

Staffing Committee

Date of Meeting: 24th October 2019

Report Title: HR and Health & Safety

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 and Health and Safety developments.

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 HR/OD and H&S developments 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 and Health and Safety policies and practices.

Senior Management Recruitment

- 5.2. Working in conjunction with its recruitment partner, Penna, the Council ran a successful senior management recruitment campaign during the Spring

and Summer 2019. The posts of Director of Governance & Compliance (Monitoring Officer) and the Director of Finance & Customer Services (S151) are statutory posts; the appointments to these posts were made by the Staffing Committee.

5.3. The new appointments taking up post within Cheshire East are as follows:

Name	Post	Start Date
Ali Stathers-Tracey	Director of Prevention & Early Help	24/06/2019
Peter Skates	Director of Growth & Enterprise	01/07/2019
Josie Griffiths	Head of Audit & Risk	01/07/2019
Alex Thompson	Director of Financial & Customer Services	19/07/2019
Jo Brown	Director of Transformation	01/08/2019
Louise Hurst	Head of CIN/CP	23/08/2019
Jan Bakewell	Director of Governance & Compliance	02/09/2019
Heather Baron	Head of Early Help	02/09/2019
Jane Burns	Executive Director – Corporate Services	23/09/2019
Asif Ibrahim	Head of Legal Services	30/09/2019
Helen Gerrard	Head of Customer Service	01/10/2019
Richard Hibbert	Head of Strategic Transport	01/11/2019

5.4. In addition to the Corporate Induction Programme, the Council has put senior induction arrangements in place, which supports staff in their new roles as senior managers in the organisation.

5.5. The recruitment process for the post of Chief Executive has commenced. The post was advertised in the Municipal Journal on 12 September 2019 and the closing date for applications was 30 September 2019.

5.6. Appointment to the post of Chief Executive is the responsibility of the Staffing Committee.

5.7. There are a number of stages during which Staffing Committee, with support from Penna and the Head of HR, will consider and assess the applicants with the final interviews and an assessment centre taking place on Monday, 11 November 2019. Staffing Committee's recommendation for the appointment will be considered by full Council on Thursday, 12 December 2019.

HR Policy Review

5.8. Since the last update in April 2019, there has been significant progress and the following HR Policies and Procedures have been completed:-

May 2019

Wellbeing Policy

Leave and Time Off Policy

June 2019

Revised Disciplinary Policy and Procedure

Absence Management Policy and Procedure

Capability Policy and Procedure

Family Leave Policies and Procedures

July 2019

Recruitment Policy and Procedure

Organisational Change Policy

Equality in Employment Policy

Transitioning at Work Policy and Procedure (previously known as 'Gender Reassignment')

Domestic Abuse Policy and Procedure

- 5.9. Work has also been undertaken to develop Centranet pages to launch and support the above policies and procedures, including providing guidance and toolkits for managers. In addition, HR surgeries and drop-in sessions have been held across the Council to support managers with the new policies.
- 5.10. Work is nearing completion on the final policies and procedures in the policy review, including Leaving the Council, Flexible Working, Travel & Expenses, Induction and Redeployment Procedure. The aim is to have all of the revised policies and procedures agreed and launched by the end of this year, with ongoing reviews thereafter and training to support the application of the new policies and procedures.

NJC Pay

- 5.11. Following the national agreement work has been undertaken with the trade unions to implement the National Pay award and also the new NJC Pay Structure. Further work with the trade unions is planned to deal with some long standing anomalies and this work will begin shortly.

Exit Interviews

- 5.12. In order to improve the data available with regard the reasons employees leave the organisation, an electronic exit interview form has been created. The form will not replace the exit interview conversation but will

complement the current process and provide another opportunity for staff to share their views and experiences. A paper version of the form will be available for staff that are not able to access the electronic version.

- 5.13. The improved process will enable the HR Service to collate data and monitor trends, addressing any areas of concern within the organisation. The form and new process is currently being socialised for feedback with key stakeholders, including the trade unions.

Mutually Agreed Resignation Scheme

- 5.14. The Mutually Agreed Resignation Scheme (MARS) policy was approved by Cabinet in February 2018.
- 5.15. MARS is a scheme which will help the Council to meet its financial challenges including salary costs, workforce reductions, service redesign, and other efficiency needs. The scheme forms part of a suite of policies and procedures that allow staff to exit the organisation. However, it is not linked to statutory schemes such as redundancy or the Local Government Pension Regulations.
- 5.16. The second window for applications from interested staff opened on 16 September 2019 and closed on 30 September 2019. There have been communications to inform employees about the Scheme and to answer queries to enable them to make an informed choice about submitting an application. These communications include a dedicated MARS page on the Centranet, articles in Team Voice and drop-in sessions across the Borough as well as for Cheshire East employees based in Chester.
- 5.17. 84 applications have been received from employees across the organisation. After the application window closed, managers produced business cases to demonstrate the likely service impact which will form part of the decision making process. A Panel comprising an Executive Director, Service Director, Director of Financial and Customer Services and the Head of Human Resources will make the decision on the applications. Employees will be notified of the outcome of their applications in late October/early November 2019. If they wish to proceed, their actual leaving date will be agreed with them; it is anticipated that the earliest leaving date will be 30 November 2019.

Attendance Management Update

- 5.18. Attendance Management continues to be a high priority for the Council.

The new Wellbeing and Attendance Management Policies and Procedures are working in conjunction with each other to proactively promote health and well-being at work and providing appropriate support for employees when they are absent from work.

- 5.19. A governance framework has been implemented and forms part of the regular information provided to Directorate Management Teams, managers and HR representatives as well as to the Corporate Services Portfolio Holder and Staffing Committee. This framework provides the basis to enable appropriate monitoring of absence levels and proactive action in relation to the target of 10 days absence per FTE in 2019/20.
- 5.20. The current absence level as shown in paragraph 17.4 was 5.13 days' absence per FTE for Quarter One and Quarter Two. This is slightly higher than for the same period in 2018/19. The HR Delivery Team is working closely with managers to manage and support employees who have both short and long term absences, to identify and address trends on an individual and team basis, as required.
- 5.21. The main reasons for long term absences during Quarters One and Two are due to musco-skeletal conditions, chronic stomach/intestinal conditions, nervous system problems and anxiety/fatigue/exhaustion. The main five reasons for short term absence are colds, chest infections, stomach/intestine problems, vomiting and back pain. The recorded reasons reflect what is reported by the employee and/or on a fit note from their GP.
- 5.22. There is support for employees who are absent from work on short and long term sickness. This support includes regular update/contact with line managers as to their progress and support, return to work interviews, Occupational Health consultations, stress and general risk assessments as required. Employees can also access support and advice through the Council's Employee Assistance Programme.
- 5.23. These support measures are wide reaching and are used for physical and mental health sickness absences. In addition, in relation to stress related absences, Human Resources work with managers to identify potential trends in stress related absences with a view to addressing factors on a team/service level, for example, working practices, job design, well-being initiatives.
- 5.24. The Attendance Management Procedure sets out a structured approach for supporting employees whilst they are absent and during their return to

work. Managers consider the recommendations of Occupational Health reports and the identified measures/actions from risk assessments for implementation to provide a supportive working environment to enable a successful return to work as well avoid/minimise further absences. Managers can also receive advice, guidance and support at formal meetings from Human Resources.

5.25. There are a range of measures to support managers with attendance management which include training sessions for line managers. The new attendance management policy was introduced in June 2019. This was devised in conjunction with managers, trade unions and HR colleagues to give clarity in the policy, comprehensive management guidance and toolkits to remove potential barriers to managing attendance consistently.

5.26. This has been supported by refreshed attendance management workshops for all line managers. Attendance Management drop-in sessions have also been arranged for October 2019; the focus for these sessions is to support managers in holding hold timely and meaningful return to work interviews, making Occupational Health referrals and completing stress risk assessments. These are key activities in supporting absent colleagues to return to work successfully and to avoid potential recurrences of absence from work. An e-learning package is being developed to complement the new policy and procedure, in providing an introduction to attendance management.

Education HR Consultancy

5.27. The Council is offering the opportunity to buy-back Education HR Consultancy Services in an increasingly competitive market. 92 schools and academies bought back services in 2019/20. This is lower than in 2018/19 and is mainly due to schools becoming part of a multi-academy trusts with their own HR provision.

5.28. The HR Consultancy Service provides advice and support to head teachers and governing bodies on the full range of HR matters such as disciplinary, grievance, performance management, pay and conditions for teachers and head teachers. In addition, it offers a number of training interventions with the aim of increasing income such as:

5.29. Performance Management as part of the Governor Training Programme;

- Briefings for new and aspiring head teachers. These were introduced in 2018/19 and are very popular, receiving excellent feedback.

- Safer Recruitment accredited training as well as a shorter refresher session for those who have already attended the full training.

5.30. A questionnaire is due to be sent in the Autumn term to schools which have bought the service and those that did not. The data collected will help to shape the HR Consultancy Service moving forward.

Apprenticeship Statutory Reporting

5.31. The statutory return on the number of apprentices across Cheshire East Council, has been submitted to the Department for Education and work continues to build on that already carried out over the last two years, implementing a strategic approach to apprenticeships, linked to identified skills' gaps.

5.32. Cheshire East Council has met its internal target for the number of apprenticeship starts. Challenges do continue around the number of apprenticeship starts within maintained schools, which form part of the overall target. Work will continue to encourage the take up of apprenticeships aligned to workforce planning. This will include monitoring the introduction of new standards. More focused work on encouraging maintained schools to consider apprenticeships will be carried out and further work is underway with the Local Government Association (LGA), to understand best practice elsewhere. The work with the LGA will also develop a multi-year action plan that reinforces the work carried out to date on linking apprenticeship standards across the Council to the overarching Workforce Strategy.

5.33. The Council will continue to strengthen its partnership approach with training providers, including further and higher education institutions, to ensure the apprenticeship standards that address identified skills' gaps are in place and available for delivery.

5.34. Further work is underway to explore the options to transfer levy funds and understand the model to be used in Cheshire East Council.

Brighter Future (Culture) Programme

5.35. Following the LGA culture review, the Council accepted the twelve recommendations and these were addressed through the Brighter Future Culture Programme. All the recommendations have been addressed and work now continues to embed the vision for workplace culture, values,

behaviours and employee deal across the Council.

- 5.36. An embedding plan has been created and progress is tracked through the Brighter Future Cultural Workstream Board and Brighter Future Culture Steering Group. A copy of the embedding plan is attached at Appendix 1.
- 5.37. Work continues with our Brighter Future Community Champions. There are 100 Champions from across the organisation and the Council continues to meet with them on a monthly basis. The Brighter Future Champion Community suggested that they could support the facilitation of sharing the results of The Big Conversation survey and encourage the teams to participate in the conversations, along with identifying actions for improvement. The toolkit has been co-created with the Champions to support this.
- 5.38. The Brighter Future Champions are also supporting the Brighter Future Transformation programme. Their role is to support the wider programme by providing feedback and highlighting areas that may have a cultural impact.
- 5.39. The Member Forum met on 19th September for the first time since the election. Cllr. Jill Rhodes is the new Chair of the Forum. Eight of the existing Members have continued to be a part of the Forum along with five new Members.
- 5.40. The first meeting focused on refreshing the Terms of Reference of the Forum and discussing how the Member Forum can work more closely with the Brighter Future Community.

Health and Well-being

- 5.41. Work continues on delivering the well-being programme, upholding our joint commitments within the 'employee deal' to care for our well-being. Between the 9th and 19th September 2019 a 'well-being in work' event took place across the Council.
- 5.42. Events took place in the Westfields, Delamere House, Municipal Buildings Crewe, Macclesfield Town Hall, Cledford House and Goldsmith House in Chester. Staff were able to attend the events and have a health check which included blood pressure monitoring, hydration levels, BMI and overall metabolic age.
- 5.43. In addition to the health checks, there were information stations available

for staff to seek and learn more about ways of caring for their own well-being. There was an opportunity to speak to the library staff and learn more about the services that they offer. Everybody Leisure was present to support and encourage staff to care for their physical health.

- 5.44. Smaller events were also held across the Council that included poetry, yoga, knitting and time to talk sessions.
- 5.45. Staff that were unable to attend an event at a main building, had the opportunity to receive a 'well-being in work' box which included information and items to help promote and encourage conversations about well-being in the workplace.

Health and Safety

- 5.46. The following tables provide data on the number of accidents and incidents reported and recorded across the first two quarters of 2019/20, including any events which have been reported under the Reporting of Injuries, Diseases, or Dangerous Occurrence Regulations (RIDDOR).
- 5.47. These regulations require the employer to report certain categories of accident, injury, certain diseases, and certain types of dangerous occurrences (those which had the potential to cause injury) to the Health and Safety Executive (HSE). The HSE may choose to further investigate these reports use them to produce statistics and/or target their resources.
- 5.48. With regard to injuries basically any death, confirmed fracture (other than a finger), amputation, is reportable under RIDDOR. Also reportable are accidents where the injury results in the person being off work for more than 7 days.
- 5.49. An incident is an event where no physical injury occurs, although this may still be reportable under RIDDOR depending on the circumstances.
- 5.50. Data is provided on events reported from Council staff, School staff and Members of the Public (MOTP). Accidents to Members of the Public (individuals affected by the actions of the organisations as employer) are also are reportable when the injured member of the public attends hospital directly from the accident scene. This causes a complication with regards to schools where pupils are classed as members of the public.
- 5.51. If a pupil suffers an accident at school they will be treated for first aid and in some cases recommended to go to hospital for a check up. Potentially

then this accident may become “RIDDOR reportable”. However there is a caveat to this situation whereby the accident or incident would only be reportable if it arises as a result of a work activity (including lack of supervision), or a defect of some kind with the premises.

- 5.52. So, if a pupil is taken to hospital after breaking an arm during an ICT class, following a fall over a trailing cable, the accident would be reportable. If a pupil is taken to hospital because of a medical condition (e.g. an asthma attack or epileptic seizure) this would not be reportable, as it did not result from the work activity.
- 5.53. There have been no accidents involving the HSE during the year to date.
- 5.54. A more detailed explanation of this is given by the HSE guidance document found at <http://www.hse.gov.uk/pubns/edis1.pdf>.
- 5.55. Data relating to the Council’s Alternative Service Delivery Vehicles is not reflected in these figures. Data relating to Academies is also excluded; Academies are responsible for their own accident and RIDDOR reporting.
- 5.56. Statistics are reported in relation to employee numbers. The Health and Safety Executive formula for calculating the Accident Frequency Percentage is followed:

No. accidents ÷ no. employees x 100,000

100 (to show %)

Table 1: Accidents reported during Q1 and Q2 2019/20

		Q1 2019-20		Q2 2019-20	
		Council	Schools	Council	Schools
<i>Average Head Count</i>		3,554	3,198	3,593	3,079
Employees	Accidents	68	27	67	13
	Number of RIDDOR Reportable Accidents	0	2	5	2
	Average Accident Rate Factor	19.13%	8.44%	18.65%	4.22%
MOTP	Accidents	140	87	200	71
	Number of RIDDOR Reportable Accidents	0	0	4	3
	Total Accidents	208	114	267	84

Table 2: Incidents reported during Q1 and Q2 2019/20

	Q1 2019-20		Q2 2019-20	
	Council	Schools	Council	Schools
Incidents	133	13	122	7

Table 3: Comparison to previous years

	2018/19		2019/20	
	Total Accidents and Incidents	RIDDOR Reportable Accidents	Total Accidents and Incidents	RIDDOR Reportable Accidents
Q1	577	4	487	2
Q2	268	2	480	14
Q3	849	4	-	-
Q4	838	1	-	-
	2,532	11		

Table 4: Corporate Health and Safety Training Programme

Course	Number of Courses	Attendees (School)	Attendees (Council)
Basic First Aid 3 Hours	14	0	152
First Aid Requalification 2 days	2	5	6
Emergency First Aid at Work	6	3	55

<i>1 day</i>			
Combined Paediatric First Aid and First Aid at Work	1	6	4
<i>3 days</i>			
IOSH Leading Safety	1	10	0
<i>8 hours</i>			
PRIME Accident Reporting	1	6	9
<i>3 hours</i>			
Totals	25	30	226

5.57. 6 courses have been delivered over 25 sessions during 2019/20 so far, with 256 participants attending in total.

HR Performance Data - Q1 & Q2 2019/20

5.58. Headcount_& FTE (Excluding schools, agency workers and casuals)

Date	Head count	Change from Previous Year (%)	Change from previous year excluding ASDV TUPE Transfers (%)	FTE	Change from Previous Year (%)	Change from previous year excluding ASDV TUPE Transfers (%)
Apr 2012	5,449	-7.01	NA	4080.2	-6.96	NA
Apr 2013	5,103	-6.35	NA	3880.7	-4.89	NA
Apr 2014	4,403	-13.72	-6.87	3232.7	-16.70	-8.28
Apr 2015	3,812	-13.42	-1.01	2883.5	-10.80	-0.19
Apr 2016	3,763	-1.29	-0.74	2891.7	0.28	1.02
Apr 2017	3,623	-3.72	NA	2835.3	-1.95	NA
Apr 2018	3,587	-0.99	NA	2824.5	-0.38	NA
Apr 2019	3,556	-0.86	NA	2767.5	-2.02	NA
Sep 2019	3,593	NA	NA	2801.0	NA	NA

5.59. Between April 2012 and September 2019, both the overall employee headcount and the number of FTE employees decreased by 34.1% within the Council. Between April 2014 and September 2019, the headcount reduced by 18.4% while the number of FTE employees decreased by 13.4%. As described previously, the larger reductions in staff figures between both 2013-14 and 2014-15 can be attributed to staff TUPE transferring to ASDVs. During the current financial year the Council headcount has increased by 1%; the number of FTE employees has also increased by 1.2% between April and September 2019.

Leavers & Turnover (Excluding schools, agency workers and casuals)

Financial Year	Overall Headcount of Leavers	Overall Employee Turnover (%)	Headcount of Leavers without TUPE Transfers	Turnover without TUPE Transfers (%)
2016-17	458	12.3	458	12.3
2017-18	402	11.1	391	10.8
2018-19	389	10.9	376	10.5
Q1–Q2 18-19	221	6.2	208	5.9
Q1–Q2 19-20	187	5.2	182	5.1

5.60. The table above shows the total headcount of leavers between April and September 2019, including any who TUPE transferred to ASDVs. The total employee turnover is therefore 5.2%; this is 1% lower than turnover during the same period in 2018-19. If TUPE transfers are analysed separately, there were 182 leavers during the first two quarters of 2019-20, and turnover for all other leaving reasons was 5.1%. There were 126 resignations during the period, and turnover as a result of resignation was 3.5%. This is lower than in 2018/2019, when the MARS scheme contributed to elevated leaver figures during quarter one.

Financial Year	Resignation Headcount	Employee Turnover by Resignation (%)
2016-17	311	8.4
2017-18	287	8.0
2018-19	276	7.7
Q1–Q2 2018-19	158	4.4
Q1–Q2 2019-20	126	3.5

5.61. A broad distribution of leaving reasons is shown below, with the exception of TUPE transfers. The 'Unsatisfactory' category includes those who left due to unsatisfactory probation or performance, gross misconduct, or disciplinary action. 'Other' reflects mutual termination, death, or employees whose leaving reason is not given.

Leaving Reason	Headcount	Proportion of all Leavers (%)
Resignation	126	69
Retirement	25	14
Redundancy	4	2
End of Contract	6	3
Unsatisfactory	7	4
Other	14	8

Redundancy

5.62. Three people have left the Council under voluntary redundancy terms in Quarters 1 and 2. The total severance cost was £65,411 inclusive of redundancy and actuarial costs. Over the next five years, this reduction is estimated to save the Council over £556,794.

Year	Number of voluntary redundancies	Number of compulsory redundancies
2015 - 2016	98	1
2016 - 2017	22	1
2017 – 2018	22	1
2018 – 2019	19	1
2019 – 2020	3	0

BVPI 12: Days Lost to Sickness Absence per FTE Employee

Financial Year	Absence at the end of Q2	Full Year Absence
2016-17	5.31	11.14
2017-18	4.98	11.18
2018-19	4.89	10.27
Q1–Q2 2019-20	5.13	NA

5.63. The table above shows the cumulative absence rate for Cheshire East Council between the beginning of the financial year and the end of

September 2019. The current figure of 5.13 days lost per FTE employee is higher than the figure for the same period during 2017-18 and 2018 -19. This is not unexpected given that absence was also higher at the end of the first quarter of the current financial year compared with 2018 -19. This may be a result of an increase in overall headcount and, more recently, new staff TUPE transferring into the Council during quarter two.

HR Casework

5.64. The HR Team continues to work with managers to resolve concerns at the earliest opportunity. Where these cannot be resolved, formal procedures are used to seek outcomes to concerns raised. The table below sets out those cases that were considered through HR formal procedures. There have been three member appeals during the period April to September 2019.

Summary of current formal case work by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
As at Dec 2018	1	3	3	1	2
As at March 2019	1	2	2	2	1
As at June 2019	0	10	4	3	1
As at September 2019	0	9	2	1	2

ET – Employment Tribunal

Summary of closed formal case work during period by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Sept – Dec 2018	0	9	7	5	1
Jan – Mar 2019	0	4	3	0	0
April - June 2019	1	2	1	2	0
July - Sept 2019	0	3	2	2	1

Closed cases April – September 2019

Type of	Information/Length of Case
Capability	None
Disciplinary	Concluded: 1 x 3 weeks; 1 x 2 months; 1 x 3 months; 1 x 5 months; 1 x 7 months
Grievance	Concluded: 1 x 3 months; 1 x 4 months; 1 x 8 months
Dignity at Work	Concluded: 1 x 1 weeks; 1 x 3 months, 1 x 3.5 months and 1 x 10 months

5.65. 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. Longer term delays can be due to sickness absence.

Summary of new formal case work during period by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Sept – Dec 2018	0	5	2	4	1
Jan – Mar 2019	0	3	2	1	0
April - June 2019	0	10	3	3	0
July - Sept 2019	0	2	0	0	2

6. Implications of the Recommendations

6.1. Legal Implications

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

6.2. Finance Implications

6.2.1 No direct financial implications arising from this report.

6.3. Policy Implications

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

6.4. Equality Implications

6.4.1 There are no direct equality implications.

6.5. Human Resources Implications

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

6.6. Risk Management Implications

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

6.7. Rural Communities Implications

6.7.1 There are no direct implications for rural communities.

6.8. Implications for Children & Young People/Cared for Children

6.8.1 There are no direct implications for children and young people.

6.9. Public Health Implications

6.9.1 There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1 There are no direct implications for climate change.

7. Ward Members Affected

7.1. No specific wards affected.

8. Consultation & Engagement

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

9. Access to Information

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

10. Contact Information

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

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Job Title: Head of HR

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