



Employee Relations Annual Report on Casework and Policies 2022-23

2022/23 (1 April 2022 to 31 March 2023)

12/05/2023



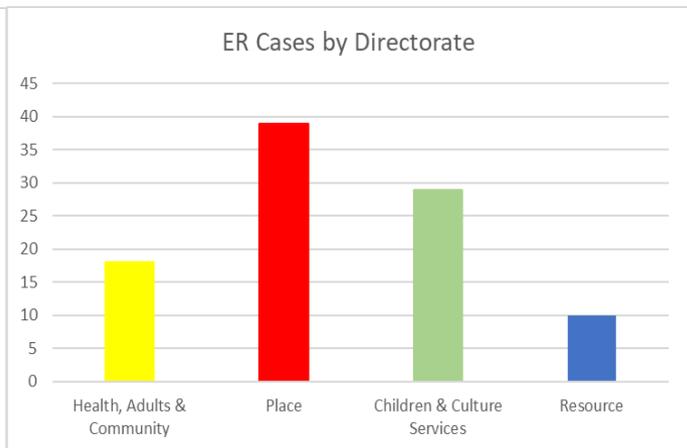
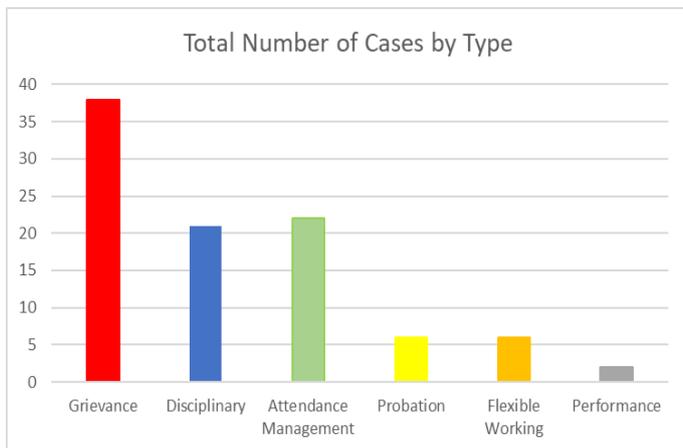
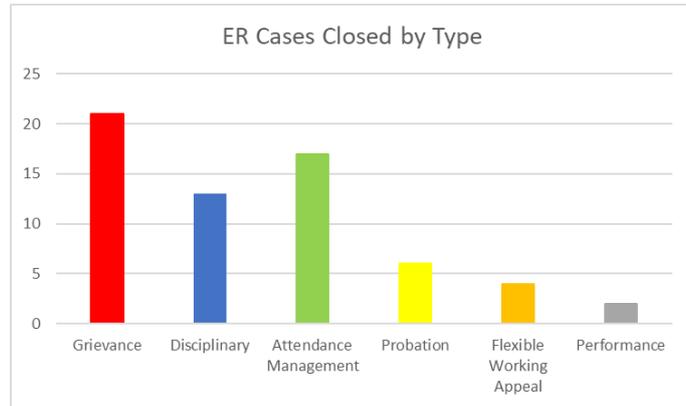
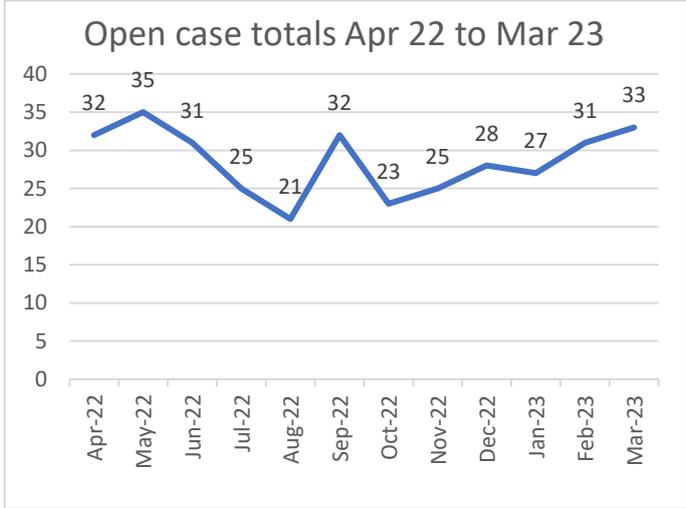
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Employee Relations

1. Dashboard

Row Labels	Count of Case
Children & Culture Services	29
Attendance Management	8
Disciplinary	3
Flexible Working Appeal	5
Grievance	10
Probation	1
Performance	2
Health, Adults & Community	18
Attendance Management	7
Disciplinary	4
Grievance	5
Probation	2
Place	39
Attendance Management	6
Disciplinary	10
Grievance	20
Probation	3
Resources	10
Attendance Management	2
Disciplinary	4
Grievance	3
Flexible Working Appeal	1
Grand Total	49



2. Summary of Annual Casework Data (1 April 2022 to 31 March 2023)

- 2.1. The data shows that 96 cases were handled over the reporting period 1 April 2022 to 31 March 2023. At the end of the reporting period there are 33 open cases and 63 cases have been closed. The numbers are comparable to the previous year, with slightly fewer open cases at the end of the reporting period (last year it was 40 cases open, and 78 had been closed).
- 2.2. In respect of types of cases over this period, the data shows 38 grievances, 21 disciplinaries, 22 final stage attendance management cases; 6 flexible working requests, 6 probation cases and 2 performance management cases.
- 2.3. Consistently over this period, the greatest number of cases continue to be in the three largest Directorates. Place had 39 cases, Children & Culture Services had 29 cases, Health, Adults and Community had 18 cases, and Resources (including the Chief Executives Office) had 10 cases.
- 2.4. Of all 63 closed cases, the average time taken to resolve cases was 125 days. 31 of these closed cases were above the benchmark resolution time of 120 days. Of those under 120 days (32) the average time to resolve was 45 days.
- 2.5. The benchmark of 120 days is a reasonable and realistic timeframe for a council, where complex cases are the norm and thorough investigations undertaken by independent in-house investigators are time consuming. A significant reason for exceeding timeframes relates to the availability of the investigators to undertake this duty in addition to their substantive post and cases can be delayed by sickness absence and in certain cases of gross misconduct, external third-party enquiries.
- 2.6. There were 7 suspensions over the year and 1 case involving revised temporary duties during the investigation phase.
- 2.7. Looking at disciplinary outcomes (i.e., those disciplinaries which closed): 1 involved dismissal, 3 involved resignations, 3 were resolved informally, 1 was not upheld, 2 were part upheld, 1 upheld with a first written warning, 2 final written warnings, and 1 was withdrawn.
- 2.8. The majority of grievance cases involve complaints about the conduct of colleagues or managers (26). 6 are related to terms and conditions, 3 to disability discrimination, 2 to sex discrimination or harassment and one related to pregnancy. Looking at grievance outcomes (i.e., those grievances which closed): 1 was upheld, 6 were partially upheld, 4 were resolved informally, 5 were not upheld, 3 were withdrawn and 1 employee left the Council.
- 2.9. The in-house mediation service was established to tackle the number of grievances raised by staff, offering an alternative route outside of the formal grievance process to resolve disputes swiftly and effectively between staff.
- 2.10. With regard to the equalities data (provided in Annex A), the report provides an equalities profile of those employees involved in cases compared to the equalities profile of the workforce as a comparator. It also looks at the equalities profile of the line managers of staff and those managers making the decisions on formal grievance and disciplinary cases (known as the Deciding Managers).
- 2.11. Whilst the numbers are small and we cannot report on individual cases, when the team looked specifically at grievances which were reported as being against their line manager, of these cases 70% were from Black, Asian, and multi ethnic-staff; 70% of these cases

involved line managers who were from Black, Asian, and multi ethnic staff; 60% of these cases were being handled by white deciding managers and 40% from Black, Asian, and multi ethnic staff (often senior staff hear cases and this percentage is reflective of the workforce make up). Only 30% of cases have concluded and the majority of which have been withdrawn.

2.12. Whilst the numbers are small and we cannot report on individual cases, when the team looked specifically at disciplinaries 75% involved Black, Asian, and multi ethnic staff; 45% of these cases involved line managers who were from Black, Asian, and multi ethnic staff and 25% of these were white; 75% deciding managers were white; 65% of the cases are closed, only 1 of which involved dismissal and 5 involved a formal sanction.

3. Policy Development

3.1. Consultations are drawing to a close on a review of the Organisational Change Policy, the Redeployment Guide, and the accompanying Managers Guide and the Sexual Harassment Policy and a new Managers Guide. To complement the Sexual Harassment policy, a new short e-Learning course is available for all staff in the Learning Hub.

3.2. The Reference Policy and Maternity Policies have been reviewed and consulted on and have not been subject to any significant changes.

3.3. The Job Evaluation Policy is now currently under review.

4. ANNEX A – Equalities Data

ER & Workforce Equalities Comparison Apr 22 to Mar 23

- The data of those involved in cases is compared against the equalities data for all of the workforce.
- The percentages calculated were rated on the proportion of the employee and of the overall headcount percentage.
- Those cases which do not involve employees could not be assessed (e.g., a grievance from an agency worker).
- Key elements for the comparison have been listed on each category:
 - ← Slightly lower than workforce
 - Slightly higher than workforce
 - ↓ Significantly lower than workforce (more than 5%)
 - ↑ Significantly higher than workforce (more than 5%)

Table 1

Employee Ethnicity	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Asian	6	6.98%	→	Asian	256	6.02%
Bangladeshi	25	29.07%	→	Bangladeshi	1072	25.18%
Black	20	23.25%	→	Black	802	18.84%
Decline to State	1	1.16%	←	Decline to State	251	5.89%
Missing	4	4.65%	→	Missing	78	1.84%
Mixed	3	3.49%	→	Mixed	121	2.84%
Other	2	2.33%	→	Other	55	1.29%
Somali	0	1.70%	→	Somali	39	0.92%
White	25	29.07%	↓	White	1583	37.18%
Grand Total	86	100.00%		Grand Total	4257	100.00%

Of note, whilst the numbers are small, the above table shows that those of Bangladeshi and Black ethnicity are slightly above the workforce percentage for those categories of employee ethnicity.

Table 2

Employee Gender	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Female	50	58.14%	←	Female	2496	58.63%
Male	36	41.86%	→	Male	1761	41.37%
Grand Total	86	100.00%		Grand Total	4257	100.00%

Male and female are not disproportionately affected.

Table 3

Employee Sexual Orientation	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Bisexual	2	2.32%	→	Bisexual	50	1.17%
Gay	2	2.32%	→	Gay	72	1.70%

Heterosexual	62	72.10%	←	Heterosexual	3148	73.95%
Lesbian	1	1.16%	→	Lesbian	35	0.82%
Prefer to self-describe	0	0.00%	-	Prefer to self-describe	7	0.16%
Missing/Decline to State	20	23.25%	→	Missing/Decline to State	945	22.20%
Grand Total	86	100.00%		Grand Total	4257	100.00%

There is no significant disproportionate impact on sexual orientation.

Table 4

Employee Religion	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Buddhist	1	1.16%	→	Buddhist	24	0.59%
Christian	24	27.90%	←	Christian	1296	30.44%
Hindu	0	0.00%	-	Hindu	49	1.15%
Jewish	0	0.00%	-	Jewish	26	0.60%
Missing/Decline to State	16	18.60%	→	Missing/Decline to State	783	18.39%
Muslim	33	38.37%	↑	Muslim	1206	28.33%
No religion	11	11.65%	↓	No religion	722	16.96%
Other	2	2.32%	←	Other	127	2.98%
Sikh	0	0.00%	-	Sikh	24	0.56%
Grand Total	86	100.00%		Grand Total	4257	100.00%

Of note Muslim staff are more prevalent in casework compared to the workforce proportion.

Table 5

Employee Disability	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Missing/Decline to State	10	11.63%	←	Missing/Decline to State	618	14.52%
No	59	68.60%	↓	No	3316	77.90%
Unaware	2	2.32%	→	Unaware	64	1.50%
Yes	15	17.45%	↑	Yes	259	6.08%
Grand Total	86	100.00%		Grand Total	4257	100.00%

The number of cases involving disabled staff is higher than the workforce proportion with a declared disability.

Table 6

Employee Age	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
16 - 24	0	0.00%	-	16 - 24	106	2.49%
25 - 34	11	12.80%	→	25 - 34	675	15.85%
35 - 44	29	33.72%	↑	35 - 44	1134	26.64%
45 - 54	20	23.25%	←	45 - 54	1064	25.00%
55 - 64	21	24.42%	←	55 - 64	1073	25.20%
65 - 74	4	4.65%	→	65 - 74	197	4.62%

75 - 84	1	1.16%	→	75 - 84	6	0.15%
85+	0	0.00%	-	85+	2	0.05%
Grand Total	86	100.00%		Grand Total	4257	100.00%

The age range with a higher percentage of involvement in cases compared to their workforce percentage is in the 35-44 age range.

Table 7

Employee Directorate	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Children & Culture Serv.	27	31.40%	←	Children & Culture Serv.	1360	31.94%
Health, Adults & Comm. Place	15	17.44%	↑	Health, Adults & Comm. Place	524	12.31%
Resources	35	40.70%	↑	Resources	1301	30.56%
	9	10.46%	↓		1072	25.19%
Grand Total	86	100.00%		Grand Total	4257	100.00%

Place has a higher percentage of cases compared to its workforce percentage.

Grievance Cases & Workforce Comparison - Equalities Breakdown Apr 22 to Mar 23:

- There were 38 grievance cases equalities data analysed for employees.
- Duplicated data was removed for the equality data breakdown, for employees with more than one grievance case.
- The data is compared against the total headcount equalities.
- The percentages calculated were rated on the proportion of the employee and of the overall headcount percentage.
- Agency, interims, vacant and covid redeployment posts were removed.
- Key elements for the comparison have been listed on each category:
 - ← Slightly lower than workforce
 - Slightly higher than workforce
 - ↓ Significantly lower than workforce (more than 5%)
 - ↑ Significantly higher than workforce (more than 5%)

Table 8

Employee Ethnicity	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Asian	1	2.64%	←	Asian	256	6.02%
Bangladeshi	10	26.31%	→	Bangladeshi	1072	25.18%
Black	13	34.21%	↑	Black	802	18.84%
Decline to State	0	0.00%	-	Decline to State	251	5.89%
Missing	2	5.26%	→	Missing	78	1.84%
Mixed	3	7.89%	↑	Mixed	121	2.84%
Other	1	2.64%	→	Other	55	1.29%
Somali	0	0.00%	-	Somali	39	0.92%
White	8	21.05%	↓	White	1583	37.18%

Grand Total	38	100.00%	Grand Total	4257	100.00%
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With regard to grievances raised by employees black and mixed ethnic staff are of a higher percentage than their workforce percentage.

Table 9

Employee Gender	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Female	25	65.79%	↑	Female	2496	58.63%
Male	13	34.21%	↓	Male	1761	41.37%
Grand Total	38	100.00%		Grand Total	4257	100.00%

For grievances raised by employees the percentage of females is greater than their workforce percentage.

Table 10

Employee Sexual Orientation	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Bisexual	1	2.63%	→	Bisexual	50	1.17%
Gay	0	0.00%	-	Gay	72	1.70%
Heterosexual	28	73.68%	←	Heterosexual	3148	73.95%
Lesbian	1	2.63%	→	Lesbian	35	0.82%
Prefer to self-describe	0	0.00%	-	Prefer to self-describe	7	0.16%
Missing/Decline to State	8	21.06%	←	Missing/Decline to State	945	22.20%
Grand Total	38	100.00%		Grand Total	4257	100.00%

For grievances raised by employees the percentage of lesbians is greater than this category for the overall workforce.

Table 11

Employee Religion	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Buddhist	1	2.63%	→	Buddhist	19	0.49%
Christian	14	36.84%	↑	Christian	1205	30.75%
Hindu	0	0.00%	-	Hindu	47	1.20%
Jewish	0	0.00%	-	Jewish	25	0.63%
Missing/Decline to State	8	21.06%	→	Missing/Decline to State	683	17.43%
Muslim	12	31.58%	→	Muslim	1168	29.81%
No religion	1	2.63%	↓	No religion	636	16.24%
Other	2	5.26%	→	Other	111	2.84%
Sikh	0	0.00%	-	Sikh	24	0.61%
Grand Total	38	100.00%		Grand Total	4257	100.00%

For grievances a number of religions are greater than their overall workforce percentage.

Table 12

Employee Disability	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Missing/Decline to State	3	7.89%	↓	Missing/Decline to State	618	14.52%
No Unaware	25	65.80%	↓	No Unaware	3316	77.90%
Yes	1	2.63%	→	Yes	64	1.50%
	9	23.68%	↑		259	6.08%
Grand Total	38	100.00%		Grand Total	4257	100.00%

For employees raising grievances there is a higher percentage of staff with a declared disability compared to the overall workforce data for staff with declared disabilities.

Table 13

Employee Age	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
16 - 24	0	0.00%	-	16 - 24	106	2.49%
25 - 34	2	5.26%	↓	25 - 34	675	15.85%
35 - 44	12	31.58%	→	35 - 44	1134	26.64%
45 - 54	11	28.95%	→	45 - 54	1064	25.00%
55 - 64	12	31.58%	↑	55 - 64	1073	25.20%
65 - 74	1	2.64%	←	65 - 74	197	4.62%
75 - 84	0	0.00%	-	75 - 84	6	0.15%
85+	0	0.00%	-	85+	2	0.05%
Grand Total	38	100.00%		Grand Total	4257	100.00%

The bulk of staff submitting grievances is higher than the categories percentages for these age ranges.

Table 14

Employee Directorate	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Children & Culture Serv.	10	26.32%	↓	Children & Culture Serv.	1360	31.94%
Health, Adults & Comm.	5	13.15%	→	Health, Adults & Comm.	524	12.31%
Place	20	52.63%	↑	Place	1301	30.56%
Resources	3	7.90%	↓	Resources	1072	25.19%
Grand Total	38	100.00%		Grand Total	4257	100.00%

Place has a higher percentage of staff submitting grievances than their workforce percentage.

Disciplinary Cases Versus Workforce - Equalities Breakdown Apr 22 to Mar 23:

- There were 21 disciplinary cases equalities data analysed for employees
- Duplicated data was removed for the equality data breakdown, for Employees with more than one disciplinary case.
- The data is compared against the total headcount equalities.

- The percentages calculated were rated on the proportion of the Employee and of the overall headcount percentage.
- Agency, interims, vacant and covid redeployment posts were removed.
- Key elements for the comparison have been listed on each category:
 - ← Slightly lower than workforce
 - Slightly higher than workforce
 - ↓ Significantly lower than workforce (more than 5%)
 - ↑ Significantly higher than workforce (more than 5%)

Table 15

Employee Ethnicity	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Asian	3	14.28%	↑	Asian	256	6.02%
Bangladeshi	7	33.34%	↑	Bangladeshi	1072	25.18%
Black	2	9.52%	↓	Black	802	18.84%
Decline to State	0	0.00%	-	Decline to State	251	5.89%
Missing	6	28.58%	↑	Missing	78	1.84%
Mixed	0	0.00%	-	Mixed	121	2.84%
Other	0	0.00%	-	Other	55	1.29%
Somali	0	0.00%	-	Somali	39	0.92%
White	3	14.28%	↓	White	1583	37.18%
Grand Total	21	100.00%		Grand Total	4257	100.00%

For disciplinaries those with an Asian and Bangladeshi employee ethnicity are of a higher percentage than the percentage for their ethnicity for the overall workforce.

Table 16

Employee Gender	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Female	4	19.05%	↓	Female	2496	58.63%
Male	17	80.95%	↑	Male	1761	41.37%
Grand Total	21	100.00%		Grand Total	4257	100.00%

The percentage of men involved in disciplinaries are higher than for the male workforce percentage.

Table 17

Employee Sexual Orientation	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Bisexual	0	0.00%	-	Bisexual	50	1.17%
Gay	0	0.00%	-	Gay	72	1.70%
Heterosexual	13	61.90%	↓	Heterosexual	3148	73.95%
Lesbian	0	0.00%	-	Lesbian	35	0.82%
Prefer to self-describe	0	0.00%	-	Prefer to self-describe	7	0.16%
Missing/Decline to State	8	38.10%	↑	Missing/Decline to State	945	22.20%
Grand Total	21	100.00%		Grand Total	4257	100.00%

Table 18

Employee Religion	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Buddhist	0	0.00%	-	Buddhist	19	0.49%
Christian	2	9.52%	↓	Christian	1205	30.75%
Hindu	0	0.00%	-	Hindu	47	1.20%
Jewish	0	0.00%	-	Jewish	25	0.63%
Missing/Decline to State	8	38.10%	↑	Missing/Decline to State	683	17.43%
Muslim	8	38.10%	↑	Muslim	1168	29.81%
No religion	3	14.28%	↔	No religion	636	16.24%
Other	0	0.00%	-	Other	111	2.84%
Sikh	0	0.00%	-	Sikh	24	0.61%
Grand Total	21	100.00%		Grand Total	4257	100.00%

The percentage of Muslim staff or those with no stated religion involved in disciplinary cases is higher than the workforce percentage.

Table 19

Employee Disability	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Missing/Decline to State	8	38.10%	↑	Missing/Decline to State	618	14.52%
No	11	52.38%	↓	No	3316	77.90%
Unaware	0	0.00%	-	Unaware	64	1.50%
Yes	2	9.52%	↔	Yes	259	6.08%
Grand Total	21	100.00%		Grand Total	4257	100.00%

The percentage of staff with a declared disability for disciplinary cases is higher than the percentage of staff with a declared disability for the workforce.

Table 20

Employee Age	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
16 - 24	0	0.00%	-	16 - 24	106	2.49%
25 - 34	2	9.53%	↓	25 - 34	675	15.85%
35 - 44	10	47.63%	↑	35 - 44	1134	26.64%
45 - 54	5	23.80%	↔	45 - 54	1064	25.00%
55 - 64	3	14.28%	↓	55 - 64	1073	25.20%
65 - 74	1	4.76%	↔	65 - 74	197	4.62%
75 - 84	0	0.00%	-	75 - 84	6	0.15%
85+	0	0.00%	-	85+	2	0.05%
Grand Total	21	100.00%		Grand Total	4257	100.00%

The range of staff of an age range between 35 and 44 involved in disciplinary cases is higher than the percentage for that age range in the workforce.

Table 21

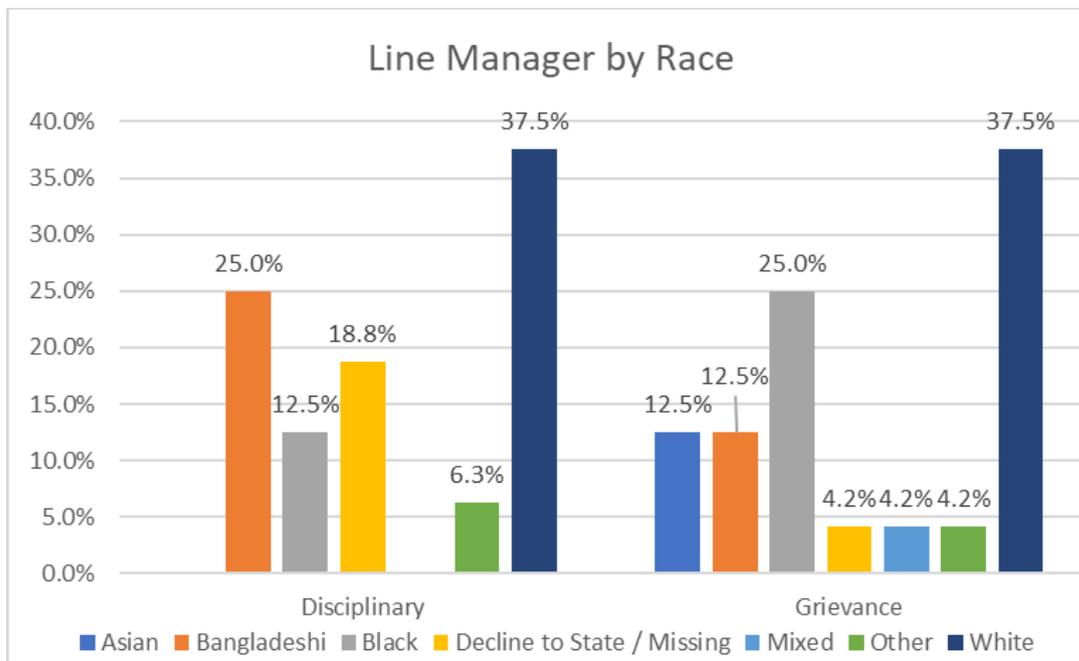
Employee Directorate	Staff by Cases	%	Greater or Lesser Proportions	Overall Workforce Data	No of Staff	%
Children & Culture Serv.	3	14.28%	↓	Children & Culture Serv.	1360	31.94%
Health, Adults & Comm.	4	19.05%	↑	Health, Adults & Comm.	524	12.31%
Place	10	47.62%	↑	Place	1301	30.56%
Resources	4	19.05%	↓	Resources	1072	25.19%
Grand Total	21	100.00%		Grand Total	4257	100.00%

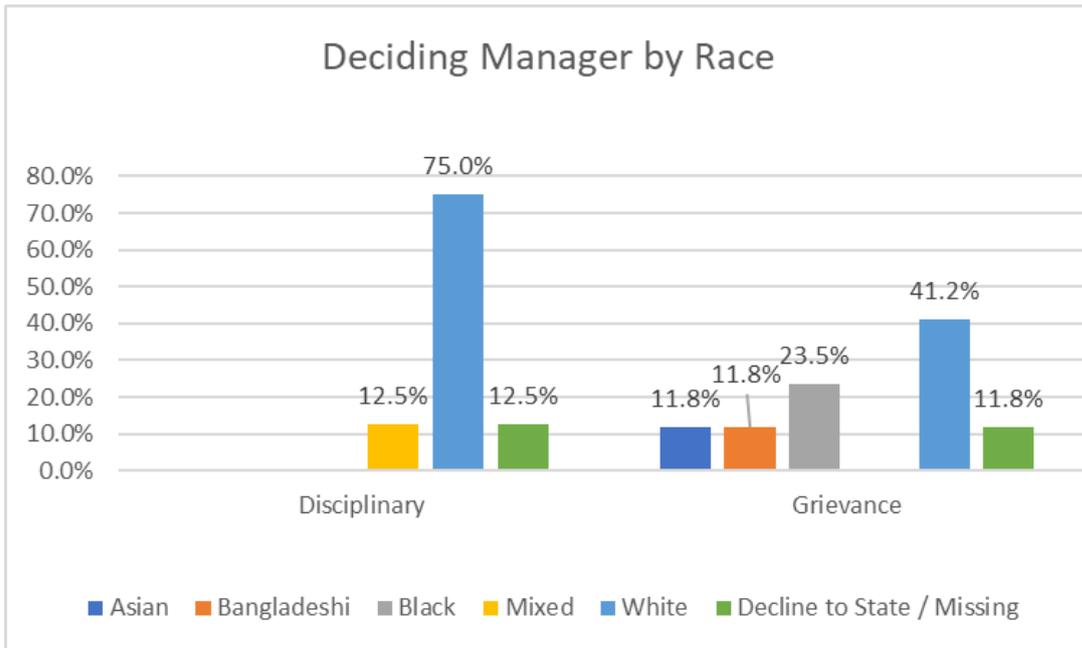
Place and Health, Adults and Community have a higher percentage of staff involved in disciplinarys compared to their percentage of staff in the workforce.

Line Manager and Deciding Manager Equalities Breakdown Apr 22 to Mar 23:

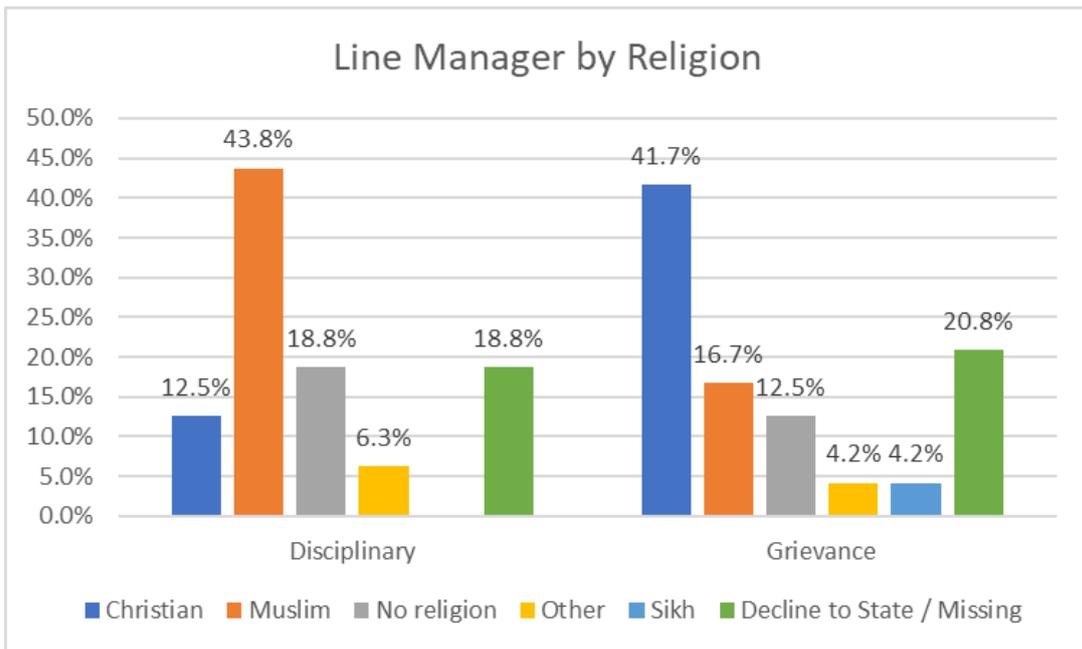
- The equality breakdown of line managers and deciding managers are detailed below.
- The data is on grievances and disciplinarys given that these case types are the highest across the year.
- The 'line manager' is the actual line manager of the staff member who raised the grievance / is subject to disciplinary action.
- The 'deciding manager' is the manager who is responsible for making the decision in each of the type of cases (grievance / disciplinary etc). It is not normally the actual line manager, hence the distinction.

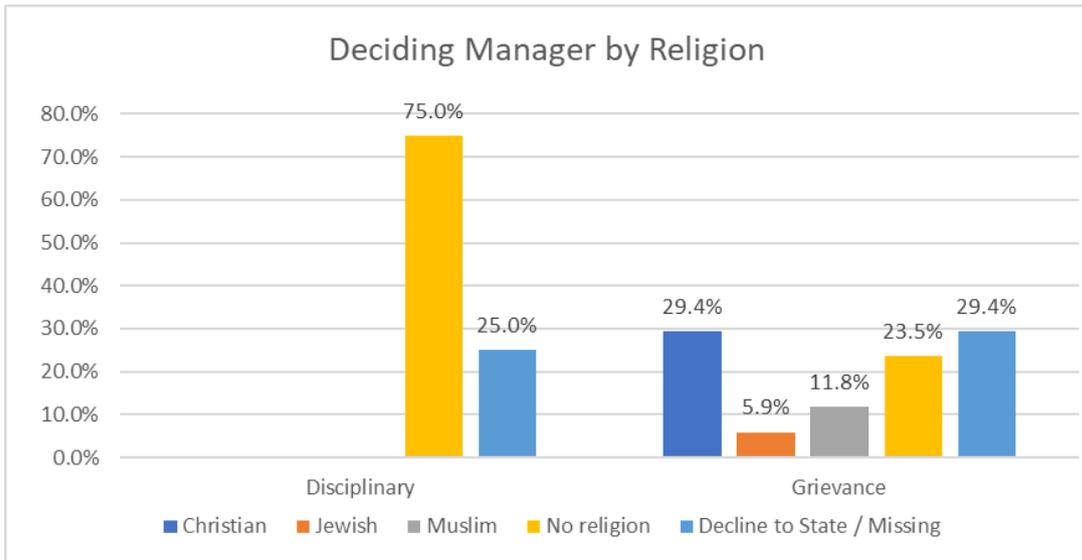
Race



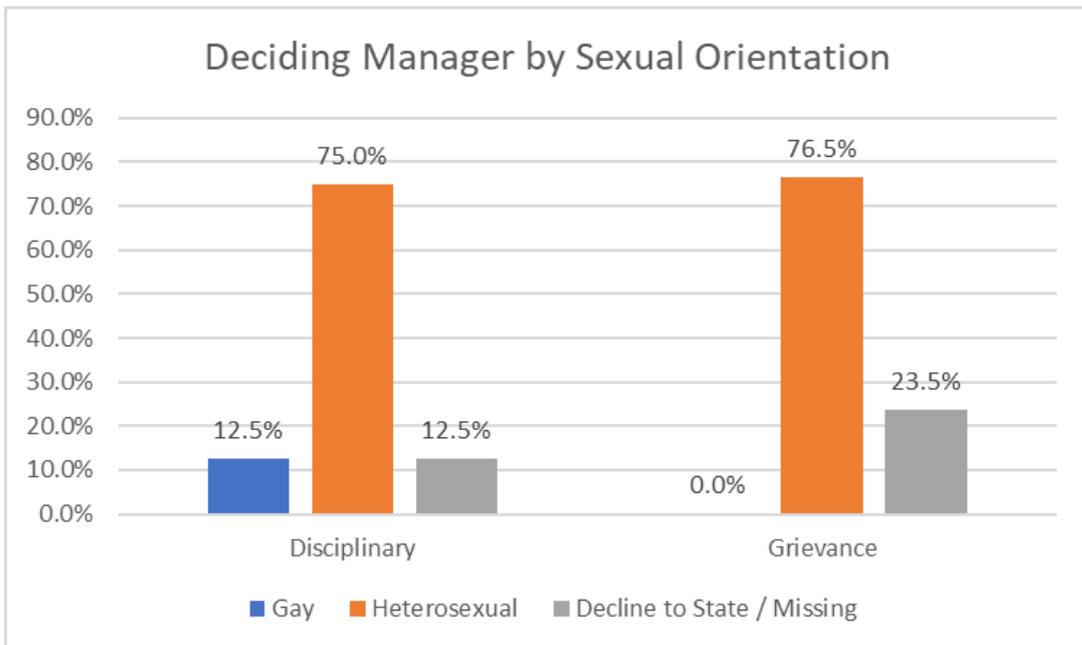
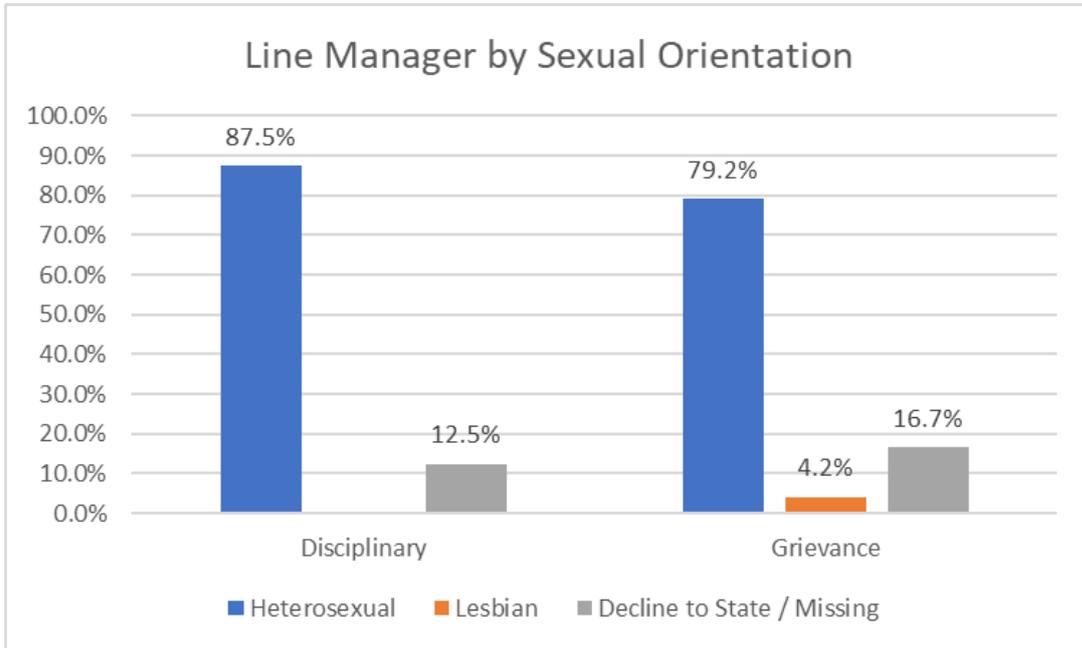


Religion

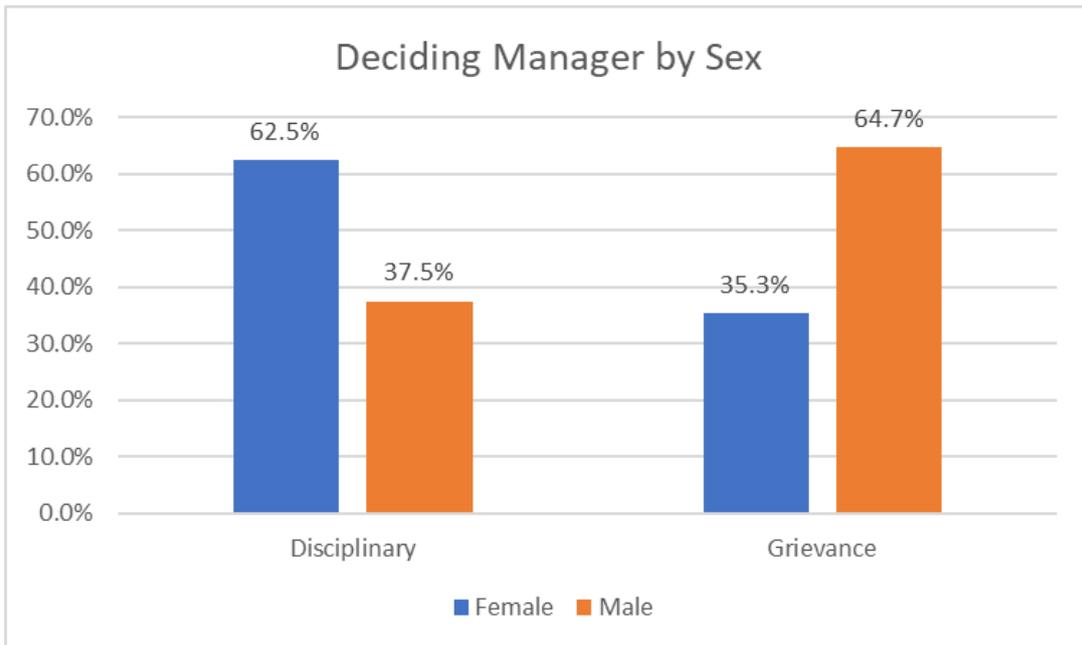
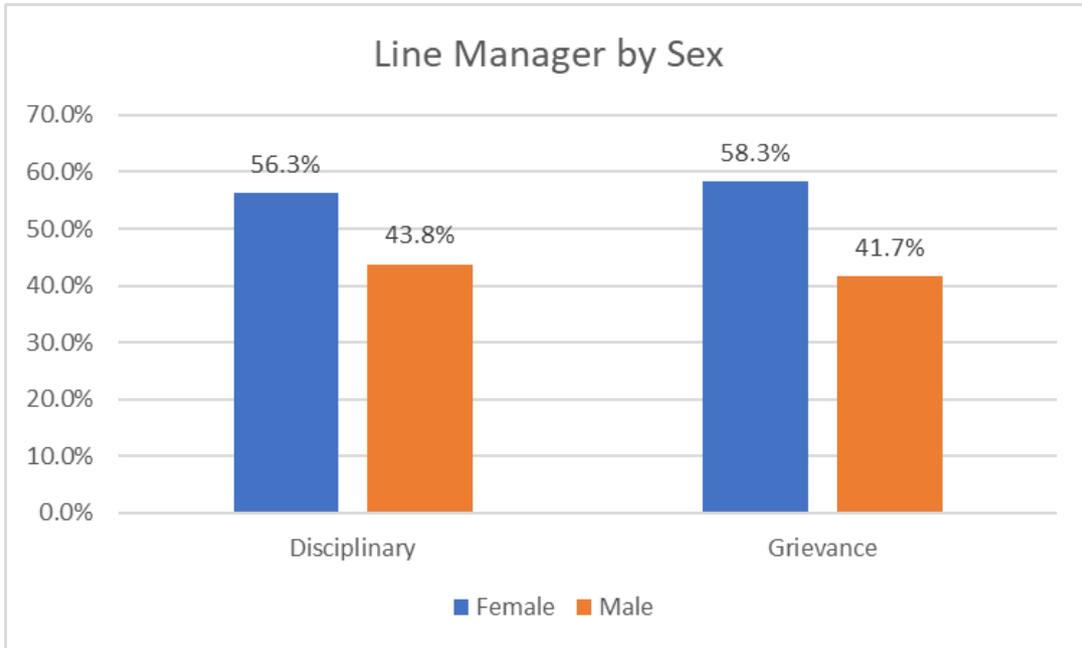




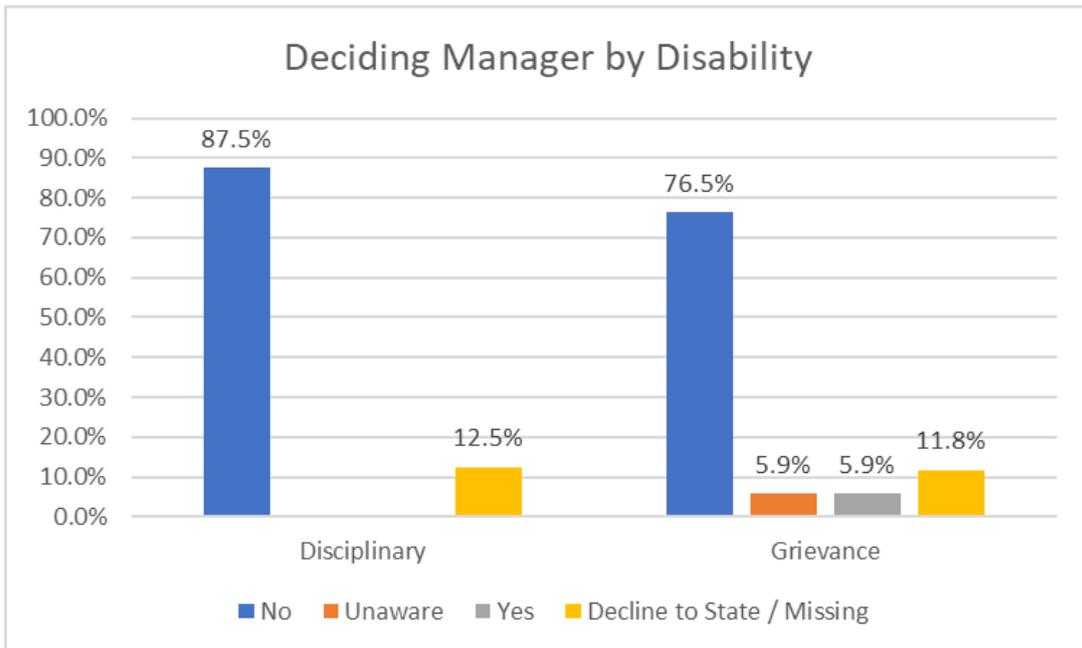
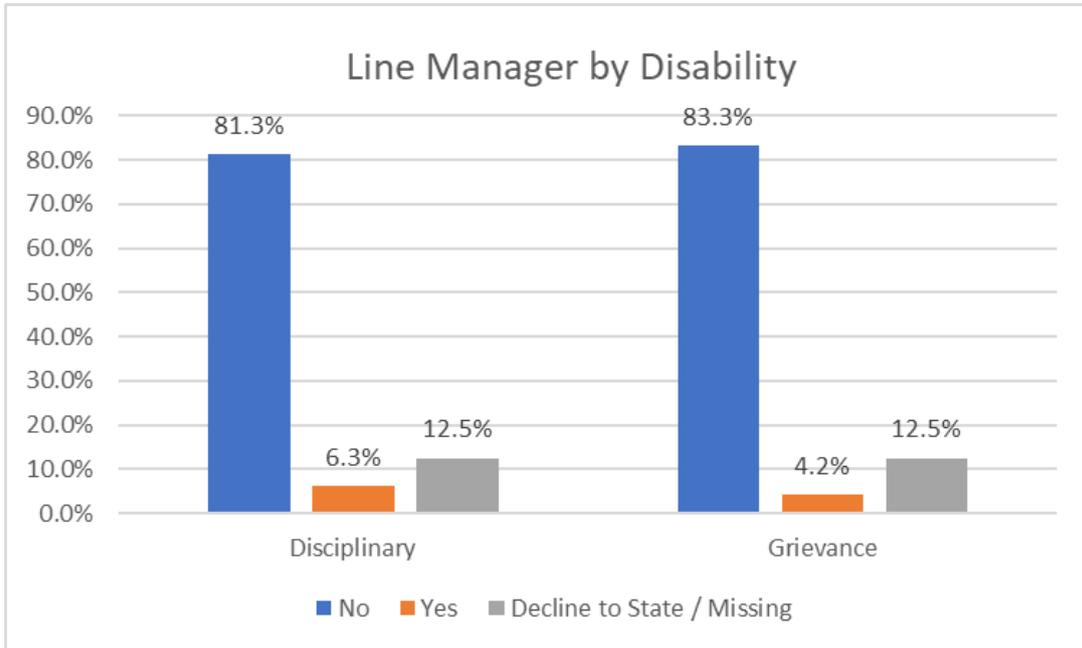
Sexual Orientation



Sex



Disability



Age

