This year has seen an increase in activity compared to the previous year and managers are taking a more proactive approach to formalising the process when informal activity has been unsuccessful. The increasing complexity of ill health cases require additional formal support. The HR Team has continued to support and skill up managers to ensure that they can identify and deal with these types of cases effectively and sensitively.
- 2.1 As with ill health, the number of disciplinary cases is higher than the previous year. The HR team has continued to support managers in this area and managers are taking robust action over dealing with conduct issues.
- 2.2 The total number of resolution cases are higher than the previous year. This is often the case when managers take more robust action over dealing with performance and conduct issues and positively deal with complaints of bullying and harassment. It is also indicative of a positive working environment in which individuals are prepared to raise concerns through the formal routes available to them.

- 2.3 The number of poor performance cases have reduced again in 2018/19. The numbers are subject to fluctuation over different years, but managers are continuing to take the initiative in managing performance robustly at an early stage through informal means, resorting to a formal process only when required.
- 2.4 The number of Employment Tribunal cases against KCC remains very low for an organisation of its size and despite the continued removal of the requirement for an individual to pay a fee to lodge an ET application, the number has reduced from 2017/18. Of the 5 claims between April 2018 and March 2019, 2 are still outstanding, 2 were settled and KCC were successful in defending the remaining claim. 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 and our robust processes and as a result when we are formally challenged most cases are successfully defended or settled on a commercial basis.

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 5 dismissal appeals were heard by senior officers between 1 April 2018 and 31 March 2019.

| Directorate | No. of Appeals | Case Type | Outcomes |
|------------------------------------|----------------|---|------------------------|
| Children, Young People & Education | 4 | 1 x ill health 1 x performance 1 x SOSR 1 X disciplinary | All appeals not upheld |
| Adult Social Care & Health | 1 | 1 x disciplinary | Appeal Not upheld |
| TOTAL | 5 | | |

4. RECOMMENDATIONS

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

Paul Royel
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Background documents: None