

Meeting: **Employment Committee**

Date/Time: **Thursday, 2 February 2023 at 10.00 am**

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

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

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Membership

Mr. L. Breckon JP CC (Chairman)

Mr. P. Bedford CC Mr. B. Harrison-Rushton CC
Mrs. L. Broadley CC Mr. D. Harrison 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 17 November 2022.	(Pages 3 - 8)
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. Chief Executive's Pay Award.	Director of (Pages 9 - 10)



		Corporate Resources	
8.	Gender Pay Gap.	Director of Corporate Resources	(Pages 11 - 18)
9.	Attendance Management.	Director of Corporate Resources	(Pages 19 - 24)
10.	Armed Forces Act 2021.	Chief Executive	(Pages 25 - 32)
11.	Organisational Change Policy and Procedure: Action Plans.	Chief Executive	(Pages 33 - 38)
12.	Any other items which the Chairman has decided to take as urgent.		
13.	Date of Next Meeting.		

The next meeting of the Committee is scheduled to be held on 25 May 2023 at 10:00am.



Minutes of a meeting of the Employment Committee held at County Hall, Glenfield on Thursday, 17 November 2022.

PRESENT

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

Mrs. L. Broadley CC
Mr. B. Champion CC
Mr. B. Harrison-Rushton CC

Mr. D. Harrison CC
Mrs. R. Page CC
Mr. R. J. Shepherd CC

13. Minutes of the meeting held on 26 May 2022.

The minutes of the meeting held on 26 May 2022 were taken as read, confirmed and signed.

14. Question Time.

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

15. Questions asked by members under Standing Order 7(3) and 7(5).

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

16. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

There were no urgent items for consideration.

17. Declarations of interest in respect of items on the agenda.

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.

18. Pay Policy Statement.

The Committee considered a report to seek approval for the submission of the Council's Pay Policy Statement for 2023/24 to the County Council for approval in December 2022. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

Members noted that Appendix B to the Pay Policy Statement had been amended following the implementation of the 2022/23 National Joint Council pay award and that Appendix A would be amended to reflect changes to senior officer pay following the pay

award from the Joint Negotiating Committee, before submission of the report to the County Council in December 2022.

RESOLVED:

That the Pay Policy Statement 2023/24 be approved for submission to the County Council for approval at its meeting on 1 December 2022.

19. Pay Awards 2022/23.

The Committee considered a report of the Director of Corporate Resources to seek approval for the implementation of the 2022/23 Pay Awards for staff on National Joint Council (NJC) terms and conditions for Chief Officers. A copy of the report marked 'Agenda Item 8', is filed with these minutes.

RESOLVED:

That the implementation of the 2022/23 pay awards for NJC staff and Chief Officers be approved, and the position in relation to the pay award for Chief Executives be noted.

20. Settlement Agreements.

The Committee considered a report of the Director of Corporate Resources which provided an overview of the approval process for Settlement Agreements required by the introduction of statutory guidance in May 2022 on the making and disclosure of Special Severance Payments by local authorities. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

In response to concern regarding the issuing of significant settlement agreements, the Director explained that the Council had not made any such large payments. He assured Members that such cases would seek guidance from the Human Resources Team, the County Council's Legal Services and the Director, and that the decision would follow the approval process outlined in the report. Members noted that the majority of settlement agreements had been issued in cases where an employee had been paid in lieu of serving a notice period. However, some settlement agreements in addition to this had been offered, where there had been a specific risk to the Council. Officers agreed to report to the Employment Committee on future cases where settlement agreements had been made.

RESOLVED:

That the overview provided on the development of an approval process for Settlement Agreements as required by the statutory guidance issued in May 2022 on the making and disclosure of Special Severance Payments by local authorities be noted.

21. Attendance Management.

The Committee considered a report of the Director of Corporate Resources which provided an update on the Council's overall position on sickness absence, as at the end of June 2022 and the subsequent verbal update, as at the end of September 2022, provided during the meeting. A copy of the report, marked 'Agenda Item 10', is filed with these minutes.

In introducing the report, the Director presented absence data for the period July to September 2022 (quarter 2). Members noted that overall sickness across the Council had slightly decreased in quarter 2 although it had slightly increased in the Adults and Communities and Public Health Departments. An overall reduction in absence had been thought to be a result of a focus on first line prevention and increased support available to staff. The Director explained that the increase experienced in Adults and Communities could be due to structural changes in the Department and that the 12-month full time equivalent (FTE) figure would appear low until data for the new structure had been reported on for 12 months.

Arising from discussions, the following points were raised:

- i. Stress, depression and mental health was the main reason for staff absence. Managers would often be aware that an employee had been experiencing difficulties before an official diagnosis was received from a GP and would offer support and guidance through a range of tools available to them, to support the employee and mitigate the need for absence from work where possible. Stress, depression and mental health was often reported together on a sickness note by the GP and individuals often found it difficult to distinguish between stress, depression and mental health themselves. The Director explained that discussions had taken place to understand whether the illnesses could be classified separately, and whether the cause was work-related or home-related issues, although it was recognised that this would be challenging to do.
- ii. Managers were aware that some staff may have worked at home through minor illness, where they chose to do so. However, the Director assured members that the Council never encouraged employees to continue working where they were seriously unwell. Managers supported employees to work flexibly where that had been deemed to be the most appropriate course of action.
- iii. Regarding the Council's recruitment and retention strategy, the Director explained that the Council had promoted the benefits of working for the organisation, such as a positive culture, good learning and development opportunities and a good standard of management support. Members noted that Market Premia had been applied to some roles where necessary, but in a balanced way so as to protect future financial commitments. It was acknowledged that some employees would leave the Council to accept higher paying opportunities or to consider agency work. The Director advised members that each department would have its own strategy on recruitment and retention.
- iv. The 2022/23 pay award had awarded a flat rate to all employees although it was acknowledged that a percentage increase would usually be applied which would result in larger increases for some staff. The Council continued to pay consideration to staff on lower salaries and issues such as the increasing cost of living, inflation and higher salaries in other organisations locally, particularly in the private sector, would need to be considered when negotiating future pay awards.
- v. Members' concern that some staff may have experienced stress, depression and mental health as a result of feeling isolated whilst working at home, was addressed by the Director who explained that there had been no evidence in the sickness absence monitoring to suggest that this was the case. Managers had been strongly encouraged to monitor and manage this carefully. The Council's Ways of Working programme aimed to provide a hybrid working pattern for

employees and managers provided support and flexibility to enable employees to work in the workplace and at home, to suit the needs of the organisation and also their own preference.

Members noted that the Council was aware that a number of employees were struggling with the increase in the cost of living and the potential impact on their wellbeing. The Director explained that advice and guidance was available through the Council's intranet, on warm homes, claiming weekly payments for travel expenses and signposting to credit unions and mental health support. Assurance was given that employees would be offered support and guidance for mental wellbeing.

Following a request from members, it was agreed that the report on attendance management presented at the next Employment Committee would include a comparison with sickness absence data from other organisations. It was explained that it would be challenging to provide such a comparison with the private sector due to differences in structure and variations in sickness absence policy. The Director explained that the sickness absence had been comparable to that reported by other upper tier authorities. The Council offered a supportive sickness absence policy but would work to minimise the risk of it being exploited.

RESOLVED:

- a) That the update provided on the Council's overall position on sickness absence within this report as at the end of June 2022, and the verbal update to the end of September provided during the meeting, be noted.
- b) That the Attendance Management report presented to the next Committee meeting would include a comparison to similar organisations.

22. Corporate Ways of Working.

The Committee considered a report of the Director of Corporate Resources which provided an update on the Council's Ways of Working programme and shared the recommendations from the Scrutiny Task and Finish Group which met in December 2021. A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

In presenting the report, the Director explained that there had been a great deal of success with implementing the Ways of Working Programme, with leases agreed with external tenants for space at County Hall which was not being used. He added that the leasing of such space was being handled in a measured way while the Council's internal structures were settling but there were significant opportunities to increase rental income. A pilot office model project had been running in County Hall room 700 for some time and feedback had been received from staff involved. The feedback would be used for future development with a key focus on developing a positive and flexible working culture and to ensure managers had the resources to effectively manage a hybrid team. A considerable amount of organisational development support was in place in order to support teams in generating the right culture for the new ways of working to be successful and to fully exploit the benefits that were set out in the organisational business case. Moving forward, productivity and efficiency would be the main focus across the organisation, in light of the future MTFs reductions predicted and managers would be using their skills to manage performance regardless of where people worked.

In response to concerns expressed by the Committee, the Director explained that:

- i. Staff would not be pressured to work from home as it was recognised that this could lead to isolation. The majority of staff across the Council who were previously completely office based had been included in the transition to flexible working and there were no staff members working permanently at home. Each service had developed a bespoke Ways of Working Action Plan to bring about the benefits of flexible working for staff, service delivery to customers, the organisation and productivity. There would be a focus on collaborative working, effective management of productivity and sufficient social interaction within teams rather than focussing on staff being based in the office for a specific number of days. The Director explained that managers understood that some staff may feel isolated and would hold regular reviews with their staff to discuss the best working environment for them and to offer support, ensuring that they were engaged, productive and included. He added that, the offer of flexible working would form a key part of the recruitment and retention strategy, to mirror the offer from the Council's competitors as this was now an expectation from potential applicants.
- ii. The safety of staff working from home was paramount. All staff were required to complete an online DSE assessment for their home environment and managers received results of the assessment. Managers were holding conversations with staff around their general wellbeing, working location, conditions and provision of the correct equipment for carrying out their role. Members noted that there would be difficulty in the Council eliminating all hazards around the employee's home environment which did not relate to their work-based activity.
- iii. Managers would use a range of methods to monitor performance and productivity effectively, as well as supporting the wellbeing of their staff, such as regular one to one meetings, wellbeing conversations, customer feedback and tracking key deliverables. Staff performance would be easier to measure in areas where activities would be tracked through numerical targets, such as the Customer Service Centre, rather than in teams where, for example, project working would be more common. A Performance Compendium had been produced which indicated that productivity had been high across the Council.

Arising from discussions, the following points were made:

- i. There had been a reported increase in employees working at County Hall, particularly in requests for meeting rooms, which demonstrated that teams had been working collaboratively and some had been meeting in person. It was predicted that a consequence of the current increase in heating costs maybe that people choose to work in the office; there would be capacity to support this, although it would need to be managed within teams.
- ii. The quality of service to the Council's customers remained paramount and would always be a key consideration when designing and delivering services to ensure they were delivered in the most effective and efficient way. Feedback from customers was regularly collected and was built into future service planning.

RESOLVED:

That the report and the progress made towards the Council's Ways of Working programme be noted.

23. Health, Safety and Wellbeing Annual Report 2021-22.

The Committee considered a report of the Director of Corporate Resources which presented the Annual Health, Safety and Wellbeing Report for 2021-22, detailed the Council's overall position on health, safety and wellbeing, and provided an update on the performance of the Health, Safety and Wellbeing Service. A copy of the report, marked 'Agenda Item 12', is filed with these minutes.

Following questions, it was explained that a violent incident would be a RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) reportable incident and was defined as an incident which had caused concern such as a bite or pushing from a child to a teacher or a physical assault to a Council employee.

RESOLVED:

- a) That the Health, Safety and Wellbeing Annual Report 2021-22 be noted.
- b) That the work undertaken in partnership with departments by the Health, Safety and Wellbeing Service to keep the Council compliant in this area be acknowledged.

24. 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 13' 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.

25. Date of Future Meetings.

RESOLVED:

That future meetings of the Committee would be scheduled to be held at 10:00am on the following dates:

2 February 2023
 25 May 2023
 28 September 2023
 7 December 2023



EMPLOYMENT COMMITTEE – 2 FEBRUARY 2023

CHIEF EXECUTIVES' PAY AWARD 2022/23

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of the Report

1. The purpose of this report is to seek approval from the Employment Committee for the implementation of the 2022/23 Pay Award for Chief Executives.

Policy Framework and Previous Decisions

2. This report relates to the report to Employment Committee on 17 November 2022 which advised on the implementation of the National Joint Council for Local Government Employees (NJC) and Joint Negotiating Committee (JNC) for Chief Officers Pay Awards.

Background

3. At the time of the Employment Committee on 17 November 2022, agreement had not been reached between the Association of Local Government Chief Executives (ALACE) and the National Employers on the Chief Executives' Pay Award. Agreement was reached in December 2022. In order to implement this, it is necessary to seek approval from the Employment Committee. Approval in principle was sought from the Committee Chairman and Spokespersons to enable payment of the award alongside the NJC and JNC awards in December 2022.

Chief Executives Pay Award

4. The Chief Executives' Pay Award has been agreed as follows:

The individual basic salaries of all officers within scope of the Joint National Council for Chief Executives of Local Authorities should be increased by £1,925 with effect from 1 April 2022.

5. This pay agreement covers the period 1 April 2022 to 31 March 2023.
6. The amount is in line with the agreements reached for NJC and JNC officers.

Consultation

7. Local Trade Union representatives have been advised of the award and its implementation.

Resource Implications

8. The cumulative cost to the pay bill for all three pay awards in 2022/23 totals £4.5m and the estimate of the impact is around £11.5m, an increase of c£7m. from the provision made in the budget for 2022/23.

Recommendations

9. It is recommended that the Employment Committee approves the implementation of the 2022/23 pay award for Chief Executives.

Background Papers

10. Pay Awards 2022/23 – Employment Committee, 17 November 2023:
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=212&MIId=7111&Ver=4>

Circulation under the Local Issues Alert Procedure

11. None.

Equality Implications

12. There are no equality implications arising from the recommendations within this report.

Human Rights Implications

13. There are no human rights implications arising from the recommendations within this report.

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EMPLOYMENT COMMITTEE – 2 FEBRUARY 2023

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 2022, and a 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 there are differences in pay between their male and female employees.
3. Employers are required to publish their data by 30 March 2023.

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 their Gender Pay Gap.
5. The following figures must be reported annually on the Council's website and published by central 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
 - 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 their 31 March 2022 results by 30 March 2023 to meet legislative requirements.

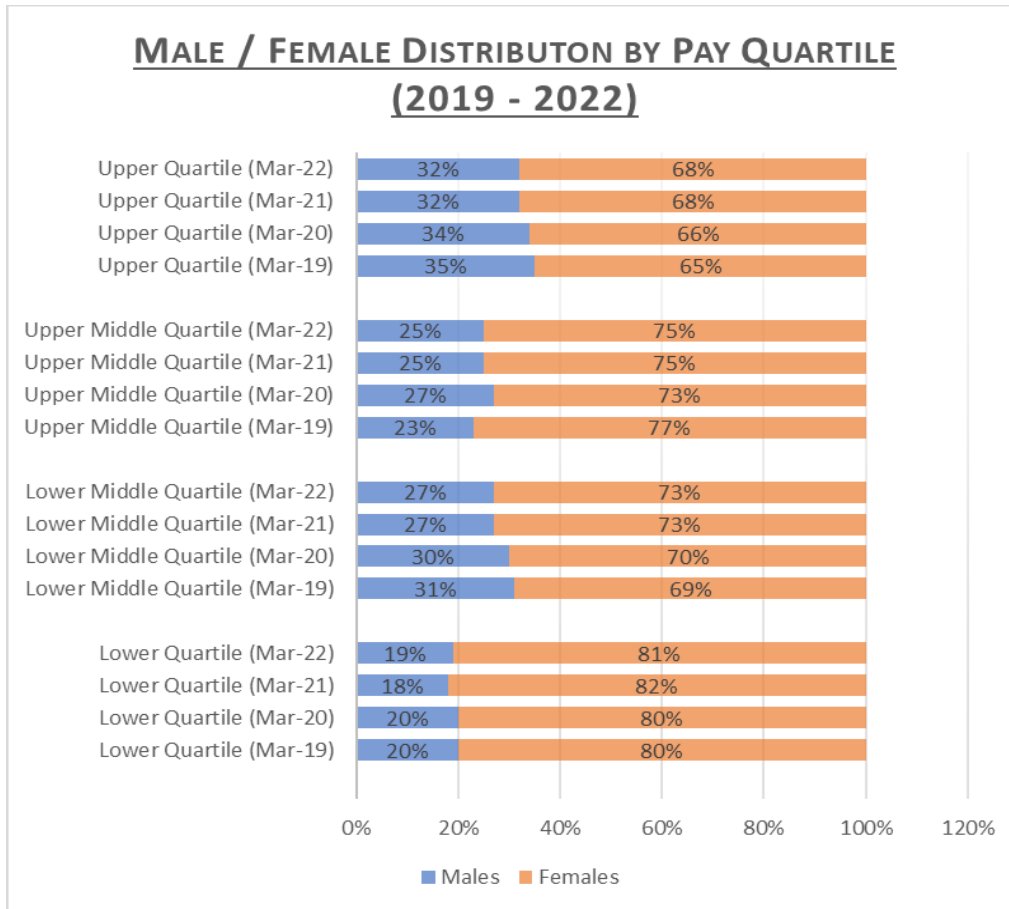
Results comparison: March 2019 - March 2022

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 2019:** Females mean hourly rate is **12%** lower than males,
 - ii. **March 2020:** Females mean hourly rate is **10%** lower than males
 - iii. **March 2021:** Females mean hourly rate is **10%** lower than males
 - iv. **March 2022:** Females mean hourly rate is **11%** lower than males
 - b. **Median Gender Pay Gap**
 - i. **March 2019:** Females median hourly rate is **7%** lower than males.
 - ii. **March 2020:** Females median hourly rate is **4%** lower than males
 - iii. **March 2021:** Females median hourly rate is **6%** lower than males
 - iv. **March 2022:** Females median hourly rate is **8%** lower than males
 - c. **Mean bonus Gender Pay Gap** - Leicestershire County Council does not operate any bonus schemes. However, to meet the Gender Pay Gap reporting requirements, any one-off payments, for example golden hellos or retention payments, that were paid during the snapshot pay period are treated as bonus payments for the purpose of reporting. In March 2022, a retention payment was made to employees in the Reablement Service, following funding from the Government, in respect of the Covid-19 pandemic. The bonus pay gap is reported below.

- d. **Mean bonus Gender Pay Gap** 0.1% in favour of females
- e. **Median bonus Gender Pay Gap** – 81% in favour of females
- f. **Proportion of males and females receiving a bonus payment** –7.6% female 7.3% male.
- g. **Proportion of males and females in each pay quartile** – see the results in Table 1 below. As at 31 March 2022, there were 74% females and 26% males employed across the council which indicates a 1% decrease in males employed since 31 March 2021.
8. The Council's workforce is predominantly female, with a large number of females undertaking job roles up to and including grade 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 2021 to 2022 there has been a slight change in the percentage of females in the lower quartile, however the raw data shows that in fact the number of females in the lower quartile increased which would account for the mean and median pay gap results.

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

	Males				Females			
	2019	2020	2021	2022	2019	2020	2021	2022
Lower quartile (up to Grade 6)	20%	20%	18%	19%	80%	80%	82%	81%
Lower middle quartile (Grade 6 to Grade 8)	31%	30%	27%	27%	69%	70%	73%	73%
Upper middle quartile (Grade 8 to Grade 10)	23%	27%	25%	25%	77%	73%	75%	75%
Upper quartile (Grade 10 onwards)	35%	34%	32%	32%	65%	66%	68%	68%

Figure 1 - Graphical representation of Table 1

10. Representation across the three other quartiles remained static compared with 2021 data.
11. By comparison, Lincolnshire County Council reported a median pay gap of 2.6% and a mean of 5%. Newcastle City Council reported a median of 0.5% and a mean of 2.5 %.

Supporting Women within the Workforce.

12. There are a number of examples of where the Council clearly demonstrates its commitment to promoting the representation at all levels in the workforce. There are specific programmes in place to promote female representation in senior roles. Examples include the SpringBoard and SpringForward management training programmes, which actively celebrate female managers as role models. International Women's Day is also celebrated by the Council annually in March.
13. Currently, there are 25 participants in the SpringBoard programme and all of these are female. The next SpringForward programme starts in February 2023 and there are currently 13 registered – 12 are female and one is male.

14. There are 73 attendees on the Corporate Aspiring Manager Programme – 61 are female and 12 are male. The Developing Effective Leaders Programme in Children and Family Services had 102 attendees, 88 are female and 14 are male. In Environment and Transport, two supervisory development programmes have been piloted, a total of 14 employees participated - 12 are male and two are female.
15. Leicestershire County Council was awarded the Menopause Friendly Accreditation in December 2022. Menopause Friendly accreditation is a recognised standard of achievement, one which means that the Council satisfied a highly qualified independent panel of judges that the organisation has a clear understanding of how menopause can have an effect at work, that we are working towards long-term, sustainable change in the workplace and are fostering an inclusive culture where everyone can be at their best.
16. Furthermore, in September 2022, Leicestershire County Council received two awards at the inaugural Menopause Friendly Employer Awards. The awards were Best Training Initiative, an award which recognises the organisation which has launched the best early-stage training initiative to begin the process of transforming their culture into a receptive workplace for conversations around menopause. In addition, Mandy Baughurst, Learning and Development Adviser, won the Community Award for the individual who had provided the greatest support, either for others around them or by taking the lead to make their own organisation menopause friendly.

Recommendations

17. The Committee is asked to note the content of the report and support publication of Gender Pay Gap by 30 March 2023.

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/Viewing/search-results>
- 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

18. None.

Equality Implications

19. 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 equality implications arising from the recommendations in this report.

Human Rights Implications

20. There are no human rights implications arising from the recommendations in this report.

List of Appendices

Appendix 1 - Glossary of key terms.

Appendix 2 - Comparative Data 2022

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 2022 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 2022 (rounded to nearest whole figure)

	Leicestershire County Council <small>(over 5K employees)</small>	Lincolnshire County Council <small>(over 5K employees)</small>	Newcastle City Council <small>(over 5K employees)</small>
Mean	10% lower than Males	5% lower than Males	0.5% lower than Males
Median	6% lower than Males	2.6% lower than Males	2.5% lower than Males
Lower quartile	19% Male 81% Female	27% Male 73% Female	32% Male 68% Female
Lower middle quartile	27% Male 73% Female	28% Male 72% Female	50% Male 50% Female
Higher middle quartile	25% Male 75% Female	44% Male 56% Female	50% Male 50% Female
Upper quartile	32% Male 68% Female	33% Male 67% Female	40% Male 60% Female



EMPLOYMENT COMMITTEE – 2 FEBRUARY 2023

ATTENDANCE MANAGEMENT

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose

1. The purpose of this report is to update the Employment Committee on the Council's overall position on sickness absence, as at the end of September 2022 (Quarter 2, 2022/23).

Policy Framework and Previous Decisions

2. The Attendance Management Policy supports this report. No changes to this policy are proposed.

Background

3. On 17 November 2022, the Committee considered the Council's absence position as at the end of June 2022 (Quarter 1 2022/23).

Sickness absence – current position

4. The table below details the end of year sickness absence levels of the previous six years, and Quarter 2 2022/23.

	16/17	17/18	18/19	19/20	20/21	21/22	22/23 Q1 Jun 22	22/23 Q2 Sept 22	Total FTE days lost 01/10/21– 30/09/22	Total cost of absence 01/10/21 – 31/09/22
Chief Executive's	6.03	6.38	7.60	5.38	4.41	3.13	3.76	3.66	930.91	£133k
Environment & Transport	9.68	10.09	9.16	8.88	7.04	8.34	9.73	9.70	8015.02	£765k
Children & Family Services	10.05	10.25	10.55	11.12	7.94	10.44	11.23	10.77	12,332.01	£1,619k
Corporate Resources	7.94	8.12	7.39	9.39	5.54	9.92	9.74	9.66	12,257.40	£1127k
Adults & Communities	12.57	11.26	10.02	11.74	10.18	8.24	9.33	9.34	1149.62	£1,214k
Public Health	7.43	6.49	8.57	7.12	5.08	5.65	6.19	7.20	12,332.01	£121k
LCC total	10.01	9.73	9.18	10.08	7.51	8.87	9.55	9.45	45,471.43	£4,979k
ESPO	9.75	11.70	9.55	7.20	6.80	8.64	9.36	9.88	3,002.89	£266k

EMSS	9.27	7.42	7.54	9.69	9.26	9.10	8.31	7.94	1,079.09	£105k
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6. At the end of quarter Q 2022/23 the Chief Executive's and Public Health departments are below the corporate target of 7.5 days per FTE.
7. The County Council overall total is at 9.45 FTE days lost.
8. Attendance management activity is still required across departments to achieve and maintain the corporate target of 7.5 days per FTE.

Reasons for sickness absence

9. Displayed in order of highest percentage of time lost, the table below details the top ten reasons for absence, plus the 'not disclosed' category.

Percentage of FTE days lost 12 months cumulative	2020/21 Mar 2021 Q4	2021/22 Jun 2021 Q1	2021/22 Sept 2021 Q2	2021/22 Dec 2021 Q3	2021/22 Mar 2022 Q4	2022/23 Jun 2022 Q1	2022/23 Sept 2022 Q2
Stress/depression, mental health	30.4%	27.6%	30.1%	30.3%	28.4%	26.7%	27.3%
Covid-19	11.5%	9.7%	9.0%	11.4%	14.7%	16.8%	16.7%
Other musculo-skeletal	11.5%	11.7%	11.0%	9.2%	8.8%	8.5%	8.5%
Gastro-stomach, digestion	4.8%	5.9%	5.6%	5.5%	6.1%	5.8%	5.9%
Cough/cold/flu	3.0%	4.7%	4.0%	5.0%	5.0%	4.9%	4.8%
Neurological	5.2%	5.4%	6.4%	5.1%	4.6%	4.2%	4.2%
Cancer	8.5%	3.4%	4.8%	4.8%	4.7%	4.2%	4.1%
Eye, ear, nose & mouth/dental & throat	3.5%	2.9%	3.0%	3.8%	4.3%	4.0%	4.0%
Back and neck	5.1%	4.6%	4.4%	4.2%	4.1%	3.9%	3.9%
Viral infection, not cough/cold/flu	4.3%	5.2%	3.5%	2.9%	2.2%	2.4%	2.4%
<i>Not disclosed</i>	2.8%	6.5%	6.0%	5.8%	5.7%	6.8%	6.2%

10. Stress/depression/mental health has continued to be the highest reason for lost time due to sickness.

Comparator position

11. As requested by the Employment Committee on 17 November 2022, the following table provides details of the sickness absence position within comparator upper tier local authorities as of 31 March 2022.

Authority	Days lost per FTE	Top 3 reasons for time lost due to sickness absence (starting from greatest)
Kent	7.39	Mental health Musculo-skeletal Covid 19
Somerset	7.97	Anxiety stress psy Other causes Covid 29
South Yorkshire	8.35	Stress, depression, anxiety related Other Musculo-skeletal problems Infections
Warwickshire	8.61	Stress and mental health Musculoskeletal Coronavirus
Lincolnshire	8.74	Pandemic diagnosed Cold/flu symptoms Stomach/liver/kidney/digestion& gastro
Walsall	8.78	Stress, depression, mental health Musculo-skeletal Coronavirus
Central Bedfordshire	8.8	Anxiety/Stress/depression/MH Covid 19 Injury, fracture
Buckinghamshire	9.27	Covid 19 Other Musculo-skeletal Stress
Leicestershire	9.91	Stress/mental health/depression Covid related Musculo skeletal
Devon	11.98	Covid 19 Cough/cold/flu Gastrointestinal/stomach
Cumbria	15.3	Covid 19 Stress non-work related Mental health (excludes stress)

Long and Short-term absence split

12. The table below details the number of FTE days lost due to absence and the percentage split of FTE days lost as at the end of September 2022.

2022/23 as at end of Sept 2022
12 months cumulative

2022/23 as at end of Sept 2022						
12 months cumulative						
Department	Long term			Short term		
	FTE days lost	% FTE days lost	Individual occurrences	FTE days lost	% FTE days lost	Individual occurrences
Chief Executive's	508.65	54.64%	40	422.26	45.36%	144
Environment and Transport	4,378.13	54.62%	169	3,636.89	45.38%	999
Children and Family Services	8,099.36	65.68%	152	4,232.65	34.32%	976
Corporate Resources	7,351.35	59.97%	323	4,906.05	40.03%	1713
Adults and Communities	6,471.16	60.27%	754	4,265.32	39.73%	982
Public Health	725.66	60.49%	20	473.95	39.51%	117

Note: Long term is categorised as over four weeks of continuous absence.

Service level data

13. The table below provides details of the days lost per FTE at the end of the last six years and at the end of September (Quarter 2 2022/23) for service areas, by department.

Department	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2022/23
Days per FTE	Year end	Year end	Year end	Year end	Year end	Q1	Q2
12 months cumulative	(Mar 18)	(Mar 19)	(Mar 20)	(Mar 21)	(Mar 22)	(Jun 22)	(Sept 22)
Chief Executive's	6.38	7.6	5.38	4.41	3.13	3.76	3.66
Planning and Historic and Natural Environment	4.04	14.92	9.57	0.79	0.71	1.01	1.47
Regulatory Services	4.87	6.2	7.24	6.30	6.74	9.00	8.88
Strategy and Business Intelligence	8.04	6.93	4.26	3.86	1.87	1.73	1.41
Democratic Services	8.91	14.81	6.70	1.07	2.67	2.69	2.45
Legal Services	4.02	5.48	3.63	5.82	3.05	3.83	3.83
Environment and Transport	10.09	9.16	8.88	7.04	8.34	9.73	9.70

Department	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2022/23
Days per FTE	Year end	Year end	Year end	Year end	Year end	Q1	Q2
12 months cumulative	(Mar 18)	(Mar 19)	(Mar 20)	(Mar 21)	(Mar 22)	(Jun 22)	(Sept 22)
Highways and Transport	10.62	8.96	9.30	3.99	9.40	12.21	12.02
Environment and Waste Management	7.98	10.07	12.65	7.68	7.54	6.70	6.76
Children and Family Services	10.25	10.55	11.12	7.95	10.44	11.23	10.77
Education and SEND	9.28	8.42	11.55	7.57	12.24	11.47	9.85
Children's Social Care & Targeted Early Help	11.62	14.18	10.54	9.15	10.11	12.02	11.70
Corporate Resources	8.12	7.41	9.39	5.45	9.92	9.74	9.66
Finance, Strategic Property & Commissioning	4.25	6.63	9.67	2.88	3.99	4.19	3.96
Corporate Services	5.88	4.18	4.84	4.07	7.83	5.96	5.22
IT, Comms & Digital, Commercial and Customer Services	10.04	8.91	11.14	6.77	11.69	12.02	12.15
Adults and Communities	11.26	10.02	11.74	10.18	8.24	9.33	9.34
East care pathway	11.06	9.51	11.32	9.59	9.68	n/a	n/a
West care pathway	13.16	12.01	12.84	9.45	11.36	n/a	n/a
Operational commissioning	n/a	n/a	n/a	n/a	n/a	1.13*	4.90
Integration, access & prevention	n/a	n/a	n/a	n/a	n/a	2.05*	4.87
Commissioning and Quality	8.01	8.02	7.46	4.66	11.90	20.48	18.02
Promoting Independence	15.11	13.26	11.88	11.91	6.11	6.77	5.28
Personal Care and Support	11.99	13.86	18.10	21.15	7.07	7.15	7.86
Communities and Wellbeing	7.98	6.97	8.73	4.65	5.38	5.38	5.70

Department	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2022/23
Days per FTE	Year end	Year end	Year end	Year end	Year end	Q1	Q2
12 months cumulative	(Mar 18)	(Mar 19)	(Mar 20)	(Mar 21)	(Mar 22)	(Jun 22)	(Sept 22)
Public Health	6.49	8.57	7.12	5.80	5.65	6.19	7.12

*Due to changes in the Oracle team structure following structural changes in A&C the 12-month FTE figure will appear low until the new structure has been reported on for 12 months.

Recommendations

14. The Committee is asked to note the update provided on the Council's overall position on sickness absence as at the end of September 2022.

Background papers

15. Report to the Employment Committee, 17 November 2022 – Attendance Management:
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=212&MId=7111&Ver=4>

Circulation under the Local Issues Alert Procedure

16. None.

Equality Implications

17. There are no equality implications arising from the recommendations in this report.

Human Rights Implications

18. There are no human rights implications arising directly from the recommendations within this report.

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EMPLOYMENT COMMITTEE – 2 FEBRUARY 2023

ARMED FORCES ACT 2021

REPORT OF THE CHIEF EXECUTIVE

Purpose of the Report

1. To provide the Employment Committee with an update on progress made towards addressing the implications of the new Armed Forces Act 2021 (the Act).

Policy Framework and Previous Decisions

2. The Reserve Forces Policy was reviewed in July 2021 and is compliant with the Act, therefore no amendment is needed at this time.
3. On 26 May 2022, the Employment Committee noted the possible implications of the Act on the Council as an employer and service provider and noted progress towards meeting these obligations.

Background

4. The Act became law on 22 November 2022. A copy of the statutory guidance accompanying the new legislation can be found within the Ministry of Defence's (MoD) Statutory Guidance on the Armed Forces Covenant Duty Covering the United Kingdom.
5. The Council first signed the Armed Forces Covenant in 2013 and again in 2018 when it widened its commitment to being an armed forces friendly employer and service provider.
4. The wider Armed Forces Covenant (AFC) Programme continues at local, regional, and national levels with the Council aiming to maintain gold award status in the MoD Employee Recognition Scheme.
5. The Act is a piece of legislation that must be passed every five years to enable Parliament to approve the continued existence of the Armed Forces. In 2021, the Bill also included additional legislation specifically mentioning the Armed Forces Covenant.

6. The Armed Forces Covenant has three principles which are:
 - a. the unique obligations of, and sacrifices made by, the Armed Forces;
 - b. the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the Armed Forces; and,
 - c. the principle that special provision for service people may be justified by the effect on such people of membership, or former membership, of the Armed Forces.
7. The Council is under a duty to demonstrate “due regard” to these principles.
8. The Duty requires decisions about the development and delivery of certain services to be made with “conscious consideration” of the needs of the Armed Forces community. This needs to be demonstrable.
9. Services delivered by local authorities that are currently affected by the new law -healthcare, education and housing.
10. Whilst the Council does not have responsibility for all of the above services, it does have a requirement to be aware of the wider impact of legislation, and for consideration to be given to the inter-relationship between services and service providers. As it is unlikely that service personnel are familiar with the complexity of public sector provision of services, it is important that the Council is able to sign post and support service people at the point of contact.
11. The Act also specifically refers to enabling flexible working for Reserve personnel.
12. The Act gives the Secretary of State for Defence delegated powers to amend the primary legislation in order to add other public bodies and other functions in different areas. It is anticipated that these are likely to be related to social care for adults and children.
13. The Covenant pledge remains in addition to the Act and broadens the focus around being a Forces Family Friendly service provider and employer. Specific initiatives are in place to support this. These continue alongside the work programme to deliver to new legislation.

Progress

14. In September 2021, a task and finish group was established with relevant representatives from across the Authority, to oversee the work programme to implement the Act.

15. A baseline assessment in relation to the requirements was undertaken and formed into an implementation plan for each theme area. A copy of the plan can be found in the Appendix to this report. The actions have been RAG (Red, Amber, Green) rated with regards to progress made to date. Most are now green rated, but some are still amber rated as work continues in those areas. There are no red rated actions.
16. The responsibilities of the Council as an employer can be found in Section 4 of the Appendix.
17. The Covenant Officer continues to be part of regional and national groups working together to ensure consistency of implementation of the Act.

Resource Implications

18. The MOD assessed the Act as placing no additional resources upon the authority in its implementation, therefore no additional funding has been provided.

Timetable for Decisions

19. A report on implementation of the Act will be presented to the Cabinet on 10 February 2023.

Recommendations

20. It is recommended that the Committee notes:
 - a. the possible implications of the new Armed Forces Act 2021 on the Council as an employer and service provider; and,
 - b. the progress that has been made towards meeting this obligation.

Background Papers

21. Previous Paper from committee meeting on 22 May 2022:
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=212&MId=6794&Ver=4>
22. Statutory Guidance on the Armed Forces Covenant Duty Covering the United Kingdom:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1116148/Armed_Forces_Covenant_Duty_Statutory_Guidance.pdf
23. Armed Forces Covenant for Leicester and Leicestershire (2018):
<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/2/21/Signed-AF-Covenant-pledge-230618.pdf>

Circulation under the Local Issues Alert Procedure

24. A copy of this report will be circulated to all members of the County Council.

Equality Implications

25. The implications of the Act have been incorporated into the Council's Equality Assessment process. The expectation is that the Act and its duties will have a positive impact on the wider armed forces community. There are therefore no equality implications arising from the recommendations in this report

Human Rights Implications

26. There are no human rights implications arising from the recommendations in this report.

Appendix

Delivery Plan and Progress Report.

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Armed Forces Covenant Duty Delivery Plan February 2023

No	Action	Status
1. Healthcare		
1.1	Amend script to include questions on Armed Forces service through First Contact Plus and using AF appropriate signposting has been implemented to reflect Armed Forces status	
1.2	Work completed to collate an Armed Forces specific information and advice document for First Contact Plus for front line employees (Robust verbal information and advice offer)	
1.3	“Start a conversation” website has been developed supporting mental health (Homelessness and Armed Forces specific section). It can be accessed here	
1.4	Adult Social care system has been amended to enable a “flag” to be added to service users records to enable continuity of information. To be activated if required.	
1.5	Front line specific training for volunteers being investigated and developed following feedback	
1.6	First Contact Plus record every connection with armed forces within their CRM system. Work being done to enable reporting on these figures in the future.	
1.7	Work with partners in Health across LLR ongoing to ensure holistic and comprehensive support to veterans including single point of contact for the ICS	
2. Education		
<i>NB. The authority can advocate, advise, and guide for Armed Forces cohort but academies have responsibility for the application of legislation within their organisations.</i>		
2.1	Schools' admissions policy has been reviewed and is code compliant to meet national guidance. A copy can be found here <i>(to be inserted once live, currently awaiting Cabinet approval in due course)</i>	
2.2	New Schools admissions guidance will include specific section relating to Armed Forces. A copy can be found here <i>(to be inserted once live for next school admissions year)</i>	
2.3	Check maintained schools are compliant: <ul style="list-style-type: none"> • Can access training if required • Have relevant Info and Guidance 	
2.4	Check school transport link is in place for relevant students – map and test process	

3. Housing		
3.1	Signposting to borough districts is in place. (First Contact Plus) First contact will ask the question and be able to refer appropriately. First Contact Plus can be accessed here	
3.2	Start a conversation website has been developed supporting mental health (Homelessness and armed forces specific section). It can be accessed here	
3.3	Armed Forces Covenant officer maintains links with Borough and District colleagues through regular meeting around implementation of the Armed Forces Bill and wider Covenant	
4. Employer Responsibilities		
4.1	The leave arrangements policy for Reserve Forces has been updated and is compliant. A copy can be found here	
4.2	The possibility to record Reservist Status has been added into Oracle. Instructions on how to do this can be found here	
4.3	Online recruitment pages (Including LinkedIn and GlassDoor) and “information about working for LCC” webpages have been updated to show the Armed Forces Covenant Logo and info about being an Armed Forces friendly employer.	
4.4	Oracle update to enable employees to record forces family status in development and testing phase	
5. Strategic Support		
5.1	A training module giving basic information about the Armed Forces Covenant and new Duty is now available to employees and elected members. Access for Council volunteers is being explored. The training module can be accessed here Additional and more specific training also in development (Available 2023)	
5.2.1	Update paper to be presented to CMT (Corporate Management Team) on 8 th December	
5.2.2	Update paper to be presented to Cabinet on 10 th February 2023	
5.2.3	Update paper to be presented to Employment Committee on 2 nd February	
5.3	“Useful documents” area has been created for relevant officers in Sharepoint with relevant info pertaining to the Bill. Including guidance on the correct wording for asking the question, official guidance documents and clarifications around definitions used within the Bill. This is being developed into an intranet page <i>(to be inserted once live)</i>	
5.4	First Contact Plus is a holistic support offer giving signposting advice covering a range of low-level preventative services. This has been updated to cover the areas specified in the legislation. Services can refer internally to First Contact Plus	
5.5	Armed Forces Covenant Officer in place to support ad hoc queries from departments (Dedicated email to be used) Awaiting change of email name from	

	afnetwork@leics.gov.uk to af@leics.gov.uk	
5.6	Armed Forces added to EIA (Equality Impact Assessment) process form and Guidance notes as way to record due diligence. Approval received from Equalities Board – <i>(awaiting updates to system)</i>	
5.7	Report writing templates and decision making pro forma regarding centralised decision making to be updated	
5.8	Process to monitor any FOI or challenges under the Duty to be developed to enable tracking and learning from best practice	
5.9	Strategic group to meet quarterly for the next 12 months to continue to oversee and support implementation of the legislation. To be reviewed after this time.	
6. Comms		
6.1	Internal Comms around the new legislation has been posted on the intranet homepage and via yammer. Comms release can be accessed here	
6.2	Future comms is planned to disseminate further information as it comes online	
6.3	Members New in Brief planned – all member update	
6.1	Intranet page in development containing all relevant information for easy signposting This can be accessed here <i>(to be inserted once live)</i> To be linked to the Council's Armed Forces internet page. This can be accessed here	
6.5	Update on legislation planned through attending DMT's/SLT's. Last presented in Nov 2021 when legislation was proposed.	
6.6	Lead Member specific updates to be planned planned with named service area portfolio holders Mrs Posnett (Communities), Mrs Richardson (Public Health), and Mrs Taylor (Education)	
6.7	Armed Forces training on Learning & Development platform to be promoted on intranet, yammer, managers digest and new starters training.	

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EMPLOYMENT COMMITTEE – 2 FEBRUARY 2023**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 on 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 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 A – Summary of Current Action Plans - Implementation Completed.

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

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EMPLOYMENT COMMITTEE – 2 FEBRUARY 2023

SUMMARY OF CURRENT ACTION PLANS - IMPLEMENTATION COMPLETED

Action Plan	Date Approved	Actual Completion Date	Outcome Number of compulsory redundancies
Chief Executives - Planning, Natural Environment and Heritage	30/08/2022	31/12/2022	1

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EMPLOYMENT COMMITTEE – 2 FEBRUARY 2023
SUMMARY OF CURRENT ACTION PLANS - IMPLEMENTATION UNDERWAY

Action Plan	Date Approved	Current Position	Next Steps	Predicted Compulsory Redundancies
There are no action plans currently underway (at the 'Live' stage) that have the potential for compulsory redundancies.				

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