

Time began: 10.30am
Time ended: 11:44am

**Personnel Committee
15 September 2022**

Present Councillors Carr, Jennings, Swan, Potter, Skelton, and Bonser

Officers present Adele Ashmore – Acting Strategic HR Manager
 Tania Hay – Apprenticeship Project Manager
 Paul McMahon - Principal Lawyer
 Simon Riley - Strategic Director of Corporate Resources & S151 Officer
 Helen Bounds – Human Resources Lead - Policy and Strategy
 Carl Ward - Occupational Health and Wellbeing Manager
 Liz Moore – Head of Human Resources and Interim Head of Occupational Development

07/22 Apologies

Apologies were received for Cllr A Holmes and Cllr Evans.

08/22 Late Items to be Introduced by the Chair

There were no late items.

09/22 Declarations of Interest

Councillor Bonser informed the Committee that she was a member of a trade union.

10/22 Minutes of the Meeting held on 23 June 2022

The minutes of the meeting held on 23 June 2022 were agreed as an accurate record.

11/22 The Apprenticeship Programme Update

The Committee received a report on the Apprenticeship Project update. This report was sponsored by the Strategic Director of Corporate Resources and was presented by the Apprenticeship Project Manager.

It was reported that the Apprenticeship Team was actively working with internal and external partners to raise awareness of the Council's apprenticeship opportunities and to promote inclusion in learning and employment.

It was noted that this included:

- Attended GCSE results day at Bemrose school on 25th August
- Attending Jobs Fair at Pride Park on 16th September
- Attending University of Derby Talent Fair on 13th October
- Participating in the corporate recruitment and retention group
- Continuing to attend internal Boards (Including the Education Employment & Training and Equality Diversity & Inclusion Boards)
- Continued networking with external groups and partners
- Working with the Communications and Marketing team to plan events for National Apprenticeship Week in February 2023

The Committee noted that the next cohort for the Leadership and Management programme were due to start in September; with approximately 16 colleagues starting on levels 3 -7 with the University of Derby. It was reported that the Council had a very successful Mentoring network in place and that every apprentice on these programmes had access to a dedicated Mentor to support them throughout their programme.

It was noted that the Apprenticeship Team had been working with managers across several services and schools over the summer, and the Council was currently recruiting approximately 10 new start apprentices. These included Business Administration Level 3; Assistant Accounts Level 3; Customer Service Practitioner Level 2; Teaching Assistant Level 3; Early Years Practitioner Level 3 and Information Communications Technician Level 3. It was noted that the Council aimed to have them all started by the end of September.

It was reported that in addition to new start apprenticeships, the Apprenticeship Team were currently working with several colleagues to facilitate their development utilising apprenticeship programmes. These apprenticeships were across a range of roles and professions, and they included Internal Audit Professional Level 7; Accountancy Professional Level 7; Children, Young People and Families Practitioner Level 4; Children Young People and Families Manager Level 5; Teacher Level 6 and Facilities Manager Level 4.

The Committee noted that as of 26 August 2022, the Council had transferred a total of £3,779,100.55 into the Education and Skills Funding Agency (ESFA) Apprenticeship Levy Digital Account since the start of the Levy in April 2017. It was reported that the Council had drawn down £2,426,454.11 for internal apprenticeship training programmes and transferred £69,908.69 of its Levy Fund to six outside organisations.

It was noted that between April 2022 and August 2022, £9,350.15 of the Council's Levy Fund had expired. In the last calendar year, the Council had only experienced the expiration of funds on three occasions amounting to £31,227.67. The total amount of Levy drawn down between May 2017 to August 2022 was £2,506,795.

The Strategic Director of Corporate Resources informed the Committee that the Council currently paid apprentices £4.81 per hour regardless of their age. The Committee noted that in order to improve the Council's ability to attract apprentices, it was important for apprentices to be paid a more competitive salary. The Strategic Director of Corporate Resources recommended that the salary for Council Apprentices should be increased to match the National Living Wage for people aged 21-22. It was noted that this was £9.18 per hour.

The Committee resolved to approve the recommendations detailed below.

- 1. to note the update on the Apprenticeship Team's current priorities.**
- 2. to note the update on the Committees recommendation to the Strategic Director of Corporate Resources that the salary for Council apprentices is increased to match the minimum wage.**
- 3. to note the Levy payments made to date, the drawdown for training programmes that we have instigated and expired funds as of 26 August 2022.**
- 4. to recommend that the salary for Council Apprentices is increased to match the National Living Wage for people aged 21-22.**

12/22 Changes to Disciplinary and Dismissals Policy

The Committee received a report on Changes to Disciplinary and Dismissals Policy. This report was sponsored by the Strategic Director of Corporate Resources and was presented by the Human Resources Lead - Policy and Strategy.

The Committee noted that the main purpose of the Disciplinary Policy was to set expectations and to encourage improvement in a colleague's conduct where they failed to meet the standards required. Dealing with conduct matters was a critical part of the policy and the policy set out how any conduct matters would be managed.

It was noted that proposed changes to the policy included:

- the removal of the words "and Dismissals" from the Policy title
- a change to the role of the Commissioning Manager for the purposes of accountability
- addition of action short of dismissal as a sanction
- a change to the disciplinary rules section which provides a non-exhaustive list of what could be considered as misconduct, gross misconduct, SOSR (some other substantial reason) or statutory restriction.

It was reported that the policy wording had changed to make it more user friendly, such as replacing "employee" with "you". This was consistent with other policies under review and was the future approach in policy writing.

It was noted that informal action remained the emphasis of the policy and it encouraged managers to deal with potential conduct issues as and when they arose. This had the effect of reducing the potential for cases to escalate to the point where formal action became necessary.

The Committee noted that the policy also encouraged line managers to be more involved and accountable for the process. This approach to the management of conduct also served to improve employee relations and encouraged managers to take a more pragmatic approach to the management of colleague behaviour in their teams.

It was reported that in the revised Policy, action short of dismissal had been added as a possible outcome of a Disciplinary Hearing. This would be in exceptional circumstances and would be considered in situations where, were it not for mitigating circumstances, the employee may have been dismissed as a result of their misconduct. This may include a transfer to alternative employment or a reduction in seniority or level of responsibility. It was noted that if a colleague did not agree to this, then they may be dismissed. Including this option was in line with ACAS code of practice.

It was reported that within the current Policy the Disciplinary Rules were defined in seven categories with descriptions for each. This had been revised to non-exhaustive lists which enabled the Council to remain modern, flexible and resilient by ensuring that the Disciplinary policy, procedure and process was fit for purpose. This was in line with ACAS code of practice and was considered as a best practice.

It was noted that the HR Team were in the process of updating the guidance to reflect these changes and to align it with the iDerby intranet principles which were implemented following Voice of the Customer feedback. This included clarity and simplicity in content and easier navigation and layout.

It was noted that the revised draft policy was shared with seven managers across the three Directorates. These managers had a role as either a Commissioning Manager or Investigating Officer in the current Disciplinary process. The majority stated that the policy read well, and agreed it was clear and easy to follow. It was noted that Trade Union colleagues had also been consulted on the proposed policy changes.

A councillor asked how long records were kept of informal discussions. It was noted that a reasonable approach was taken and that this was decided on a case-by-case basis.

A councillor raised concerns that the revised policy did not mention trade unions until its appendix. The Committee noted that the policy had been agreed by trade union colleagues and that the role of trade unions and companions could be amplified in the policy guidance.

The Committee resolved to approve the recommendations detailed below.

- 1. to note the proposed main changes to the revised Disciplinary and Dismissals Policy, as set out in the Supporting Information section.**
- 2. to approve the revised policy and note that subject to approval, the revised policy and guidance will be published on the Council's intranet site and a communications roll out of the changes will be shared with colleagues.**

13/22 Changes to Attendance Management Policy

The Committee received a report on Changes to Attendance Management Policy. This report was sponsored by the Strategic Director of Corporate Resources and was presented by Human Resources Lead - Policy and Strategy.

It was reported that the Council was fully committed to promoting the health, safety, and wellbeing of all colleagues and that helping colleagues to maintain good attendance was a top priority.

It was noted that as well as the direct costs associated with sickness absence, the increased workload that covering sickness absence created posed a risk to workforce morale. Therefore, it was essential that absence was managed appropriately and in line with Council policies.

It was reported that key proposed changes to the Attendance Management Policy included:

- Inclusion of key responsibilities for all colleagues and line managers. In clearly summarising the key responsibilities early in the policy the tone is set for individual accountability of health, wellbeing and attendance and for proactive support, expectation setting and prompt action from line managers.
- Inclusion of the Council's target for completion of return to work conversations; within three days of a colleague's return to work from sickness absence. This clearly lays out the expectation of management to carry out this conversation promptly, which is widely recognised as one of the most effective ways to reduce absence.
- Inclusion of early Occupational Health intervention to provide expert advice on implementing fit note recommendations.
- Inclusion of a specific section related to pregnancy-related sickness absence. This provides clarity that absences related to pregnancy will be disregarded for the purpose of absence triggers, in line with the Equality Act 2010.
- Clear references to the differences in managing long-term absence and short-term absence.
- Inclusion of zero-absence targets for instances of persistent short-term absence. This will provide clarity on the Council's expectation and aid in consistency of approach.
- Reference to the Dying to Work Charter which was signed by the Council on 5 October 2018
- Inclusion of attendance management capability hearing stage. The revised policy clearly shows the three stages of managing long-term or persistent short-term absence; informal stage, formal stage and attendance management capability hearing stage. Arranging this section of the policy in this way ensures it is clear to follow, accurately describes the process used, and removes ambiguity.
- Addition of interactive signposting to support and guidance throughout the policy and in a dedicated section at the end of the policy.
- Addition of Role Definitions and Glossary appendices. These will aid the policy reader in understanding some of the terminology used throughout.

The Committee resolved to approve the recommendations detailed below.

- 1. to approve the revised Attendance Management Policy.**
- 2. to note that subject to Personnel Committee approval, the policy will proceed to CJC for ratification. To note that, subject to this ratification, the revised policy will be published on the Council's intranet site and a communications roll out of the changes will be shared with colleagues.**

14/22 Occupational Health and Wellbeing

The Committee received a report Occupational Health and Wellbeing. This report was sponsored by the Strategic Director of Corporate Resources and was presented by the Occupational Health and Wellbeing Manager.

It was reported that Occupational Health had moved from a nurse led service to a doctor led service over the last 6 months to improve the quality of advice and reports written. The Committee noted that the referring manager now received the full Occupational Health report within 24 hours of the appointment.

It was noted that the Occupational Health Service continued to perform well against service level agreements, delivering appointments within 5-10 days of receipt of referral. It was also noted that the service delivered above local benchmarks where appointments were offered within 21 days.

It was reported that the Employee Assistance Programme (EAP) usage, provided by AXA Health, continued to perform above industry benchmarks. Uptake of the EAP was at 4.8% for the 6-month period January 2022 - June 2022. It was reported that the breakdown between work and personal reasons for the support requested was 28% and 72%.

It was reported that in order to support maintaining a healthy workforce, the Council needed a strong and visible wellbeing offer, with engaged managers at all levels to promote and support the wellbeing offer to their teams. It was noted that the Council aimed to achieve this by focusing on the following three priorities:

- Build awareness and visibility of occupational health and wellbeing - Develop a calendar of monthly wellbeing topics and activities to raise awareness about that topic. We will have a greater focus on partnership working with our NHS partners on local and national initiatives.
- Engaging, educating and upskilling managers and colleagues – This includes, but isn't limited to, stress management training and also our Wellbeing Champion training offer. This will be supported by our Human Resources and Organisational Development teams.

- Engaging with our colleagues and providing access to resources and tools available to empower colleagues to continue to take responsibility for their wellbeing, and to reach out for support.

It was noted that in order to continue to support colleague wellbeing, the Council aimed to:

- Provide a mental health / wellbeing champion network that addresses the perceived stigma of mental health through research and using wellbeing champions/mental health first aiders, workshops, guidance and opportunities to articulate needs and develop solutions via our champion networks.
- Explore the provision of a physiotherapy solution to assist with musculoskeletal complaints.
- Improve the understanding of occupational health and wellbeing and developing a culture of wellbeing – by regular team discussions to ensure that our comprehensive wellbeing offer is understood, and a wellbeing programme running throughout the year.
- Provide appropriate guidance based on national campaigns and relevant research in line with our NHS partners. This will provide information to our workforce to allow them to make informed decisions about their own health and wellbeing.
- Provide the support, tools and opportunity needed to make healthy choices, our workforce can continue to take responsibility for improving their own health.
- Develop a wellbeing activity programme, and all the activity associated with the planned actions to be supported by the identified champion network

The Committee noted that the top three reasons for absence for Quarter 1 2022/23 were: Covid-19 related illness 14.48%, Stress/Anxiety – 13.27% and Musculoskeletal – 11.93%. It was noted that the top three reasons for absence for Quarter 4 2021/22 were: Stress/Anxiety: 18.30%, COVID-19 related illness 16.05% and Musculoskeletal: 12.28%.

A councillor asked whether staff could self-refer and was informed by the Occupational Health and Wellbeing Manager that their team were looking into this.

A councillor asked whether there were any plans for managers to undertake menopause training. It was noted that this was being reviewed and that the Menopause Friends Group was being promoted

The Committee resolved to approve the recommendations detailed below.

- 1. to note the update on the Occupational Health and Wellbeing service's priorities going forward.**
- 2. to note the Employee Assistance Programme performance.**
- 3. to note that the Council's performance on attendance management for Quarter 1 2022/23 was 3.24 days lost for each full-time equivalent colleague (FTE).**

MINUTES END.