

Meeting: **Employment Committee**

Date/Time: **Thursday, 3 February 2022 at 10.00 am**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Damien Buckley (Tel: 0116 305 0183)**

Email: **damien.buckley@leics.gov.uk**

Membership

Mr. L. Breckon JP CC (Chairman)

Mr. P. Bedford CC Dr. R. K. A. Feltham CC
Ms. L. Broadley CC Mr. B. Harrison-Rushton CC
Mr. B. Champion CC Mr. R. J. Shepherd CC

AGENDA

<u>Item</u>	<u>Report by</u>
1. Minutes of the meeting held on 2 December 2021.	(Pages 3 - 6)
2. Question Time.	
3. Questions asked by members under Standing Order 7(3) and 7(5).	
4. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	
5. Declarations of interest in respect of items on the agenda.	
6. Presentation of petitions under Standing Order 35.	
7. Gender Pay Gap.	Director of Corporate Resources (Pages 7 - 14)



8. Becoming an Anti-Racist Organisation. Director of Corporate Resources (Pages 15 - 20)

9. Update on Pay. Director of Corporate Resources

The Director of Corporate Resources will provide a verbal update on this item.

10. Organisational Change Policy and Procedure: Chief Executive (Pages 21 - 26)
Action Plans.

11. Any other items which the Chairman has decided to take as urgent.

12. Date of Next Meeting.

The next meeting of the Committee is scheduled to be held on 26 May 2022.



Minutes of a meeting of the Employment Committee held at County Hall, Glenfield on Thursday, 2 December 2021.

PRESENT

Mr. L. Breckon JP CC (in the Chair)

Mr. P. Bedford CC
Dr. R. K. A. Feltham CC
Mrs H. L. Richardson CC

Mrs B. Seaton CC
Mr. R. J. Shepherd CC

15. Minutes of the previous meeting.

The minutes of the meeting held on 16 September 2021 were taken as read, confirmed and signed.

16. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

17. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

18. Urgent items.

There were no urgent items for consideration.

19. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

20. Staff Survey 2021.

The Committee considered a report of the Director of Corporate Resources providing a summary of the outcomes and actions identified from the 2021 staff survey. A copy of the report marked 'Agenda Item 6' is filed with these minutes.

Members were advised that whilst participation was lower than for previous surveys, the overall results were generally positive, with some areas of concern which were currently being addressed.

In response to questions, members were informed that:

- i. Work had begun at a corporate and departmental level on the development of action plans to address areas of concern highlighted such as issues around stress, bullying and harassment, and lower levels of satisfaction amongst staff with disabilities.
- ii. Some of the more negative results could be a result of the pandemic and associated 'enforced' working from home arrangements. A more flexible approach to working which built on the current focus on staff wellbeing would be delivered through the Ways of Working programme.
- iii. Experience of bullying and harassment was a cause for concern. The survey did not differentiate between internal and external factors although this would be addressed through the action plan. Chief Officers had highlighted that policy and guidance in how to report and address bullying and harassment lacked clarity and this was being addressed. A zero tolerance statement was also being developed.

RESOLVED:

That the summary of the outcomes and actions identified from the 2021 staff survey be noted and to support the approach being taken to address the findings of the survey.

21. Innovating at Work.

The Committee considered a report of the Director of Corporate Resources which provided details of a Learning and Development programme that had been developed called Innovating at Work. This programme would both support and enable a culture of innovation to be further developed within the Council. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

Members were informed of progress to date and of plans for a blended approach to learning delivered to staff. An innovation story on Public Health - Mobile Community Health and Wellbeing Support was presented to members.

Learning would be accessed via the Learning Hub and would include opportunities to engage with E-Learning, face-to-face learning and the ability to download other learning resources. Officers would consider making the training materials available for members to access.

RESOLVED:

That the work that has been achieved and the approach that has been developed to support innovation be noted.

22. Ways of Working Update.

The Committee considered a report of the Director of Corporate Resources which provided an update on progress, decisions, and upcoming milestones of the corporate ways of working programme. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Mr Breckon thanked officers for the comprehensive report and noted substantial projected resource savings.

In response to questions, the following points were raised:

- i. The programme would aim to deliver a blended approach to working where buildings would be used in a smarter way and where staff would work flexibly to deliver services most effectively. It was unlikely that staff would be fully remote as the best delivery of service required some office presence. However, arrangements would vary across services and staff would be given the opportunity to express their individual needs. It was noted that there was a benefit to certain roles being mostly remote as it enabled recruitment from a wider area.
- ii. The majority of County Council workplaces and offices were in scope for the project, which was focused on the better use of buildings. Consideration was also being given to how rental income could be maximised, particularly at County Hall. Staff needs would be addressed fully before any rental options were considered.
- iii. The new office model would be piloted in Room 700 of County Hall and findings would be used to shape development of the programme. Officers would provide an opportunity for members to view the pilot space.

RESOLVED:

That the contents of this report with a focus on the next steps which are aimed to drive improvements to the Council's ways of working and deliver on the benefits outlined in the report be noted.

23. Organisational Change Policy and Procedure: Action Plans.

The Committee considered a report of the Chief Executive which presented the current Action Plans which contained provision for compulsory redundancy and details of progress made with their implementation. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

RESOLVED:

That the update provided on the current Action Plans which contain provision for compulsory redundancy, and details of progress in their implementation, be noted.

24. Date of Next Meeting.

The next meeting of the Committee was scheduled to be held on Thursday 3 February 2022 at 10:00am.

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EMPLOYMENT COMMITTEE – 3 FEBRUARY 2022

GENDER PAY GAP

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of the Report

1. The purpose of this report is to present the initial results regarding Gender Pay Gap reporting for Leicestershire County Council. This report shows results for 31 March 2021, and comparison is also made against the results for the previous three years.

Policy Framework and Previous Decisions

2. Gender Pay Gap reporting is a statutory requirement under section 78 of the Equality Act 2010, requiring larger employers (those with more than 250 employees) to publish pay information to show whether or not there are differences in pay between its male and female employees.
3. Employers are required to publish their data by 30 March 2022.

Background

4. From 6 April 2017, any organisation that has 250 or more employees has been required by law to publish and report specific figures about its Gender Pay Gap.
5. The following figures have to be reported annually on the Council's website and published by Government. A glossary of terms is attached at Appendix 1:
 - a. **Mean Gender Pay Gap** – The difference between the mean hourly rate of pay of male full-pay employees and that of female full-pay employees,
 - b. **Median Gender Pay Gap** – The difference between the median hourly rate of pay of male full-pay employees and that of female full-pay employees,

- c. **Mean bonus Gender Pay Gap** – The difference between the mean bonus pay paid to male employees and that paid to female employees,
 - d. **Median bonus Gender Pay Gap** – The difference between the median bonus pay paid to male employees and that paid to female employees,
 - e. **Proportion of males and females receiving a bonus payment** – The proportion of male and female employees who were paid bonus pay during the period,¹
 - f. **Proportion of males and females in each pay quartile** – The proportion of male and female full-pay employees in the lower, lower middle, upper middle and upper quartile pay bands.
6. The figures must be calculated using a specific reference date – this is called the ‘snapshot date’. For public sector organisations, the snapshot date is 31 March each year. Organisations must publish within a year of the snapshot date; hence the Council will need to publish its 31 March 2021 results by 30 March 2022 to meet legislative requirements.

Results comparison: March 2018 - March 2021

7. The initial results are set out below, of which all percentages are rounded to the nearest whole number.
- a. **Mean Gender Pay Gap**
 - i. **March 2018:** Females mean hourly rate is **12%** lower than males,
 - ii. **March 2019:** Females mean hourly rate is **12%** lower than males,
 - iii. **March 2020:** Females mean hourly rate is **10%** lower than males,
 - iv. **March 2021:** Females mean hourly rate is **10%** lower than males,
 - b. **Median Gender Pay Gap**
 - i. **March 2018:** Females median hourly rate is **9%** lower than males,
 - ii. **March 2019:** Females median hourly rate is **7%** lower than males,
 - iii. **March 2020:** Females median hourly rate is **4%** lower than males,
 - iv. **March 2021:** Females median hourly rate is **6%** lower than males,

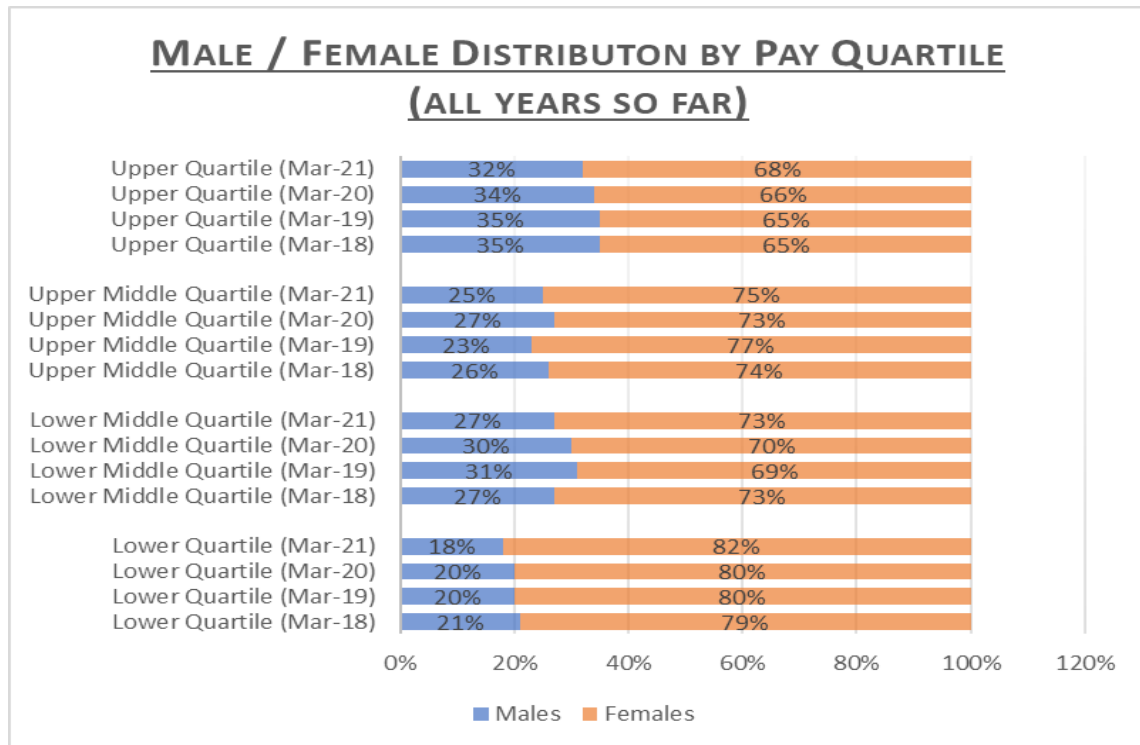
¹ No council staff are in receipt of bonus payments.

- c. **Mean bonus Gender Pay Gap** – Not applicable.
- d. **Median bonus Gender Pay Gap** – Not applicable.
- e. **Proportion of males and females receiving a bonus payment** – Not applicable.
- f. **Proportion of males and females in each pay quartile** – see results in Table 1 below. As at 31 March 2020 there were 73% females and 27% males employed across the Council which indicates a 1% increase in males employed since 31 March 2019.
8. The Council's workforce is predominantly female, with a large number of females undertaking job roles up to and including grades 10, compared to the spread of male employees throughout all the grades.
9. As evidenced in Table 1 and Figure 1, early indications suggest that from 2020 to 2021 there has been a slight increase in females across all quartiles but due to the higher numbers of females employed in the two lower quartiles this will have had an impact on the mean and median pay gap results.
10. Organisations that used furlough are entitled to include supporting narrative in their return. Leicestershire County Council topped up furloughed employees to full pay and it is this figure that has been used in the snapshot data.

Table 1 - Proportion of males and females in each pay quartile

	Males				Females			
	2018	2019	2020	2021	2018	2019	2020	2021
Lower quartile (up to Grade 6)	21%	20%	20%	18%	79%	80%	80%	82%
Lower middle quartile (Grade 6 to Grade 8)	27%	31%	30%	27%	73%	69%	70%	73%
Upper middle quartile (Grade 8 to Grade 10)	26%	23%	27%	25%	74%	77%	73%	75%
Upper quartile (Grade 10 onwards)	35%	35%	34%	32%	65%	65%	66%	68%

Figure 1 - Graphical representation of Table 1



11. Whilst the increase in female representation in more senior roles has continued, there has also been a continued increase in females in grades six-eight which may account for the slight increase in the median pay gap figure for this year.
12. By comparison a sample of published data on gov.uk for the same reporting date of March 2021 demonstrates that Cambridgeshire County Council had a median pay gap of 9% and a mean of 7%; Newcastle City Council a median of 6.8% and a mean of 1.7% and Warwickshire County Council a median of 5.4% and mean of 2.6%. Leicester City Council report a gender pay gap in favour of females of 0.8% median and 1.1% mean.

Supporting Women in our Workforce.

13. There are a number of examples of where the Council demonstrates its commitment to promoting the representation at all levels in the workplace. The Council has a number of programmes in place to promote female representation in senior roles. Examples include the Springboard and SpringForward management training programmes, demonstrating that the Council actively celebrates our female managers as role models. International Women's Day is also celebrated annually in March. Delivery of the Springboard model has continued in a virtual format and there are 22 participants on the current programme. A new SpringForward programme which is due to commence has 13 participants.

14. In December 2022, Leicestershire County Council became the first county council to have been accredited as a menopause friendly employer. Menopause Friendly accreditation is a recognised standard of achievement, one which means that we satisfied a highly qualified independent panel of judges that our organisation has a clear understanding of how menopause can have an effect at work, that we are working towards long term, sustainable change in our workplace and are fostering an inclusive culture where everyone can be at their best.

Recommendations

15. The Committee is asked to note the content of the report and support publication of Gender Pay Gap by 30 March 2022.

Background Papers

- a. Central government Gender Pay Gap reporting overview
<https://www.gov.uk/guidance/gender-pay-gap-reporting-overview>
- b. List of employers publishing their Gender Pay Gap data
<https://gender-pay-gap.service.gov.uk/>
- c. Advisory, Conciliation and Arbitration Service (ACAS) guidance
<http://www.acas.org.uk/index.aspx?articleid=5768>
- d. Government Legislation
<https://www.legislation.gov.uk/ukdsi/2017/9780111152010>
- e. Equalities & Human Rights Impact Assessments (EHRIA)
<https://www.leicestershire.gov.uk/about-the-council/equality-and-diversity/equality-human-rights-impact-assessments-ehrias/ehria-overview>

Circulation under the Local Issues Alert Procedure

16. None.

List of Appendices

Appendix 1: Glossary of key terms.

Equality and Human Rights Implications/Other Impact Assessments

17. The Gender Pay Gap analysis has not identified any specific concerns, given the nature and profile of the workforce. Each department within Leicestershire County Council has also completed Equality and Human Rights Impact Assessments (EHRIA's) at least once since 2014-2015. Results from these have also not highlighted any specific concerns and there are therefore no equalities and human rights issues to address.

Officer to Contact

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Glossary of key terms in this report

Full-pay Employees	'Full-pay Employees' are employees that are paid their full usual pay during the pay period in which the snapshot date falls (31 March 2021 for the Council)
Mean	The mean can be defined as the average of a set of numbers. This is achieved by adding up the values and then dividing by the number of values
Median	The median can be defined as the middle number in a ranked list of numbers. The median can be used to determine an approximate average
Quartile	<p>Quartiles divide ranked data into four quarters. These are:</p> <ul style="list-style-type: none"> • Lower quartile - The lowest 25% of numbers • Lower middle quartile - The second lowest 25% of numbers • Upper middle quartile - The second highest 25% of numbers • Upper quartile - The highest 25% of numbers

Appendix 2

Comparative table showing the Council against other councils who have already published their results for March 2021 (rounded to nearest whole figure)

	Leicestershire County Council <small>(over 5K employees)</small>	Warwickshire County Council <small>(1K to 5K employees)</small>	Cambridgeshire County Council <small>(1K to 5K employees)</small>	Newcastle City Council <small>(over 5K employees)</small>
Mean	10% lower than Males	2.6% lower than Males	7% lower than Males	1.7% lower than Males
Median	6% lower than Males	5% lower than Males	9% lower than Males	6.8% lower than Males
Lower quartile	18% Male 82% Female	No details due to use of furlough	17% Male 83% Female	31% Male 69% Female
Lower middle quartile	27% Male 73% Female	No details due to use of furlough	20% Male 80% Female	50% Male 52% Female
Higher middle quartile	25% Male 75% Female	No details due to use of furlough	21% Male 79% Female	50% Male 50% Female
Upper quartile	32% Male 68% Female	No details due use of furlough	28% Male 72% Female	44% Male 70% Female



EMPLOYMENT COMMITTEE – 3 FEBRUARY 2022

BECOMING AN ANTI-RACIST ORGANISATION

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of the Report

1. The purpose of this report is to seek the views of the Employment Committee regarding the proposal for Leicestershire County Council to make a formal commitment to become an anti-racist organisation.

Policy Framework and Previous Decisions

2. Leicestershire County Council's Equalities Strategy 2020-24 was agreed by the County Council on 8 July 2020. It sets out how the Council aims to ensure that everyone can access high quality services designed to meet their individual needs.
3. Diversity and Inclusion is also a key aspect of Leicestershire County Council's People Strategy 2020 – 2024. This Strategy was approved by the Employment Committee on 4 February 2021.
4. Leicestershire County Council is a signatory to the Race at Work Charter. This Charter commits the Authority to seven "calls to action" on race equality.

Background

5. The recent Black Lives Matter movement has demonstrated that the legacy of slavery, colonialism and institutional racism still has an impact on the lives of Black, Asian and Multi-Ethnic people (BAME) in the community. The Council is rightly proud of its record on race relations and the majority of staff agree that the organisation is an employer that is committed to equality and diversity (92.8% in staff survey 2021). The Council complies with the Public Sector Equality Duties enshrined in the Equality Act 2010.
6. Nevertheless, a 2020 external review of the barriers to progression for BAME staff found that there were a number of perceptions in relation to the leadership culture, whether development was targeted enough, and

concerns regarding how some issues relating to racism were being addressed, or were not being addressed.

7. Recent data on the staff profile shows that whilst the Council has relatively high levels of employment for people from BAME backgrounds at between 17-30% of roles up to middle management, this reduces to less than 10% at senior management levels. This is backed by data indicating that BAME candidates are less likely to be successful at interview than their counterparts (see Appendix A). The 2021 staff survey also evidenced that 28% of staff experienced some form of discrimination within the last 12 months, and 8% experienced bullying or harassment. Community reporting of hate crimes to the Police has also increased by 29% in the past year across Leicestershire. This data needs further analysis and interpretation, but it is valuable to take action now to address these worrying trends.
8. In May 2021, The Cabinet agreed, as a statement of intent, that the Council would sign up to the Race at Work Charter. This committed the Council to seven “calls to action”. The first of these was to appoint an Executive Lead for Race. The Director of Children and Family Services took on this responsibility and established an officer task group to develop an Action Plan. The group involved representatives from service departments, relevant officers in Policy, HR and Learning and Development, and representatives from the BAME staff network. The group formed the view that a strong commitment to “anti-racism” was required in addition to action to address issues around progression and the commitments of the Race at Work Charter.

Becoming an Anti-Racist Organisation

9. Becoming an anti-racist organisation means moving beyond meeting statutory requirements. An anti-racist organisation seeks to engage on issues of race, ethnicity, and racism. It recognises historical injustices, and that this legacy may still continue to influence thoughts, feelings, and behaviour. As an anti-racist organisation, the Council will be proactive in developing a culture which values the business benefits of ethnic diversity, celebrates the contribution of people of colour, and takes clear, decisive action to tackle racist incidents, behaviour, and attitudes. The benefits include higher staff morale and a greater sense of belonging for all communities of Leicestershire.
10. In making this commitment, the Council is not stating that it is, or has been, racist. Rather, it is making a commitment to be pro-active in addressing any perceived inequalities, and to foster a culture which is open, transparent and celebrates the contribution of people of colour to its workforce and the wider community of Leicestershire.
11. It could be argued that Council should take a strong “anti-discrimination” stance on all issues, not just race. Whilst this case has merit, the task group took the view that the particular historical and cultural legacy of

racism required a specific response which recognised the distinctive nature of the oppression and reflected the experiences of staff and communities. The task group also appreciated that “BAME” is a broad term which does not fully capture the range of identities of those who come from different ethnic and racial backgrounds. Nevertheless, it is a term in current usage and has been adopted by the staff network.

12. A key element of the approach is to follow a “zero-tolerance” approach to harassment and bullying. This does not mean that anyone who expresses an opinion or acts in a manner that might be considered racist should be instantly refused a service or have their contract of employment terminated. Rather, it is that such attitudes should not be allowed to pass without challenge, and that there should be opportunities for reflection and learning. This should be the responsibility of the organisation, not the victim. There should be proportionate sanctions if required which consider the Council’s legal obligations to provide services to the public and protect the welfare of staff. Work has been undertaken recently to provide managers and staff with clear routes to report incidents, to access support, and also links with relevant policies and procedures.
13. The Council has an important statutory duty and role to promote community cohesion and foster good relations between different groups. A key element of this approach will involve engaging with ethnic minority communities and celebrating the contribution of people of colour to the economic, social and cultural life of Leicestershire. It will also be about providing leadership and challenge for organisations that work in partnership with the Council -to encourage a wider discussion and action to address issues of perceived discrimination or harassment within workplace or community settings.
14. The recent news coverage of situation Mr Azeem Rafiq faced at Yorkshire Cricket Club has highlighted the damage that can be done to individuals and institutions if issues of racial harassment and bullying are not systematically and transparently addressed.

Action Plan and next steps

15. Alongside the proposal for the County Council to formally commit to become an anti-racist organisation, the task group has developed an Action Plan to progress work as part of the Council’s commitment to the Race at Work Charter, with progress reported to the Corporate Equalities Board. The Action Plan covers three main themes: leadership and management, workplace and culture, and community and partnerships.
 - a. Leadership and management: Political and managerial commitment and leadership on anti-racism. Clear communication on this commitment externally and internally.

- b. Workplace and culture: Developing a BAME staff development programme, reporting on staffing and recruitment, anti-racism training, support for the BAME staff network.
 - c. Community and Partnership: Building relationships with schools and community groups. Working with providers and suppliers. Celebrating the achievement of BAME people in the community.
16. Other local authorities have made similar commitments to anti-racism. Examples include Cambridgeshire County Council, the London Borough of Hackney, Brighton and Hove City Council and Oxford City Council. There is endorsement for these commitments from each Council's political leadership. The direct leadership and involvement of Members of the Council will be required to give this approach integrity.

Consultation

17. There has been specific consultation and engagement with the Black, Asian and Multi-Ethnic staff network in the development of this commitment and Action Plan. The network is fully supportive of these proposals. Engagement is also planned with the Leicestershire Equalities Challenge Group which contains representatives from Leicestershire's diverse communities.

Resource Implications

18. Funding for this work will be covered from existing resources.

Timetable for Decisions

19. The proposal will be presented to the Cabinet on 11 February and the County Council on 23 February.

Recommendations

20. It is recommended that the Employment Committee approve the proposal to become an anti-racist organisation for submission to the County Council meeting on 23 February, subject to the views of the Cabinet.

Circulation under the Local Issues Alert Procedure

21. None

Equality and Human Rights Implications/Other Impact Assessments

22. The proposal seeks to enhance the Council's delivery and reputation on equalities and human rights by making a clear commitment to addressing issues of race equality in employment, service delivery and community cohesion.

List of Appendices

Appendix A: BAME staff by pay grade October 2021. Ethnicity profile of applicants for positions within Leicestershire County Council 2017-2020.

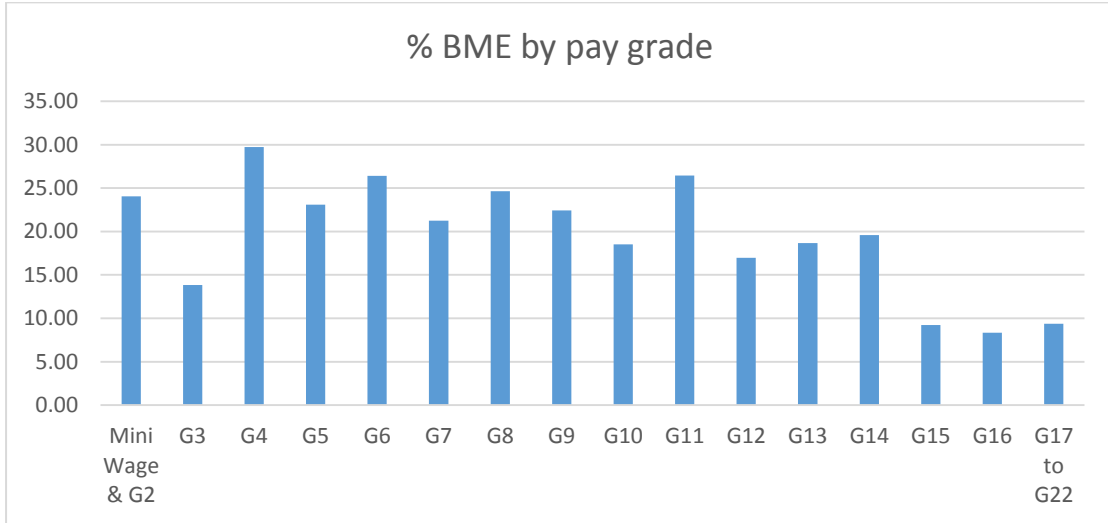
Officer contacts

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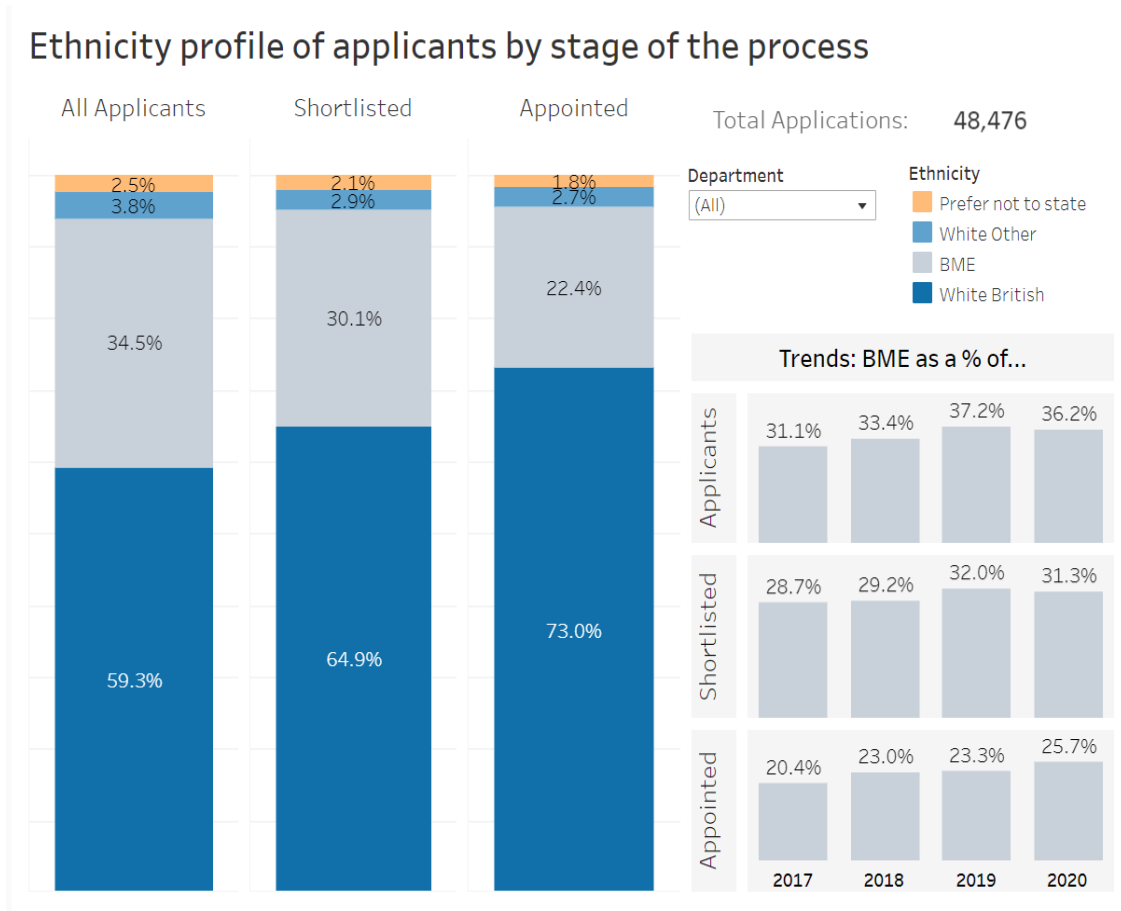
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Appendix A

BAME staff by pay grade October 2021.



Ethnicity profile of applicants 2017-2020.



EMPLOYMENT COMMITTEE – 3 FEBRUARY 2022**ORGANISATIONAL CHANGE POLICY AND PROCEDURE****SUMMARY OF ACTION PLANS****REPORT OF THE CHIEF EXECUTIVE****Purpose of Report**

1. The purpose of this report is to present the Employment Committee with an update of the current Action Plans which contain provision for compulsory redundancy and details of progress in their implementation.

Policy Framework and Policy Decisions

2. At its meeting on 11 February 2010 the Committee approved a new Organisational Change Policy and Procedure (replacing the 'Policy in the Event of Redeployment and Redundancy') together with revised arrangements through which the Committee would exercise its oversight of the implementation of that procedure. In accordance with that decision, summaries of current Action Plans are attached to this report.

Background

3. Following the decisions made on 11 February 2010, the new arrangements also involve presenting a summary of any outstanding comments/concerns raised by members of the Committee.
4. There are no outstanding comments/concerns on this occasion.
5. Members are asked to indicate where they wish a representative of the department concerned to be present to answer any questions in relation to any particular Action Plan, if they have not already done so.

Recommendations

6. That the update provided on the current Action Plans which contain provision for compulsory redundancy, and details of progress in their implementation, be noted.

Background papers

7. None

Circulation under Local Issues Alert Procedure

8. None.

Equalities and Human Rights Implications/Other Impact Assessments

9. The Organisational Change Policy and Procedure is designed to ensure that changes which impact on employees are implemented in a fair and non-discriminatory manner.

List of Appendices

Appendix 1 – Summary of Current Action Plans - Implementation Completed.

Appendix 2 – Summary of Current Action Plans - Implementation Underway.

Officers to Contact

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EMPLOYMENT COMMITTEE – 3 FEBRUARY 2022

SUMMARY OF CURRENT ACTION PLANS - IMPLEMENTATION COMPLETED

Action Plan	Date Approved	Outcome
Eastern Shires Purchasing Organisation - Action Plan for Sales and Marketing Departments	21/05/2021	2 compulsory redundancies
Corporate Resources - Sys Admin Team	15/10/2021	1 compulsory redundancy

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EMPLOYMENT COMMITTEE – 3 FEBRUARY 2022
SUMMARY OF CURRENT ACTION PLANS - IMPLEMENTATION UNDERWAY

Action Plan	Date Approved	Current Position	Next Steps	Max Compulsory Redundancies
Corporate Resources - Head of Service LTS and Country Parks	01/12/2021	Live. Consultation closed on 07/01/2022.	Selection interviews are taking place on 14/01/2022 and there will as a result be one compulsory redundancy for the unsuccessful candidate.	1 redundancy

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