

Agenda

Employment panel

Date: **Monday 16 July 2018**

Time: **10.00 am**

Place: **Committee Room 1, Shire Hall, St. Peter's Square,
Hereford**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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Agenda for the meeting of the Employment panel

Membership

Chairperson

Councillor AW Johnson

Vice-Chairperson

Councillor RJ Phillips

Councillor H Bramer

Councillor RI Matthews

Councillor RJ Phillips

Councillor AJW Powers

Agenda

		Pages
1.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence.</p>	
2.	<p>NAMED SUBSTITUTES (IF ANY)</p> <p>To receive details of any member nominated to attend the meeting in place of a member of the panel.</p>	
3.	<p>DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by members in respect of items on this agenda.</p>	
4.	<p>MINUTES</p> <p>To approve and sign the minutes of the meeting held on 21 May 2018.</p>	7 - 8
5.	<p>QUESTIONS FROM MEMBERS OF THE PUBLIC</p> <p>To receive any written questions from members of the public.</p> <p>Details of the scheme and related guidance are available here: https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved</p> <p>Please submit questions to councillorservices@herefordshire.gov.uk</p> <p>The deadline for the receipt of questions is 10 July 2018 at 5.00 pm.</p> <p>Accepted questions and answers will be published as a supplement prior to the meeting.</p>	
6.	<p>QUESTIONS FROM COUNCILLORS</p> <p>To receive any written questions from councillors.</p> <p>Please submit questions to councillorservices@herefordshire.gov.uk</p> <p>The deadline for the receipt of questions is 10 July 2018 at 5.00 pm.</p> <p>Accepted questions and answers will be published as a supplement prior to the meeting.</p>	
7.	<p>RECRUITMENT AND RETENTION OF DIFFICULT TO RECRUIT ROLES</p> <p>To consult with employment panel on a small number of incentives as part of the council's drive to recruit and retain people to 'hard to fill' roles; for example, but not exclusively, qualified social workers, solicitors, trading standards officers and planners.</p>	9 - 18
<p>EXCLUSION OF THE PUBLIC AND PRESS</p> <p>In the opinion of the Proper Officer, the next item will not be, or is likely not to be, open to the public and press at the time it is considered.</p>		
<p>RECOMMENDATION: that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of</p>		

the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

1 Information relating to any individual.

8. **APPOINTMENT OF INTERIM DIRECTOR FOR ECONOMY AND PLACE**

19 - 32

To make interim arrangements to fill the post of director for economy and place following the resignation of the current post holder.

The public's rights to information and attendance at meetings

You have a right to: -

- Attend all council, cabinet, committee and sub-committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the council and all committees and sub-committees and written statements of decisions taken by the cabinet or individual cabinet members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all councillors with details of the membership of cabinet and of all committees and sub-committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the council, cabinet, committees and sub-committees.
- Have access to a list specifying those powers on which the council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the council, cabinet, committees and sub-committees and to inspect and copy documents.

Public transport links

The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

Recording of this meeting

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

Fire and emergency evacuation procedure

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The chairperson or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.

Minutes of the meeting of Employment panel held at Committee Room 1, Shire Hall, St. Peter's Square, Hereford on Monday 21 May 2018 at 10.00 am

Present: Councillor AW Johnson (Chairman)
Councillors: H Bramer, PE Crockett and AJW Powers

Officers: Julie Davies and Tracey Sampson

42. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor RI Matthews and Councillor RJ Phillips.

43. NAMED SUBSTITUTES (IF ANY)

Councillor PE Crockett attended the meeting as a substitute member for Councillor RI Matthews.

44. DECLARATIONS OF INTEREST

There were no declarations of interest

45. MINUTES

It was agreed that the head of HR and organisational development would circulate the definition of interim to members of the committee.

Resolved that:

the minutes of the meeting of 19 March 2018 be approved as a correct record and signed by the chairman.

46. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

47. QUESTIONS FROM COUNCILLORS

There were no questions from councillors.

48. CODE OF CONDUCT POLICY - SCHOOLS

The head of HR and organisation development and HR services manager presented the report. It was noted that internal audit had recommended that there was a specific code of conduct for schools and that historically the schools code of conduct was based on a 2010 council policy.

During the discussion, it was noted that:

- there were minor typographical errors which would need to be corrected;

- the welfare of students is paramount but the code should also encompass the welfare of staff. The HR services manager agreed to include examples within the document;
- under 5.6, the term “smart and professional attire” should be explicit;
- under 5.6 the reference to male staff needed to be equitable to female staff. The head of HR and organisation development explained that national guidance on dress code had been released recently and the statement would be removed. The code would also be cross referenced to the guidance;
- it would be difficult to restrict contact details. To this end the panel suggested that the wording be re-considered to either never provide mobile numbers or only in exceptional circumstances. The HR services manager agreed to look at revising the wording;
- on page 31 of the agenda pack at 5.23, the HR services manager agreed to liaise with the schools to establish how much of a child’s safeguarding information is shared with teachers in order to see if the wording in the code could tie in more with schools safeguarding policies;
- the policy is reviewed in 12 months’ time to check that it was being effective; and
- wording around parental responsibility would be included. This was specifically aimed at the situation where the parent / carer of a child was a teacher at their school.

Following a suggestion from a member of the committee, it was agreed that the members and role of the working group would be included within the document.

Resolved

That subject to the amendments suggested above, the panel endorse the proposals to approve the code of conduct - schools.

The meeting ended at 10.32 am

Chairman

Meeting:	Employment panel
Meeting date:	16 July 2018
Title of report:	Recruitment and retention of difficult to recruit roles
Report by:	Chief executive

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To consult with employment panel on a small number of incentives as part of the council's drive to recruit and retain people to 'hard to fill' roles; for example, but not exclusively, qualified social workers, solicitors, trading standards officers and planners.

There are a number of roles within the council that are difficult for us to recruit to. The reasons vary from role to role and over time. The recruitment difficulties create problems in ensuring we deliver the best outcomes we can for residents and present challenges in the provision of some statutory services

The report outlines the measures proposed to address the issues related to recruitment and retention to hard to fill roles, the proposal for determining which roles qualify and the reporting mechanism to employment panel.

Recommendation(s)

That:

- (a) **the panel determine any recommendations it wishes to make to the chief executive to consider when determining incentives to support recruitment and retention to hard to fill roles.**

Alternative options

1. There are no alternatives to the recommendation; it is a function of the panel to be consulted on overall employment terms and conditions (including policies) to be determined by the head of paid service.
2. Leave the current situation 'as is'. This option is not recommended as the criticality, risk and additional costs associated with turnover and reputation as well as pressure on other staff mean new actions are required.
3. Ad hoc action of returning to employment panel each time a new hard to fill role is identified or as 'new options' emerge to address recruitment and retention in existing roles. This option is not recommended as it may lead to decisions being taken in isolation on a piece-meal basis and may lead to inconsistencies in approach.

Key considerations

4. All council jobs are graded through the council's job evaluation scheme. This scheme ensures all jobs are graded based on objective criteria and are paid in accordance with their relative value within the organisation. The scheme does not allow us to recognise adequately external influences such as fluctuating market conditions or incentives paid by competing recruiters.
5. To reflect market conditions, the council currently pays incentives such as market forces supplements to attract candidates or to retain employees where there is an identified and evidenced skills shortage to enable the council to pay a competitive rate for the job, or relocation payments in accordance with the council's current policy or within approved limits.
6. The council's current provision for incentives of these types of roles has not been reviewed for several years and no longer reflects the employment market. This adversely affects the council's ability to compete when recruiting or retaining staff in hard to fill roles.
7. Recent Local Government Association (LGA) peer reviews in Children's Wellbeing (June 2017, November 2017, February 2018) and Corporate Peer Challenge (February 2018) have highlighted the need to focus on both recruitment and retention as key levers in maintaining and improving services.
8. This proposal is to put in place a series of remuneration enhancements for targeted roles when market conditions warrant such action. It is proposed that these enhancements will be applied to specific roles for defined periods of time to ensure we are able to recruit and retain the skills and expertise we need where our standard offer is not attracting the quantity or quality of candidates we need OR where we find we lose experienced people to either other public sector or private sector employers.

9. The proposals do not apply to posts listed in paragraph 4.9.3 of the council's employment rules outlined in the constitution as appointments and the associated terms and conditions for these posts are determined by employment panel.
10. It is proposed that the Head of HR & OD will determine which roles should be considered as 'hard to fill and retain to' and then advise Directors on the application of a series of enhancements to terms and conditions that will improve recruitment and retention.
11. The definition of 'hard to fill and retain' roles includes those where turnover exceeds 20%, vacancies are at or above 15% or where there is only one post with specific expertise and the market for recruitment is extremely limited. There are also roles where there is regional or national recognition, for example by the LGA, that recruitment and retention is problematic, for example qualified social workers. In determining if a role is hard to recruit consideration should be given to what has recently happened in terms of recruitment campaigns including volume and quality of applications.
12. The option of measures to be applied will include,
 - Welcome payments, retention payments and variations in the value of the relocation package for some roles.
 - The provision of additional paid leave after 3 years-service as a 'one off' in year incentive to retain staff in hard to fill roles.
 - A 'finder's fee' in the order of £500 to council employees who recommend someone for a hard to recruit role who is subsequently employed and stays for a minimum period.
13. A summary of existing provisions and the new proposals is attached in appendix A
14. The work the council is doing to improve recruitment and retention in key roles is not limited to financial incentives. For instance, work is underway to develop and implement a programme of recognition through an annual 'staff awards programme' covering all employees, sponsorship for higher level learning and development including paid time off for study, course fees and materials. The council will also investigate, subject to appropriate governance, partnering with an organisation to offer all staff discounts with a range of organisations similar to those already in place for Hoople staff.
15. The head of HR and OD will monitor the application of any remuneration enhancements on a quarterly basis to ensure that any decisions made are as agreed, proportionate and discrimination free.
16. It is further proposed that the application of any agreed enhancements will be reported annually to employment panel to aid transparency and to give assurance that the enhancements are operating effectively. Measures of effectiveness will include increase in quality and quantity of applications, reductions in vacancies and, in some cases, reductions in turnover attributable to recognition and reward.
17. Benchmarking has taken place with regional bodies and agency suppliers on what other authorities are offering and how Herefordshire Council is perceived within the employment market. For example Worcestershire are paying social workers welcome payments of £4,000 retention payments of £3,000 and relocation payments of £10,000. Other benchmarking shows authorities offering access to discounts, Warwickshire for example.

Community impact

18. Recruiting and retaining staff with essential skills and experience will ensure the council can meet all four of its priorities as set out in the Council's corporate plan. The areas where we have the greatest issues in terms of recruitment directly impact on the most vulnerable in the community – children's social care, adult social care and directly relevant support areas such as legal. Having the right staff in place ensures we can keep children and young people safe and give them a great start in life and enable residents to live safe, health and independent lives.

Equality duty

19. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
20. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
 21. Our annual equality in employment report provides details of the work we undertake to ensure we act to proactively consider equality in our recruitment and retention activity

Resource implications

22. The funding for any specific initiative will be from agreed budgets so will be cost neutral within the MTFS. No additional money is being requested.
23. It is anticipated that some savings from the costs of agency and interim cover will be made to offset any expenditure.

Legal implications

24. Officers hold office on such reasonable terms and conditions, including terms of remuneration, as the council appointing them thinks fit. In deciding what those terms must be, the council must act reasonably.
25. Officers are subject to the general enactments relating to employment, in particular the Employment Rights Act 1996, the Equal Pay Act 1970 and the Equality Act 2010. All terms and conditions must be in compliance with the legislation and genuine factors justifying the difference in pay that exists as a result of applying these incentives must be identified.

26. If payments are made to officers that are due to be recovered if an employee leaves before a defined period of employment, this must be agreed in writing. For recovery to be enforceable it must be recovered on the basis of the loss caused to the council by the officer leaving rather than to penalise them.

Risk management

27. There is risk from the current situation to both operational efficiency and the provision of services. Failure to recruit to critical roles results, for example, in delay to the processing of assessments, production of reports – for example for court processes.
28. There is a risk of increased turnover within the permanent staff group if we fail to address skills shortages. There is also risk to increased absence from stress related illness.
29. There is a risk that moral of staff not in receipt of the additional benefits may be affected. The mitigation of this is the inclusion of some wider benefits within the overall proposals. Communication will need to be carefully managed however many staff working in roles outside of those deemed 'hard to fill' recognise the knock on effects of vacancies and support plans to reduce vacancies and turnover. These plans are also supported by the unions who recognise the issues and the need to act.
30. There is a risk that public and/or staff perception may be affected by the application of any of these incentives and need assurance of value for money. However, this is balanced by the risk of not being able to meet service demand or safeguard vulnerable people. Both Directors and the head of hr/od will pay due regard to such matters in their decision making.

Consultees

31. Joint Partnership Forum (JPF) – union consultation will took place on 17 April. The unions recognised the need for a flexible approach and that what is being proposed was appropriate. Reassurance was given on equal pay and fairness in the application of the approach.

Appendices

Appendix A Hard to fill roles recruitment and retention potential areas of action

Background papers

None

Proposal	Description of proposal	How does this differ from current arrangements	Why is this being proposed?
Welcome Payments	Introduce a 'welcome payment' of up to £5,000 for all posts designated as hard to fill. Payment to be made on the 6 month anniversary of joining the council. Repayable if the employee leaves the council within 2 years. If the employee moves to another hard to fill post within the council within that 2 years, the need to repay may be waived.	The council's current welcome payment limit is £5,000 and is payable to externally recruited, experienced social workers only. The proposal is to extend this provision to all posts designated as 'hard to fill'. Not available for internal appointments	The market for hard to fill roles can change rapidly and particularly as other organisations respond to their pressures to recruit. The proposal allows us to be equally fleet of foot in response
Retention Payments	Introduce a taxable cash payment of up to £5,000 for posts which are designated as hard to fill. This will be payable after 3 years continuous service with Herefordshire Council	There is no current payment of this type in place at the moment. Previously the council paid a retention payment of £3,000 to newly qualified social workers only and the agreement to pay this expired on 31 March 2016.	Recent peer reviews highlighted the need to balance recruitment activity with retention. There is some evidence to suggest that staff are leaving for higher salaries with neighbouring authorities. Retaining people is more cost effective and leads to better continuity of service.
Relocation package	Increase the relocation payment for those appointed to hard to fill roles to £10k. This will be subject to the same criteria for eligibility as now. The payments for other roles will not change.	The current level is £5k for roles up to HC13 and £7k for HoS2 and above.	£5k does not cover the average costs of relocation. The value is based on hierarchy not the difficulty of recruitment or the relative value/risk of the vacancy To reflect the costs to recruit and to recognise our issues in recruiting mean encouraging

Proposal	Description of proposal	How does this differ from current arrangements	Why is this being proposed?
			relocation for relatively lower graded staff the change is recommended.
Additional annual leave	Award an additional 10 days paid day's leave, as a one off incentive in the leave year, after three years' service with Herefordshire Council and again after five years' further service in hard to fill roles	There are no current incentives of this kind.	For many people the chance to 'take time out' to recuperate is seen as valuable. This approach represents a relatively low cost option for the organisation. It will also aid retention
Finder's fee	To offer our employees who recommend someone to work here, in a hard to recruit role, who is subsequently employed and stays for a minimum of 6 months a one off net payment of £500	There are no current payments of this kind.	Other authorities have found this to have two benefits. It incentivises employees to make the recommendation – at a cost far lower than using an external agency. It shows our employees we are actively working and committed to addressing issues around recruitment. In addition it is often our own staff who know people in the same profession and are therefore trusted advocates for the organisation.
On-call payments	Increase the payments made to staff for being on call when they are working in hard to recruit to role and where market conditions warrant it.	The standard payment is £10 per day spent on call. There are some exceptions which have been determined locally.	The council has a variety of officers on call at any one time. The rate paid is generally sufficient but in some posts which are hard to recruit to and where the council has a statutory duty to provide 24/7 access to services, there is a risk that the current

Proposal	Description of proposal	How does this differ from current arrangements	Why is this being proposed?
			payment is insufficient to recruit and retain staff in these roles, Agreeing to this change would formalise the process for determining which roles can move away from the standard £10 rate.

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