

Staffing Committee

Date of Meeting: 22 April 2021

Report Title: HR Update

Senior Officer: Jane Burns, Executive Director of Corporate Services

1. Report Summary

- 1.1. The purpose of the report is to ensure Members are briefed on key Human Resource/Organisational Development priorities.

2. Recommendations

- 2.1. That Staffing Committee note the report.

3. Reasons for Recommendations

- 3.1 To ensure Members are kept up to date with Human Resource/Organisational Development priorities and that the Committee's Terms of Reference are followed.

4. Other Options Considered

- 4.1 Not applicable.

5. Background

- 5.1 The Committee's current remit is to review regular updates on performance information, in order to assess the effectiveness of current Human Resources, Organisational Development policies and practices.

6. NJC (Green Book) Pay and Conditions Claims

- 6.1 On 15th February 2021, the NJC unions (UNISON, GMB and Unite) lodged pay and T&Cs claims for local government ('Green Book') staff for 2021 which seek the following:
 - A substantial increase with a minimum of 10% on all spinal column points
 - Introduction of a homeworking allowance for all staff who are working from home
 - A national minimum agreement on homeworking policies for all councils

- A reduction of the working week to 35 hours with no loss of pay (and a reduction to 34 hours a week in London). Part-time staff to be given a choice of a pro rata reduction, or retaining the same hours and being paid a higher percentage of FTE
- A minimum of 25 days annual leave, plus public holidays and statutory days, for all starting employees, plus an extra day holiday on all other holiday rates that depend on service
- An agreement on a best practice national programme of mental health support for all local authorities and school staff
- A joint review of job descriptions, routes for career developments and pay banding for school support staff, and completion of the outstanding work of the joint term-time only review group
- A joint review of the provisions in the Green Book for maternity / paternity / shared parental / adoption leave

6.2 Councils were consulted during March at the regional pay consultation briefings. The National Employers will consider the feedback before responding formally to the unions. This will not be before the 6th May 2021 local elections. A more specific indication of a timetable beyond that date has not been given at this stage.

6.3 More detailed information about the pay and conditions claims is available on the [LGA website](#).

6.4 Further work has been undertaken with the trade unions in respect of the Council's NJC Pay Structure. Consultation with staff began on the 9th December 2020 and has now concluded. The trade unions will ballot their membership in due course on the proposals with a view to reaching a collective agreement.

7. JNC Pay Structure and Performance Related Pay

7.1 The initial consultation with staff which had taken place in December 2020 provided useful feedback which has since been considered by Corporate Leadership Team and as a result, a revised proposal has been developed and will be subject to a further period of consultation.

8. £95k Exit Payment Cap

8.1 Further to the last update on the Exit Payment Cap, legislation to implement the £95k cap on exit payments in the public sector was withdrawn on 12th February 2021. After extensive review of the application of the Cap, the Government concluded that the Cap may have had unintended consequences. On 25th February the necessary legislation was laid before Parliament to revoke the Restriction of Public Sector Exit Payments Regulations 2020 (the Restriction of Public Sector Exit Payments (Revocation) Regulations 2021).

8.2 The revoking regulations include a provision that requires relevant public authorities to pay to former employees or the relevant pension fund, all sums that were not

paid as a result of the application of the 2020 Regulations. At Cheshire East Council there were no exits that would have been impacted by these changes during the period that the 2020 Regulations were in force, so there is no requirement to adjust pension entitlements.

- 8.3 It is anticipated that the cap or similar will be re-introduced in some form at a later date, including further reforms to exit payments. This will require further, separate consultation.

9. Attendance Management Update

- 9.1 Attendance Management remains a key focus for the Council. The Wellbeing and Attendance Management Policies and Procedures are used in conjunction with each other to proactively promote health and well-being at work and to provide appropriate support for employees when they are absent from work.
- 9.2 During Quarter 4, there has been a continued focus for attendance management to support managers and staff in respect of Covid-19 and non-covid sickness absence. There has been a continued emphasis to protect and reassure staff in terms of attending work, and when they have been required to self-isolate or have had sickness absence due to Covid-19 as well as proactive and supportive management of overall sickness absence.
- 9.3 Meetings held under the Attendance Management Policy and Procedures have continued, with most taking place virtually in response to COVID-19. However, subject to the national guidance, meetings may also take place in person if this is preferred by all parties. This flexibility has provided reassurance for managers and employees whilst ensuring that employees receive the appropriate support during their absence and in preparation for their return to work.
- 9.4 In line with Local Government Association guidance, absences due to required self isolation have not been recorded as sickness absence. ensuring staff remained absent from the workplace in line with national guidance. As most employees are working from home, many staff required to self-isolate have been able to continue to work as normal.
- 9.5 Similarly, absence due to Covid-19 has been recorded as sickness absence and followed the Council's sick pay entitlements but have not counted towards the absence triggers within the Absence Management Policy and Procedure. This has been extended to 'Long Covid' with Managers monitoring the absence and supporting the employee. This position is being kept under review in the event of the employee having further complications which result in a prolonged illness and lengthy absence. This is in line with LGA guidance on the management of 'Long Covid'. It is expected that the advice and guidance for managing 'Long Covid' will develop as more is learned about the condition.

9.6 The absence figure at the end of 2020/21, as shown in paragraph 15.4 was 8.93 days lost per FTE, which is the lowest level of sickness ever reported across the Council. This is a significant improvement compared to 2019/20 (10.53 days lost per FTE employee). This is below the council's annual target of 10 days lost per FTE employee.

10. Service Workforce Plans

10.1 Complimentary to the annual business planning cycle, work is currently being undertaken to support services developing their workforce plans, which will subsequently inform the Council's future workforce priorities. Workforce planning will enable services to proactively manage the demand and supply of labour, skills and wider service design and future delivery models. Central to this is acknowledging our staff as our greatest asset and recognising that the employee offer is essential to our success.

10.2 The plans will provide a framework to consider workforce priorities and identify actions required to ensure services have the right people, in the right place, with the right skills and behaviours, at the right time to deliver short and longer term service needs. Identified actions are grouped under the following six key areas of activity:

1. Retention, Recruitment and Selection.
2. Agile, flexible and mobile working.
3. Succession Planning and Talent Management.
4. Service Organisational Design (restructures, job design).
5. Learning and Development.
6. Culture and Engagement.

10.3 Service workforce plans will be reviewed quarterly as part of business plans and objectives.

11. Education HR Consultancy

11.1 The Education HR Consultancy Services is a buy back service of the Council providing advice and support to head teachers and governing bodies on the full range of HR matters as well as the pay and conditions for teachers and head teachers.

11.2 During 2020/21, the HR Consultancy Service has provided on-going support for schools in a continually changing national and local landscape as schools closed for all but vulnerable children and those of key workers and re-opening in September 2020 and again in March 2021, by:

- Interpreting the regularly updated national Public Health and DfE guidance for school settings and providing tailored and updated Frequently Asked Questions (FAQs);

- Providing telephone advice and guidance on specific issues arising;
- Meeting regularly with the Director of Education and 14-19 Skills and the trade unions to maintain good employee relations and collaborative working.

11.3 Safer Recruitment Training has been delivered to schools virtually. The sessions have been popular and well received.

11.4 The team provides professional HR advice on policies and procedures, including complex casework with multi agency input. Development work is taking place to upgrade the HR School's Consultancy intranet for schools.

11.5 The holiday pay review has been completed for all Cheshire East maintained schools with staff owed holiday back pay, receiving payment for previous financial years. Schools are responsible for the calculation and payment of holiday pay from April 2020 onwards and guidance has been provided to enable them to do this.

12. Recognition

12.1 Engagement with the Council's recognition scheme remains high, particularly Made my Day awards, with an average of 200 sent across the Council each month. This demonstrates that staff are role modelling the 'I Will' behaviours and that the Council is upholding commitments outlined within the Employee Deal.

12.2 The One Team Cheshire East video in lieu of a face to face annual awards event was very well received, with staff and teams across the Council celebrating success and being recognised for their contribution to the Council's Corporate Plan.

13. Wellbeing

13.1 The Council has made a clear commitment to every member of staff, through the Employee Deal, to care for their health and wellbeing. Following the success of our Virtual Winter Wellbeing Month, a Spring into Wellbeing event has taken place during March and April. The format has been similar to October's events, covering a range of physical and mental wellbeing activities including opportunities for personal growth and learning new skill. Additionally, there was focus on men's health. Activities will continue after April to build up a suite of wellbeing activities available for staff all year round.

13.2 The Golden Practices, 'Taking Care of You' were launched in March. This addition to our Golden Practices, provides a reminder for staff to take small actions during the working day to support health and wellbeing. It also features tips to maintain a healthy work life balance.

13.3 A number of focused staff support calls continue to be well attended. This includes a group for managers, staff who are 'clinically extremely vulnerable' and for all staff

to access. Additional groups focussing upon men's mental health are also currently being arranged.

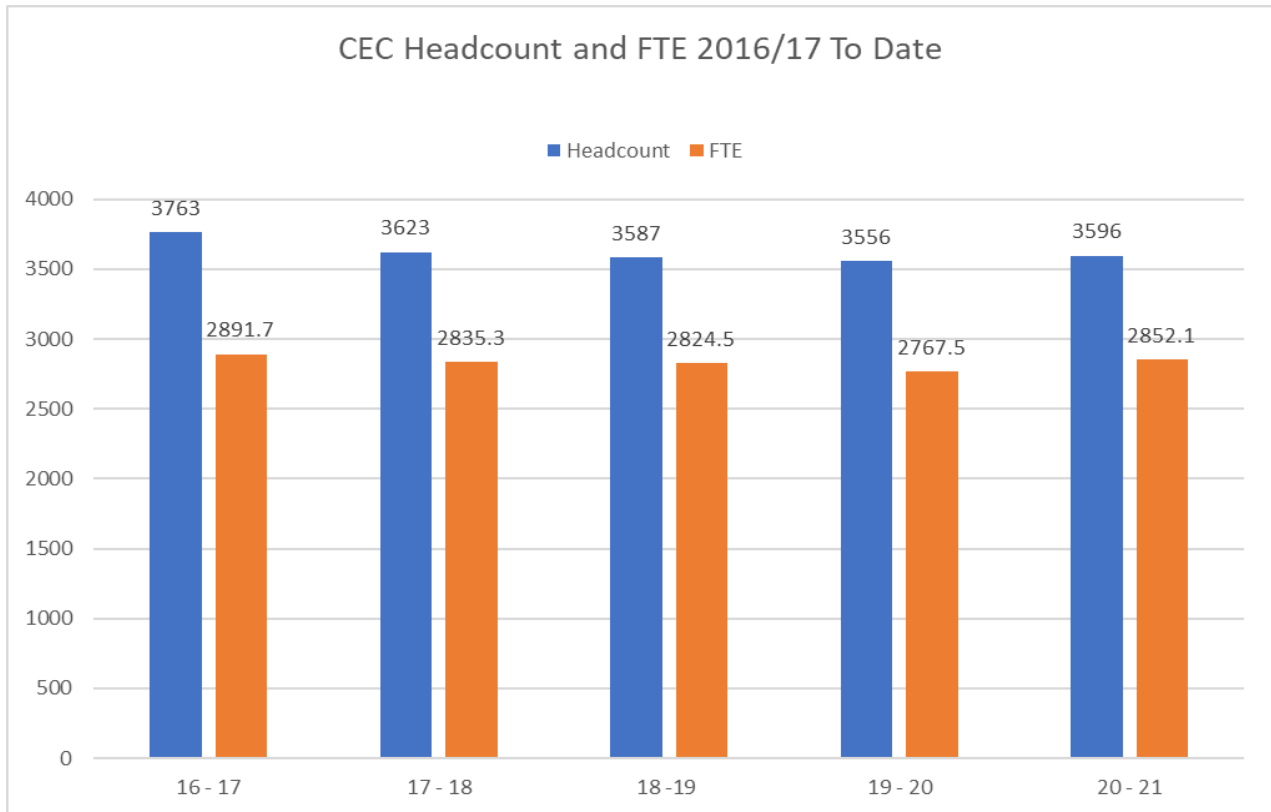
13.4 A 'Pulse' staff survey has been launched, closing on 23rd April 2021. The findings will add to our understanding of working arrangements and the impact upon engagement and wellbeing. This will also offer an opportunity to engage staff about future ways of working and ensure future workplace design is informed by the views of all staff alongside service requirements and customer needs.

14. Apprenticeships

14.1 The Council's apprenticeship programme offers a variety of apprenticeship standards across all three Directorates and its ASDVs. New apprenticeship standards are introduced to the Council regularly, across all levels. There are currently 117 apprentices on programme at the Council. 96 of these apprentices were already Council employees and 21 were from outside the Council and new employees.

15. HR PERFORMANCE DATA (2020-21)

15.1 Headcount

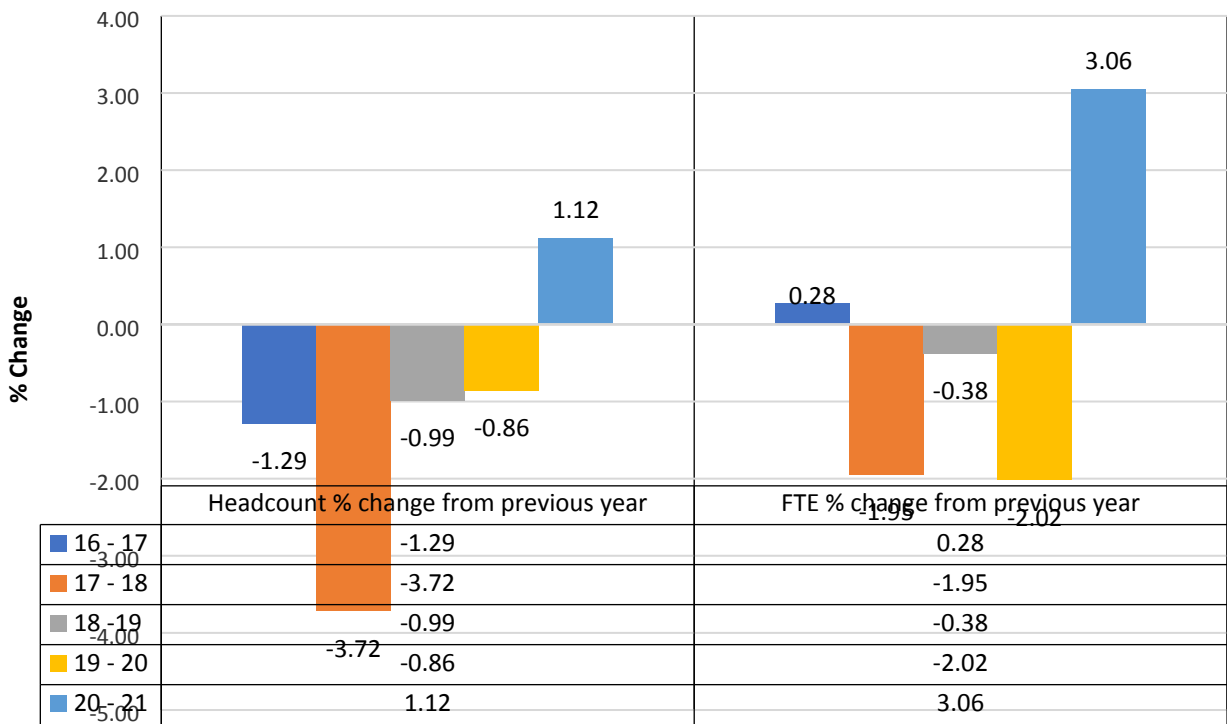


The chart above shows the overall Cheshire East headcount and FTE from 2016-17 to 2020-21.

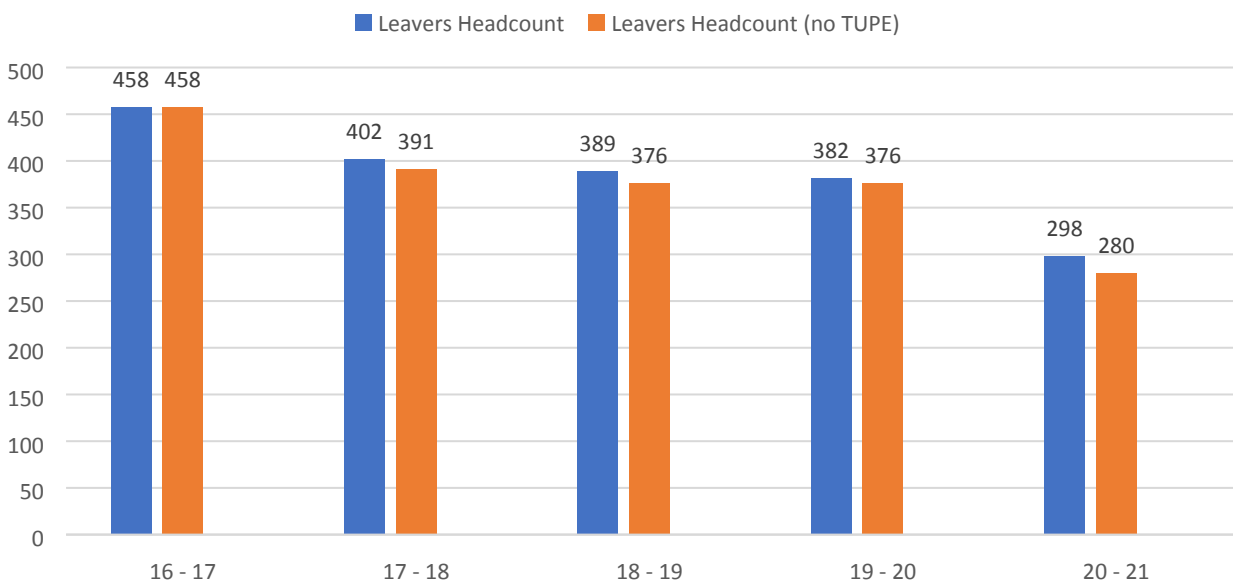
Between the financial years 2016-17 to 2020-21, the employee headcount has decreased by 4.4% and the number of FTE employees has decreased by 1.4% within the council.

In comparison to 2019-20, the council's headcount has increased by 1.12% and the FTE employees has increased by 3.06%. This can be seen in the chart below, which depicts the percentage change for both headcount and FTE during the same time periods

CEC Headcount & FTE 2016 To Date



Total Leaver Headcount & Headcount without TUPE Transfers 2016 To Date

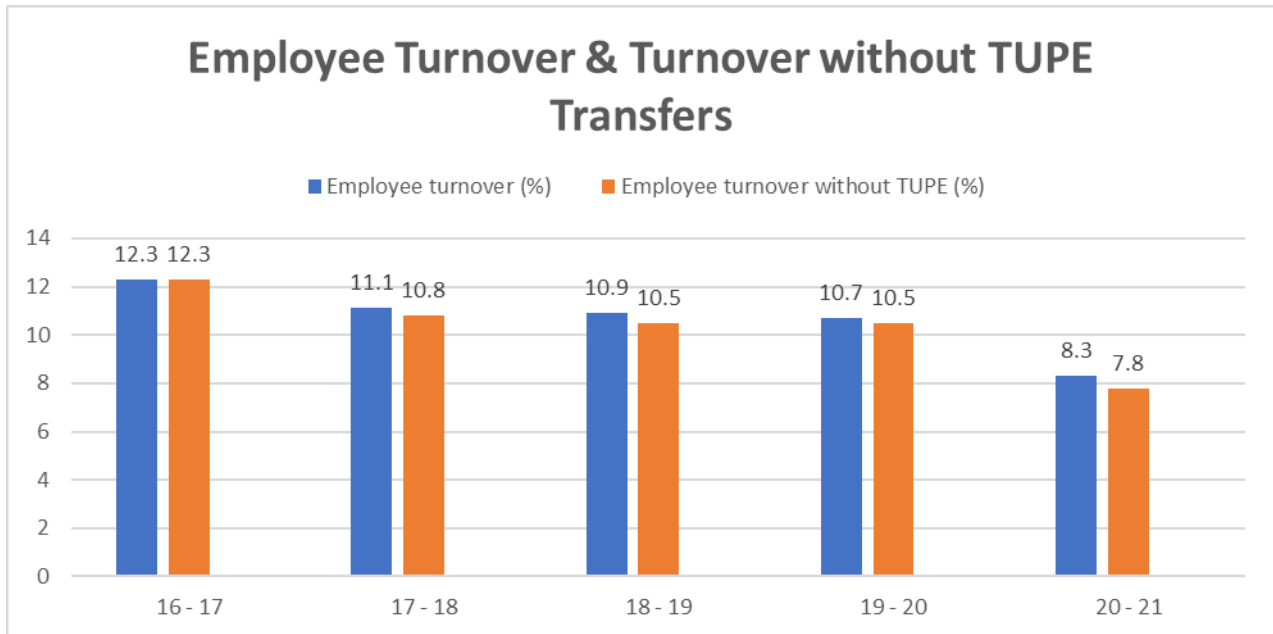


The chart above displays total leaver headcounts beside headcounts for all leavers except TUPE transfers between 2016-17 and 2020-21. There were no leavers due to TUPE transfers within the first or third quarters of 2020-21, however there were 10 in the second quarter who moved from Civicance to the Place Directorate. In Quarter 4 of 2020-21 there were 8 leavers due to TUPE from Education Infrastructure and Outcomes, Commissioning and Culture & Tourism.

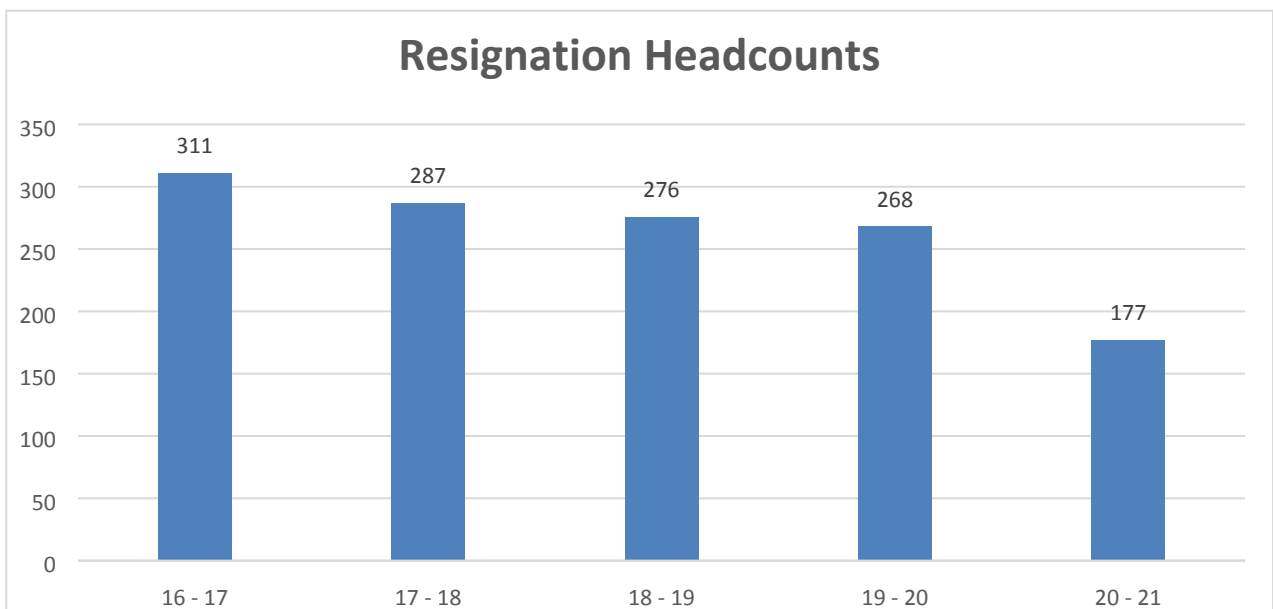
These figures can be compared with 2019-20 figures, where there were only 6 TUPE transfers but 84 more leavers than in 20-21.

The chart below shows the corresponding turnover figures; in 2020-21 employee turnover was 8.3%, which is lower than the previous four financial years.

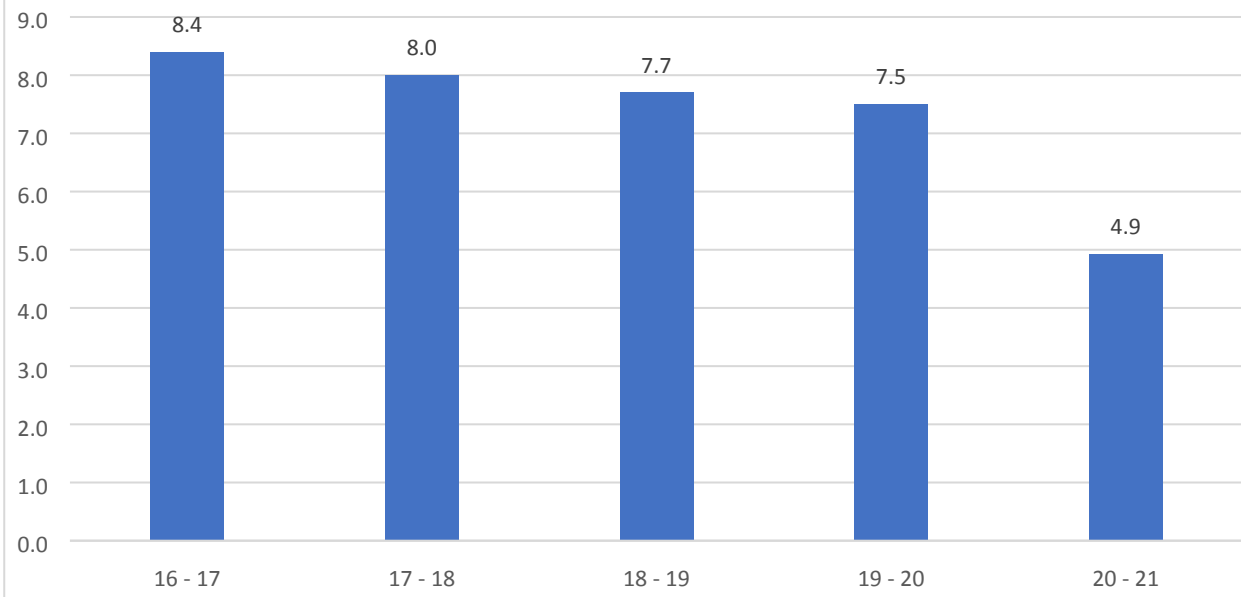
15.2 Employee Turnover



There were 177 resignations during 2020-21 compared with 268 in 2019-20. The full financial year comparisons can be seen in the chart below. Turnover as a result of resignation was 4.9%, lower than 7.5% in 2019-20. It is also visualised below:

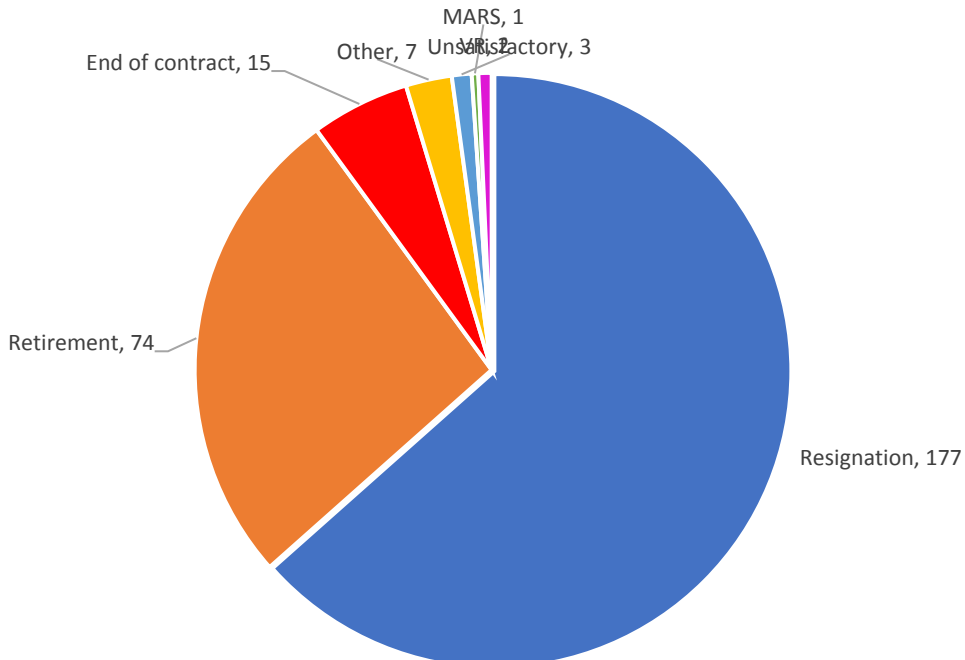


Employee Turnover by Resignation (%)



A broad distribution of leaving reasons by headcount is shown in the chart below, excluding employee and TUPE transfers. Resignation remains the most common leaving reason; the 'Unsatisfactory' category includes unsatisfactory probation or performance (capability), gross misconduct, or disciplinary action. 'Other' reflects mutual termination and death.

Leaving Reasons by Headcount & Proportion



15.3 Agency Workers

Agency workers form an important part of the Council's workforce, providing short term cover, project work and flexible specialist skills to maintain service delivery in areas such as social services, ICT and other professional services.

The table below provides a summary of active agency worker assignments in December 2020 and March 2021 together with agency worker assignments as a percentage of all active Cheshire East assignments over the period.

Directorate	Active Assignments on 31.12.20	Active Assignments on 31.03.21	% of all Workforce Assignments on 31.12.20	% of all Workforce Assignments on 31.03.21
People	75	88	3.5%	4.1%
Corporate	94	108	14.1%	16.5%
Place	6	4	0.8%	0.5%
Total	175	200	4.8%	5.7%

The overall number of active agency assignments increased by 25 agency workers between Q3 and Q4 of 2020-21 after remaining stable through the first three quarters of the financial year. People and Corporate Directorate saw the biggest increase in agency workers whilst there was a slight decrease in Place.

The breakdown of agency worker across the organisation by service area is:

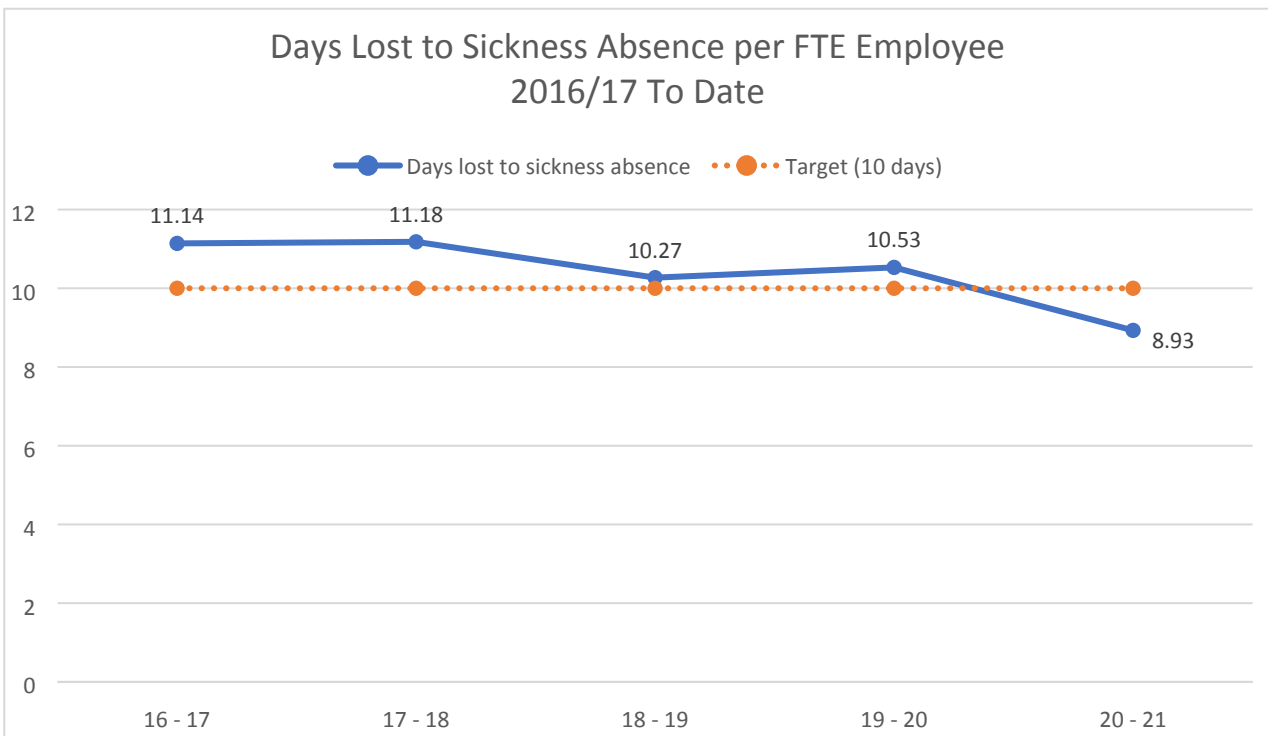
Cheshire East Council	No of Agency Workers
Corporate	108
Communications and PR	2
Customer Operations	21
Finance and Procurement	2
Governance and Compliance	1
Human Resources	3
ICT	61
Legal and Democratic Services	17
Professional Services	1
People	88
Adult Social Care and Health	51

Children's Services	37
Place	4
Growth and Regeneration	3
Infrastructure and Highways	1
Overall Total	200

Within Corporate Services, the majority of the agency workers are engaged by ICT (62 including Professional Services) with a further 21 in Customer Operations. There are a smaller number of agency worker in other service areas.

Within People Services, there are currently 14 more agency workers in Adult Social Care and Health than Children's Services. These are predominately frontline workers such as social workers and other social care roles.

15.4 Sickness Absence

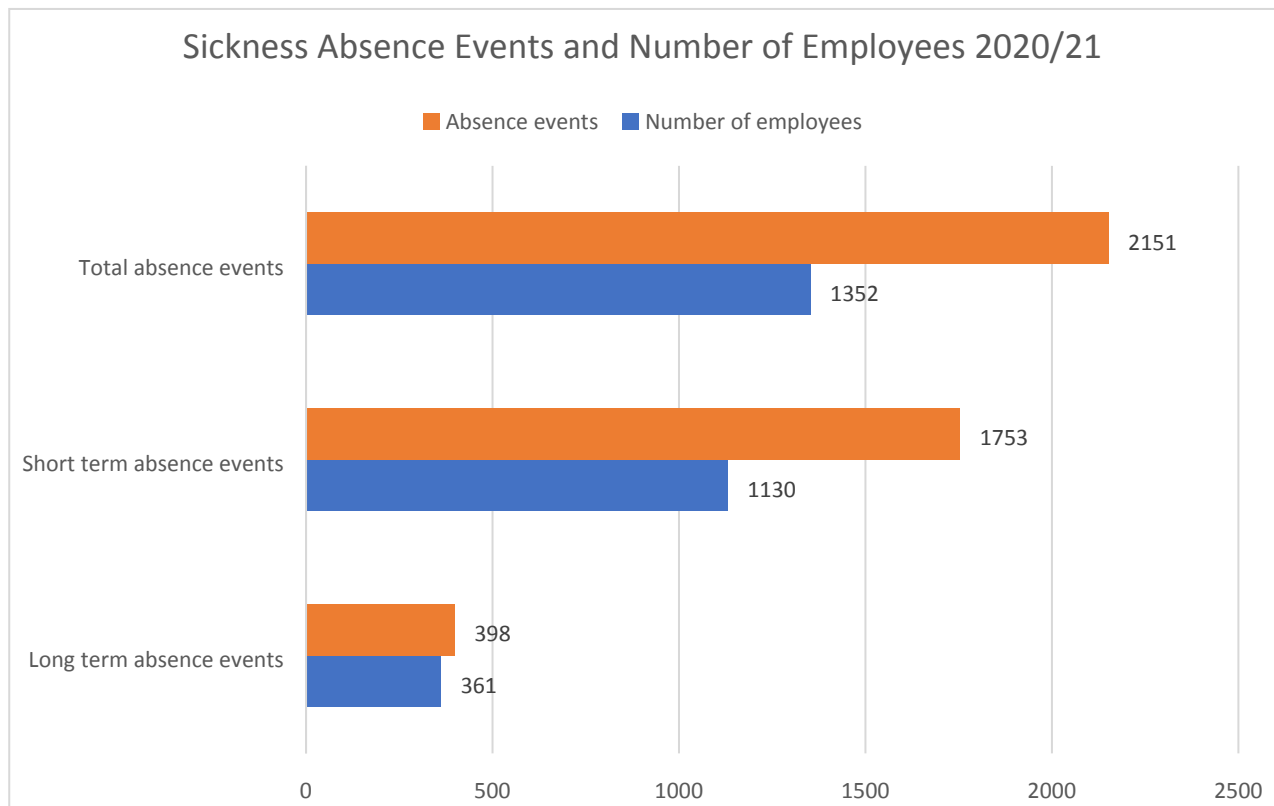


The chart above show sickness absence as days lost per FTE employee during 2020-21 in comparison with the previous four financial years. This is shown alongside the 12-month target of 10 days. Covid-19 Self Isolation and Maternity (including Paternity, Shared and Adoption) has been excluded from this data. For 2020-21 the council saw sickness levels of 8.93 days per FTE employee which is under the target of 10 days.

The chart below shows sickness absence events (period of absence) alongside the number of employees who contributed to these events. All absence events are included in

the total absence events sections. Short term absence events include absence events that are equal to or less than 20 days and long-term absence events are over 20 days.

In 2020-21, 1352 Cheshire East employees contributed to the 2151 total sickness absence events.



15.5 HR Casework

The Council's HR procedures are used to seek outcomes to concerns raised where it has not been possible, or it is not appropriate to reach an informal resolution. The HR Team works closely with managers to resolve these matters appropriately and at the earliest opportunity.

The tables overleaf set out those cases that were considered through HR formal procedures. In light of the on-going Covid-19 pandemic, formal hearings are held virtually wherever possible although, if required and subject to national guidance, they may be held safely in person within corporate buildings.

Summary of current formal case work by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
March 2020	0	4	4	2	1
June 2020	0	1	3	2	2
September 2020	0	3	4	2	2
December 2020	1	2	3	0	1
March 2021	2	0	3	1	1

ET = Employment Tribunal

Summary of closed formal case work during period by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Jan – Mar 2020	1	3	0	1	0
Apr – June 2020	0	3	1	2	0
July – Sept 2020	0	0	1	3	1
Oct – Dec 2020	0	3	2	2	1
Jan – Mar 2021	0	3	4	0	1

Closed cases July – September 2020

Type of Case	Information/Length of Case
Capability	No formal capability cases have been concluded.
Disciplinary	1 x 5 weeks, 1 x 11 weeks; 1 x 4 months.
Grievance	1 x 5 weeks; 3 x 12 months.
Dignity at Work	No formal capability cases have been concluded.

With reference to the table above, casework matters are dealt with in as timely a manner as possible. There can be unavoidable slippage of time due to factors such as the general availability of the parties involved; for example, complainant, officers, trade union representatives as well as investigating officers.

Summary of new formal case work during period by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Jan – Mar 2020	1	3	0	3	0
Apr – June 2020	0	0	0	2	0
July – Sept 2020	0	2	2	2	1
Oct – Dec 2020	1	2	1	0	0
Jan – Mar 2021	1	1	3	1	1

16. Implications of the Recommendations

16.1 Legal Implications

16.1.1 Activity relating to the summaries in this report contributes to ensuring the Council's statutory HR and Health and Safety obligations are met.

16.2 Finance Implications

16.2.1 No financial implications arising from this report.

16.3 Policy Implications

16.3.1 Implications are dealt with in the body of the report.

16.4 Equality Implications

16.4.1 Implications are dealt with within the body of the report.

16.5 Human Resources Implications

16.5.1 Implications are dealt with in the body of the report.

16.6 Risk Management Implications

16.6.1 No significant risks identified as a result of this update report. Risks relating to specific matters are dealt with separately.

16.7 Rural Communities Implications

16.7.1 There are no implications for rural communities.

16.8 Implications for Children & Young People/Cared for Children

16.8.1 There are no implications for children and young people.

16.9 Public Health Implications

16.9.1 There are no implications for public health.

16.10 Climate Change Implications

16.10.1 There are no implications for climate change.

16.11 Ward Members Affected

16.11.1 No specific wards affected.

17. Consultation & Engagement

17.1 Implications are dealt with in the body of the report.

18. Access to Information

18.1 The background papers relating to this report can be inspected by contacting the report writer.

19. Contact Information

19.1 Any questions relating to this report should be directed to the following officer:

Name: Sara Barker

Job Title: Head of HR

Email: sara.barker@cheshireeast.gov.uk