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To: Personnel Committee

Date: 12 November 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 2019 to 30 September 2019.

1. INTRODUCTION

- 1.1 Personnel Committee receives regular reports on discipline, capability and resolution activity which provide an overview of the distribution of cases. This report updates the Committee on activity for April 2019 – 30 September 2019.
- 1.2 The details of recent activity are provided in the context of a continuing focus on KCC managers leading and supporting performance management. The use of our new conversational approach enables the identification of any issues earlier than may have been the case in previous years. The ongoing investment in management development sets out the expectations and accountabilities of a manager and these are confirmed and reinforced in the Operating Standards which set out the Authority's expectations of managers.

2. CASE ANALYSIS

- 2.1 Appendix 1 shows the volume of activity so far this year across the various types of employee relations casework. Ill health; poor performance and disciplinary cases are all showing an upward trend and, if current levels of activity are maintained in the second half of the year, the number of cases will exceed those in the previous year.
- 2.2 The greatest volume of cases so far in the year, as has the case for the previous 3 years, are those concerning ill health. If this level of activity continues, the full year effect will see the highest number of ill health cases for some years. The HR Team has continued to support and develop managers to ensure that they identify and can deal with these types of cases. The higher figure is indicative of managers taking a more proactive approach to formalising the process when informal activity has been unsuccessful.
- 2.3 The potential whole year increase in disciplinary cases suggests managers are taking a more robust approach to managing conduct issues.

- 2.4 Resolution cases are projected to be higher than last year. This is generally to be expected with higher levels of disciplinary activity and when managers take more robust action over dealing with performance and conduct issues.
- 2.5 Poor performance cases are showing a similar number to 2018 – 19 and less than previous years. This continues to illustrate managers being successful in resolving performance issue through informal means rather than needing to resort to a formal process.
- 2.6 The number of Employment Tribunal cases against KCC still remains relatively few for an organisation of its size. Of the claims between April and September 2019, 2 were settled and 4 are still outstanding. This will in part be attributable to the robust business focused, risk aware advice provided by KCC's HR Advisers in liaison with their Invicta Law colleagues.

3. DISMISSAL APPEALS HEARD BY SENIOR OFFICERS

- 3.1 Appeals against dismissal (other than staff in probation) are managed through HR and arranged with the support of the Challenger Group, which has resulted in this task being better distributed across the management population.
- 3.2 Two dismissal appeals were heard by senior officers between 1 April and 30 September 2019. The table below illustrates the distribution between Directorates, case type and outcomes. All appeals were unsuccessful.

Directorate	No. of Appeals	Case Type	Outcomes
Children, Young People & Education	1	1 x Disciplinary Dismissal	Appeal not upheld
Adult Social Care and Health	1	1 x Disciplinary Dismissal	Appeal not upheld
TOTAL	2		Appeals not upheld

4. RECOMMENDATIONS

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

Paul Royel
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