


<p style="text-align: center;">Non-Executive Report of the:</p> <p style="text-align: center;">Human Resources Committee</p> <p style="text-align: center;">18/09/2024</p>	
<p>Report of: Liz Haynes, Interim Director of Workforce, OD and Business Support Services</p>	<p>Classification: Unrestricted</p>
<p>Employee Relations Casework and Policy Quarterly Review</p>	

Originating Officer(s)	Gail Simpson, Acting Head of HR
Wards affected	None

Summary:

Add details

Recommendations:

The Human Resources Committee is recommended to:

1. The attached report is to update the HR Committee on the level and management of employee relations casework and policy within the Council, highlighting progress made. This report is for Quarter 1 (April – June 2024).
2. RECOMMENDATIONS:
 - 2.1. The HR Committee is recommended to:

Note the report.

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Employee Relations Quarterly Report on Casework and Policy Development

Quarter 1 2024/25 (1 April 2024 to 30 June 2024)



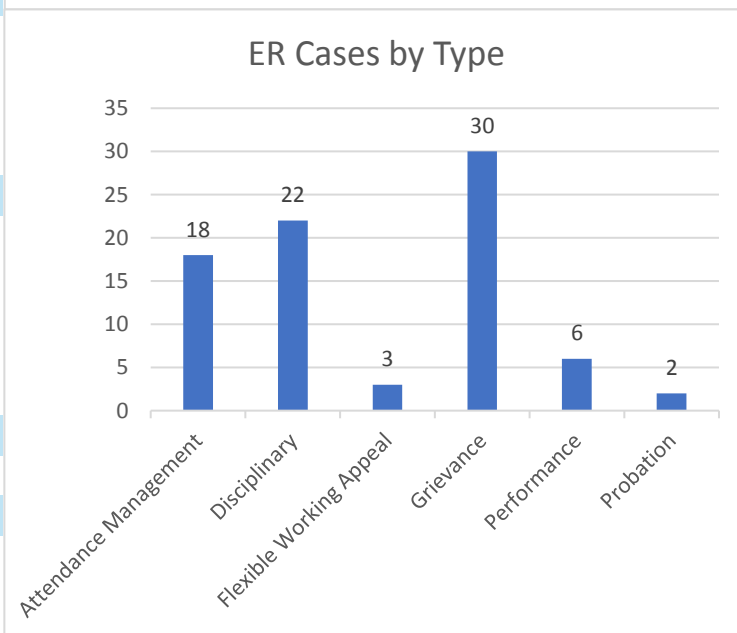
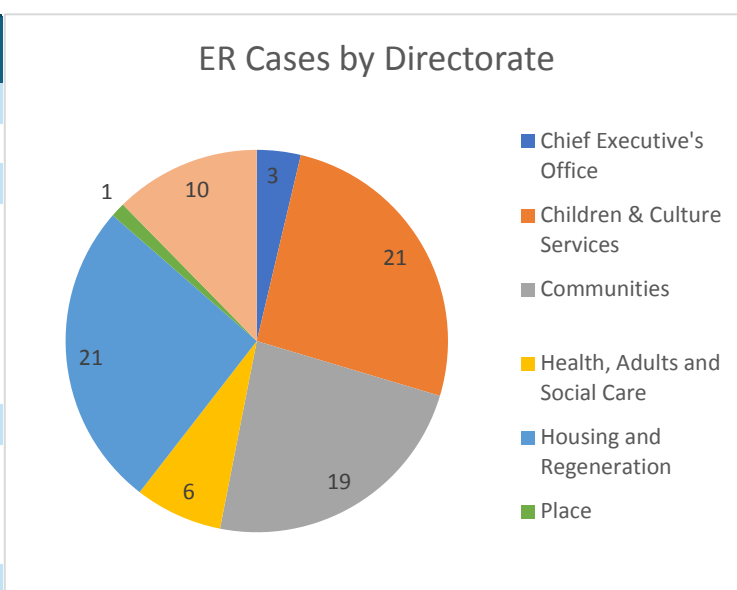
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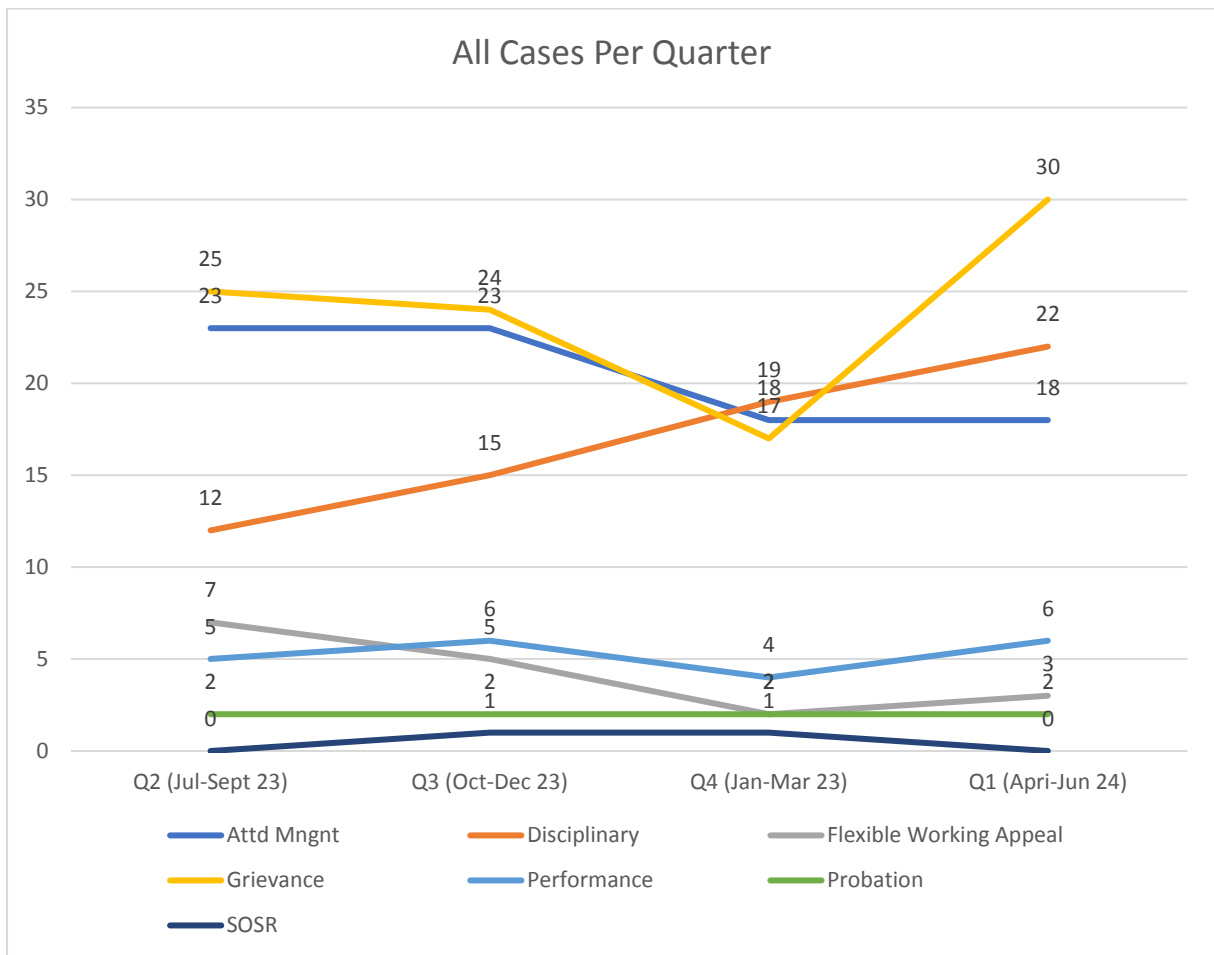
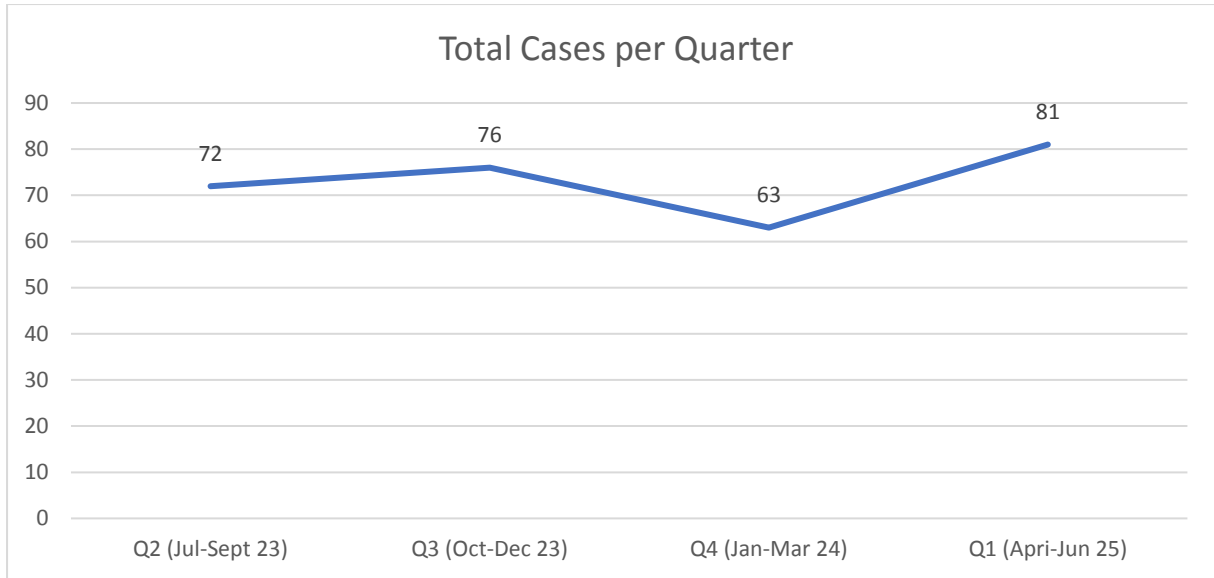
Employee Relations

1. Dashboard

Cases by Directorate	No of Cases
Chief Executive's Office	3
Grievance	3
Children & Culture Services	21
Attendance Management	8
Disciplinary	4
Flexible Working Appeal	3
Grievance	4
Performance	2
Communities	19
Attendance Management	4
Disciplinary	9
Grievance	6
Health, Adults and Social Care	6
Attendance Management	1
Disciplinary	1
Grievance	2
Performance	2
Housing and Regeneration	21
Attendance Management	5
Disciplinary	6
Grievance	7
Performance	2
Probation	1
Place	1
Grievance	1
Resources	10
Disciplinary	2
Grievance	7
Probation	1
Grand Total	81



Case Status	No Cases
Closed	24
Open	57
Grand Total	81



2. Summary

- 2.1 This report summarises the data relating to formal casework for the period of the first quarter of this financial year (1 April 2024 and 30 June 2024) and provides a regular policy development update. Of significance, numbers of formal cases are increasing, and the trade unions as well as senior management are concerned about the length of time taken to resolve cases, to this end CMT are asked to consider the recommendations in section 3.

3. Recommendations approved by CMT

- 3.1 Given the increase in the number of formal cases and the analysis of time taken to resolve formal cases, which is marred by the time taken to get commitment from investigators and their managers to undertake these, CMT were asked to support the release of staff they have trained to be investigators to commit to, prioritise and investigate cases swiftly. As this work is an organisational priority and there is considerable risk attached to a failure to address matters in a timely fashion, as recommended by ACAS. More detail of this issue is provided in 4.5 below. Part of this recommendation was for investigators to sign an agreement committing one to two investigations a year and that any refusal had to be agreed by the Corporate Directors.
- 3.2 CMT resolved to further support the release of staff to undertake and to bolster this decided that as part of their development in managing staff matters and our commitment to attending to cases quickly that all Heads of Service and above be trained to undertake this corporate responsibility. At the time of submitting this report arrangements are being made to implement this decision.

4. Analysis of Quarter 1 Casework Data (1 Apr 2024 to 30 Jun 2024)

- 4.1. There were 81 cases handled in total in this period (18 more than the total for quarter 4), which is a significant increase. At the end of the period 57 cases were open and 24 had been closed by 30 June 2024. One of the helpful interventions currently taking place which was set up by Julie Lorraine, the Corporate Director of Resources and Deputy Chief Executive, is the workshops for managers in people management, delivered by LOCD. The emphasis has been for managers to intervene more effectively in people management issues and resolve these at the earliest possible stage to avoid issues escalating to formal grievances.
- 4.2. Looking overall at cases by type, attendance management and grievances were the highest (30 grievances and 22 disciplinaries). We also had 18 attendance management, 6 performance, 3 flexible working and 2 probation cases. The attendance management cases account for the greatest increase since the last quarter, having doubled in number.
- 4.3. Of the 30 grievances (30 individual), 15 relate to concerns about other colleagues, 9 grievances relate to concerns about line managers, 4 relate to terms and conditions and 2 relate to verbal abuse/inappropriate behaviour. Of

the 30 grievances, 12 were opened before Q1 (1 April 2024) At the end of Q1, 21 grievances are open, and 9 grievances are closed.

- 4.4. Of the 22 disciplinaries, 14 were alleged gross misconduct cases and 8 were gross misconduct cases. 9 cases were in Communities, and the rest spread across other Directorates. 15 disciplinaries were still open at the end of the reporting period. 7 disciplinaries cases were closed. Of those 7 closed there were 3 cases upheld, 2 dismissals, 1 case part upheld and 1 case were not upheld.
- 4.5. 45% of the cases were closed within the target benchmark of 120 days to close a case from its receipt to a final outcome. 24 cases were closed in this period, and the average length of time to resolve the cases was 170 calendar days. The benchmark of 120 days was set as a reasonable and realistic timeframe for a council, where complex cases are the norm and thorough investigations undertaken by independent in-house investigators can be time consuming, however of significance, 55% of cases do not meet this benchmark and the ideal is to reduce this benchmark further. One factor which impacts on the resolution times for cases is the increasing lack of availability of trained investigators to undertake this duty in addition to their substantive posts. This may be because many have undertaken lengthy and time-consuming cases in the past and or current workloads have had to take a priority. Whatever the reason the result is that there has been a considerable lag between cases coming into HR and the investigations commencing. To illustrate this analysis of a sample of grievances undertaken in 2023/24 showed that it took on average 160 days from HR receiving cases to them being closed. The average time from HR receiving cases to when the investigations commences was 58.8 days, which is a considerable time lag for what should be an organisational priority. To address this a new cohort of investigating officers are being trained in July, with an emphasis on there being an expectation that when asked to commit to an investigation it is understood that this is an organisational priority by them and their managers (in the recommendations in 3.1 CMT are asked to support and enforce this commitment). Added to this, to assist in time taken to resolve cases, for all cases, unless those that are very straightforward, investigators are to work in pairs to attend to cases more swiftly.
- 4.6. A further barrier to resolving cases quickly is the lack of a support in notetaking. Investigators are expected to take notes and type up interview statements as part of their remit because there is no administrative support. The trade unions do not consent to the recording of interviews which places a barrier to this option. CMT are therefore also recommended consider committing administrative resources to this task in 3.1. If agreed, identified note-takers will be trained to support this specialist form of note taking.
- 4.7. Of the 81 cases, 7 cases lead to the suspension of staff and 1 to revised temporary duties. All suspensions were related to disciplinaries for gross misconduct. Of the 7 suspensions, 3 were in Communities, 3 in Housing and Regeneration and 1 was in Resources.

4.8. In addition to support for formal cases the HR team also deal with informal queries that come through the corporate in boxes and many cases are handled informally with the guidance of HR.

4.9. Equalities data is reported annually at the end of Quarter 4.

5. Policy Development

5.1. Changes to Paternity Leave: The policy and application form have been updated to reflect the changes regarding the 2 weeks of paid paternity leave and its leave option, and it can be accessed on the Bridge.

5.2. There have been changes to redundancy protections for pregnant employees or those returning to work from maternity or adoption leave. The Organisational Change policy and application form have been updated to reflect these changes and can be accessed on the Bridge.