

# NOTICE OF MEETING

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## EMPLOYMENT COMMITTEE

TUESDAY, 15 SEPTEMBER 2015 AT 12.15 PM

## CONFERENCE ROOM A - CIVIC OFFICES

Telephone enquiries to Vicki Plytas 02392 834058  
Email: [vicki.plytas@portsmouthcc.gov.uk](mailto:vicki.plytas@portsmouthcc.gov.uk)

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### Membership

Councillor Donna Jones (Chair)  
Councillor Luke Stubbs (Vice-Chair)  
Councillor John Ferrett  
Councillor Darren Sanders  
Councillor Linda Symes  
Councillor Gerald Vernon-Jackson

### Standing Deputies

Councillor Simon Boshier  
Councillor Aiden Gray  
Councillor Steve Hastings  
Councillor Hugh Mason  
Councillor Lynne Stagg  
Councillor Sandra Stockdale  
Councillor Steve Wemyss

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(NB This agenda should be retained for future reference with the Minutes of this meeting.)  
Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

**Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendation/s). Email requests are accepted.**

### AGENDA

- 1 Apologies for Absence
- 2 Declarations of Members' Interests

**3 Minutes of the Meeting held on 16 June 2015 (Pages 1 - 4)**

**RECOMMENDED that the Minutes of the meeting of the Employment Committee held on 16 June 2015 be confirmed and signed by the Chair as a correct record.**

**4 Corporate Health and Safety Annual Report (Pages 5 - 20)**

The purpose of the report is to update the Employment Committee on Portsmouth City Council's (PCC) health and safety (H&S) performance for the period 1 April 2014 - 31 March 2015.

**RECOMMENDED that the 2015/16 H&S action plan be agreed and endorsed by the Employment Committee.**

**5 Employee Benefits Portal (Pages 21 - 26)**

The purpose of the report is to seek approval in principle to select and procure an employee benefits portal, subject to it demonstrating employer recruitment and retention benefits, employee benefits and overall financial savings.

**RECOMMENDED that**

- 1. Employment Committee approve the implementation of an employee benefits portal, subject to recommendations 2 and 3 below**
- 2. Employment Committee delegates the selection of the employee benefits portal to the Director of Finance and IS and Director of HR, Legal and Procurement. The selection criteria will incorporate a financial appraisal to demonstrate that financial savings will accrue from this initiative.**
- 3. Employment Committee delegate authority to the Director of HR, Legal and Procurement in consultation with the Chair of the Employment Committee to investigate and implement the appropriate range of benefits to be included in the portal. (This will be informed by some external support we are currently obtaining (at no cost) to look at the demographics of the council workforce to identify which benefits would deliver the best outcome for staff in terms of take up and also savings to the council. An idea of the types of benefit that could be included in the portal are listed in section 4.1.)**

**6 Hampshire Pension Fund Panel Appointment**

The purpose of this item is to make an appointment to the Hampshire Pension Fund Panel to serve for the period up to 30 September 2017.

The nominee must be an elected member and should have a grasp of financial issues and be prepared to commit time to the duties involved,

including the requirement to undergo training on local government pension funds and their investment. There is no remuneration for this role. Expenses can be claimed under Portsmouth's scheme of allowances for meetings outside the city.

This vacancy will be circulated to group leaders and secretaries (at the same time as this agenda) seeking nominations.

**RECOMMENDED that an appointment to serve on the Hampshire Pension Fund Panel to 30 September 2017 (subject to the appointee remaining an elected member) be made.**

**7 Definition of a Chief Officer at Portsmouth City Council (Pages 27 - 34)**

The purpose of the report is to seek approval from Members for a definition of what we mean by a Chief Officer employed by Portsmouth City Council.

**RECOMMENDED that Employment Committee notes that the outdated reference to SM2 in the delegations to the Employment Committee (section 2, part 2, para 3) be updated to a catch all definition of *Chief Officer*, which should be:**

- (1) on the JNC terms and conditions, and
- (2) defined as one or more, of the following:
  - The Chief Executive
  - The Deputy Chief Executive
  - The S151 Officer
  - A direct report to the Chief Executive (i.e. Port Manager; Director of Public Health; Director of Regulatory Services, Community Safety and Troubled Families; Director of Integrated Commissioning Unit; Director of Adult Services; and, Director of Children Services and Education)
  - A direct report to the Deputy Chief Executive (i.e. Director of Housing and Property; Director of Transport, Environment and Business Support; Director of Culture and City Development; Director of Finance and Information Services (NB also S151 officer); Director of HR, Legal and Procurement; and, Director of Community and Communication)

**8 Equal Pay Audit (Pages 35 - 52)**

The purpose of the report is to present the outcomes of the Equal Pay Audit 2015, ensuring the Council can fulfil its statutory obligations in respect of equal pay for its employees, and deliver its corporate commitment to equalities.

**RECOMMENDED that the Employment Committee:**

- 1. Note the key findings of the Equal Pay Audit 2015.**
- 2. Agree the recommendations set out within the Equal Pay Audit report.**

**9 Children's Services Senior Management Structure (Pages 53 - 60)**

The purpose of this report is to advise members of proposed modifications to the senior management structure for Children's Services, in order to clarify reporting lines and accountabilities.

**RECOMMENDED that Employment Committee:**

- (i) Revise the senior management structure, as agreed by this committee on 19<sup>th</sup> February 2015, to the effect of deleting the post of Director of Children's Social Care.**
- (ii) Note the creation of posts of Deputy Director of Children's Services - Social Care and Deputy Director of Children's Services - Education, reporting to the Director of Children's Services**

**10 Changes to the designated independent person dismissal procedures (Pages 61 - 72)**

The purpose of the report is to inform members of a change to the procedures, recently agreed by Full Council that must be followed for the dismissal of designated statutory officer posts (Head of Paid Service, Monitoring Officer or Chief Finance Officer). These new changed procedures were set by central Government. To ensure that the new procedures are in line with employment law this report also seeks that the committee approve an appeals process, to be followed in the event of such a dismissal, which will then be placed before full council.

**RECOMMENDED that Employment Committee:**

- (1) Notes the new process for dismissal of designated statutory officer posts (set out in paragraphs 4.1-4.4) and also the new Officers' Employment Procedure Rules in Part 3D of the constitution that have been approved by Council (see Appendix 1) in line with Government requirements and which have been subsequently modified to take account of the contents of this report.**
- (2) Agrees that in order to meet the new requirements, and also employment law, that the specific process to be followed, set out in section 5, is proposed to Full Council for adoption (via Governance and Audit and Standards Committee) with the**

**proposed new Officers Employment Procedure Rules shown as Appendix 1.**

**11 HR Policy Changes (Pages 73 - 82)**

The purpose of the report is to advise Members about proposed changes to HR policies.

**RECOMMENDED**

**Members are recommended to:**

- i. Adopt the new Appeal policy (Appendix 1) and note consequent amendments to other associated policies.**
- ii. Note that the Director of HR, Legal and Procurement will update all other policies to reflect new job roles created by latest senior management restructure (in particular removing references to Heads of Service and Strategic Directors).**
- iii. Note that the 2<sup>nd</sup> appeal stage in the grievance section of the Formal Action policy will be removed.**
- iv. Note the different composition of dismissal panels (excluding schools and probationary dismissals) as detailed in the report.**
- v. Change the requirement in the Flexible Retirement policy from a permanent reduction in salary of at least 50% to a permanent reduction in salary of at least 20%. Achieved through either a reduction in hours or band of post or a combination of these.**
- vi. Adopt the revised Organisational Change and Redundancy policy and procedure and note that the qualifying criteria for redeployment support would increase from 1 year to 2 years' continuous local government service.**

**12 Sickness Absence - Quarterly Report (Pages 83 - 94)**

The purpose of this quarterly report is to update and inform Employment Committee on actions being taken that have an effect on the levels of sickness absence across Services.

**RECOMMENDED that Employment Committee**

- 1. Continue to monitor sickness absence, on a quarterly basis, and to ensure appropriate management action is taken to address absenteeism.**
- 2. Continue to offer a range of interventions around the three main reasons for sickness absence to assist employees to manage their attendance at work.**
- 3. Support Public Health flu vaccination campaign for 2015 by**

**working with Corporate Communications to develop marketing initiatives to maximise the uptake of flu vaccinations, especially where Directorates have contact with NHS defined risk groups or have particular low uptake in 2014.**

**13 Date of Next Scheduled Meeting**

The next meeting is scheduled for 15 December 2015.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

# Agenda Item 3

## EMPLOYMENT COMMITTEE

MINUTES OF THE MEETING of the Employment Committee held on Tuesday, 16 June 2015 at 12.15 pm at the Conference Room B - Civic Offices

### Present

Councillor Donna Jones (in the chair)  
Councillor Luke Stubbs (Vice-Chair)  
Councillor John Ferrett  
Councillor Darren Sanders  
Councillor Gerald Vernon-Jackson

### Officers Present

David Williams, Chief Executive  
Michael Lawther, City Solicitor  
Jon Bell, Director of HR, Legal & Procurement  
Chris Ward, Director of Finance & Information Service  
(S151 Officer)

#### 18. Apologies for Absence (AI 1)

Apologies for absence were received on behalf of Councillor Linda Symes. Councillor Steve Hastings attended as her standing deputy. Councillor Luke Stubbs apologised for having to leave the meeting at 12.45 pm.

#### 19. Declarations of Members' Interests (AI 2)

Councillor John Ferrett declared an interest in agenda item 8 in that his wife works at a primary school in the city. Councillor Ferrett said he would leave the meeting for that item.

#### 20. Minutes of the meeting held on 3 March 2015 (AI 3)

**RESOLVED** that the minutes of the meeting of the Employment Committee held on 3 March 2015 be confirmed and signed by the chair as a correct record.

#### 21. Living Wage (AI 8)

(TAKE IN REPORT)

Members of the committee agreed to vary the order of the agenda. The chair reminded members that Appendix 3 of the report was exempt and that if it were to be discussed at the meeting, provision had been made for this to take place in exempt session. Mr Jon Bell introduced the report which provided the committee with an update following the implementation of a living wage for employees of the council. He advised members that the background to this could be found in paragraph 3 of the report. He advised members that the

impact of implementing the living wage allowance in terms of costs for PCC were set out in paragraph 5.1 of the report.

Mr Bell said that paragraph 4.1 establishes that with effect from 1 April 2015, 37 schools had adopted the living wage allowance, nine schools had not adopted the living wage allowance at that time but that seven of those had committed to adopting it in the future. The remaining two schools wished to undertake further cost analysis before committing to implementation of the living wage from any specific date. The chair of the committee asked Mr Bell to email a list of the schools that had not yet adopted the living wage so that she could write to them to discover their intentions.

Members then wished to discuss matters relating to the exempt appendix.

It was proposed by Councillor Gerald Vernon-Jackson, seconded by Councillor Steve Hastings that the meeting move into exempt session. Upon being put to the vote this was agreed.

**RESOLVED that under the provisions of Section 100A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded for the consideration of the exempt appendix on the grounds that it contains information defined as exempt in Part 1 of Schedule 12A to the Local Government Act 1972..**

During exempt session, Mr Bell explained the situation concerning the legal advice given in relation to agency workers. The Deputy Chief Executive explained that the situation had changed now that the majority of schools had agreed to pay the living wage. Mr Bell said that there were still issues to be resolved as a result of implementation of the living wage and these were being worked on.

The committee then **RESOLVED to move back into open session.**

**RESOLVED that Employment Committee**

- (1) noted the progress made to implement the living wage, particularly with regard to schools;**
- (2) agreed that a report is presented to Employment Committee (following Living Wage Week in November 2015), with the purpose of providing further information and recommendations about the living wage allowance.**

**22. Contractual Notice Period Arrangements (AI 4)**  
(TAKE IN REPORT)

Jon Bell introduced the report and explained that it applies to senior staff when they leave the organisation. Specifically, members had asked whether pay in lieu of notice (PILON) should be the default position in the event of senior officers leaving the organisation through redundancy. During discussion the following matters were clarified:



- Mr Bell said that once notice is served that employee is considered to be at risk and would have redeployment options. However PILON means that an employee ceases to be employed so from that point no redeployment options would be open to that person.
- The Chief Executive said that recommendation (2) changed the position slightly in that there would now be an instruction to the Chief Executive and/or Director of HR, Legal & Procurement to consult with the chair of the Employment Committee whereas currently consultation is not compulsory.

There followed a discussion about recommendation (2)(ii) concerning who should be consulted.

Following further discussion members agreed revised wording for the recommendations.

**RESOLVED that members**

- (i) note the impacts detailed in section 4 of this report and the legal implications detailed in section 6 and in light of these to maintain the current position whereby PILON remains available as an option that can be exercised when circumstances make it appropriate to do so;**
- (ii) Instruct the Chief Executive and/or Director of HR Legal and Procurement to consult with the Chair of this Committee whenever a chief officer departs the council, to decide whether PILON should be applied in that case. The relevant policy to be amended accordingly.**

**23. Sickness Absence Update (AI 5)**

(TAKE IN REPORT)

Jon Bell introduced the report and said he was disappointed to have to report that in the period since the last quarterly update in March 2015 the level of sickness absence has increased from 7.88 to 8.73 average days per person per year. He said that this represented a change from the overall downward trend in recent months.

The new corporate target is to reduce sickness absence levels to an average seven days per person per year.

Mr Bell said that the council will continue to offer flu vaccinations in 2015 and that HR continues to support managers with their efforts to maximise attendance by providing absence data and access to a responsive occupational health service as well as support with formal action meetings.

Members were disappointed with the figures and discussed possible ways in which to improve the situation. One suggestion was to contact those who had been off in the medium or long term over the last 12 months to ask how PCC could have helped in their return to work. Members also suggested that the efficacy of the occupational health role could be looked at and suggested

possibly inviting health consultants to the next meeting of Employment Committee.

## **RESOLVED**

- (1) to continue to monitor sickness absence on a quarterly basis and to ensure appropriate management action is taken to address absenteeism.**
- (2) That Public Health co-ordinate the flu jab vaccination campaign for 2015 to encourage the uptake of vaccinations, especially where directorates have contact with NHS defined risk groups or had particularly low uptake in 2014. The cost of vaccinations to be covered by directorates.**
- (3) That the Director of HR, Legal and Procurement be asked to carry out further analysis and research into the reasons for absence and the effectiveness of support provided to employees and report back to the Committee once complete.**

### **24. Statutory Dismissal Procedures - verbal update (AI 6)**

Mr Jon Bell advised that a report entitled Changes to the Designated Independent Person Dismissal Procedures would be going to the Governance & Audit & Standards Committee on 26 June 2015 and then on to Full Council on 7 July 2015. He advised that the purpose of the report was to inform members of a change to the procedures that must be followed for the dismissal of designated posts (head of paid service, monitoring officer or chief finance officer) using a designated independent person and that Governance & Audit & Standards Committee would be asked to recommend to council that it amends the council's officers' employment procedure rules in Part 3D of the constitution to reflect these new procedures.

Members noted the verbal update.

### **25. Date of Next Scheduled Meeting (AI 9)**

The next meeting is scheduled for 15 September 2015.

The meeting concluded at 1.30 pm.

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Councillor Donna Jones  
Chair

# Agenda Item 4



Portsmouth  
CITY COUNCIL

<b>Title of meeting:</b>	Employment Committee
<b>Date of meeting:</b>	15 <sup>th</sup> September 2015
<b>Subject:</b>	H&S Annual Report (1 April 2014 - 31 March 2015)
<b>Report by:</b>	Owen Buckwell – Head of Property & Housing Service
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full council decision:</b>	No

## 1. Purpose of report

To update the Employment Committee on Portsmouth City Council's (PCC) health and safety (H&S) performance for the period 1 April 2014 - 31 March 2015.

## 2. Recommendations

It is recommended that the 2015/16 H&S action plan be agreed and endorsed by the Employment Committee.

## 3. Background

### 3.1 Introduction:

3.1.1 The corporate health and safety (H&S) management system is maintained and monitored by the H&S Unit, who are accountable to the Chief Executive via the Head of Property & Housing Service. The H&S Unit team are directly employed by the council and their role is to provide advice, guidance and support to members, managers and employees to enable them to fulfil their legal H&S responsibilities and comply with the corporate H&S policy and UK legislation.

3.1.2 Health and Safety Executive (HSE) involvement with the Council continues to be pro-active and there were no formal prohibition/improvement notices served on the council in 2014/15. The H&S Unit has had involvement with one 'fee for intervention' charge being levied on a local authority school - in relation to a material breach in legislation being identified by a HSE inspector visiting the school. The HSE inspector was satisfied with the Head teachers proposed action plan to address the material breach and considered the matter closed.

3.1.3 No work related deaths involving council employees have occurred and no serious management failings (trends) have been identified by the H&S Unit in in this reporting period. The new corporate accident and violent Incident reporting database was developed in-house and came on line in October 2013 to compliment the revised corporate accident and violent incident reporting policies, with an aim to producing more meaningful and accurate data. This project has proved successful and the incident details in the body of this report are now produced from one source.

3.1.4 No legionella outbreaks (incidents or exposures) have been reported to the HSE or the H&S Unit since the current H&S manager was appointed in 2010 and legionella management throughout all council managed workplaces and PCC property portfolio continues to be pro-active. The corporate legionella management policy and associated management structure has undergone another review in this reporting period, to further reduce any potential for legionella to

present a risk of ill-health to employees or members of the public.

3.1.5 No asbestos incidents relating to council work activities have been reported to the HSE or the H&S Unit in this reporting period. Asbestos management continues to be pro-active council-wide and the corporate 'Asbestos Management' policy will be republished in 2015, to reflect the latest legislative requirements, HSE 'best practice' advice and corporate management requirements. Closer working relationships between school management teams and Property & Housing Service staff are enhancing asbestos management (and legionella management) processes and procedures in local authority schools.

3.1.6 The H&S Unit continues to work closely with other corporate specialists including the fire safety advisor, environmental health team, legal team, etc. on H&S related issues/incidents within the city, particularly where the HSE, Environment Agency, Hampshire Fire and Rescue Service or other external enforcement bodies have requested information.

3.1.7 Information relating to specific work undertaken by the H&S Unit during this reporting period is detailed in the remainder of this report. The proposed 2015/16 H&S Unit action plan is attached as Appendix 1 and a review of the 2014/15 action plan is detailed at Appendix 2.

### 3.2 Communication channels:

3.2.1 The Joint Health Safety and Wellbeing Forum continues as the corporate committee for reviewing and addressing H&S management issues and communicating H&S related policy and procedural changes council-wide. The forums membership remains constant with quarterly meetings being well attended and the associated e-newsletter produced by the H&S Unit (Making your Workplace Safer) is proving a popular means of ensuring important corporate H&S information is cascaded council-wide (issue 17 was circulated in June 2015).

3.2.2 The fifteen corporate H&S policies (produced/maintained by the H&S Unit) and all associated corporate forms, guidance documents, etc. are available council-wide via Policy Hub, the staff intranet and schools' google-based website or direct from the H&S Unit.

3.2.3 The H&S Unit continues to maintain pro-active working relationships with union safety representatives within the council and schools, which includes consultation on new and revised corporate H&S policies.

### 3.3 Health and safety training:

3.3.1 A total of **4,616** H&S training briefings (facilitated by the H&S Unit and 'People Handling and Back Care Advisor') were undertaken by council members, council staff and school employees in this annual reporting period. These statutory training courses were delivered cost-effectively and the positive annual increase in uptake is evidence of the council's continued improvement in legislative compliance.

3.3.2 The H&S Unit 'stand-alone' portable training kit is proving a popular alternative training tool, for managers of staff groups where e-learning is not a viable option for undertaking corporate H&S training briefings.

3.3.3 In addition to maintaining the 8 x corporate e-learning courses, the H&S Unit delivers 2 x classroom based training courses, available to all council/school employees, bookable via the council's 'managed learning environment system (1/2 day 'work activity risk assessment' and 2 hour 'practical load handling').

3.3.4 People handling training continues to be developed and delivered by the corporate 'People Handling and Back Care Advisor'.

3.3.5 Classroom-based corporate fire safety warden training went live in January 2015, funded and facilitated by Property & Housing Services. Training is initially being delivered by an external provider but future plans include using in-house resources.

3.3.6 A breakdown of training facilitated by the H&S Unit and 'People Handling and Back Care Advisor' (PHBCA) in financial year 2014/15 is as follows:

H&S e-learning courses

• H&S Induction	1012
• H&S Induction for Members	16
• Using computers and DSE safely	787
• Manual handling	299
• Incident reporting and Investigation for managers	50
• Legionella awareness	58
• Asbestos awareness	80
• Fire safety awareness	1057
	Sub-total <u>3359</u> (2705)

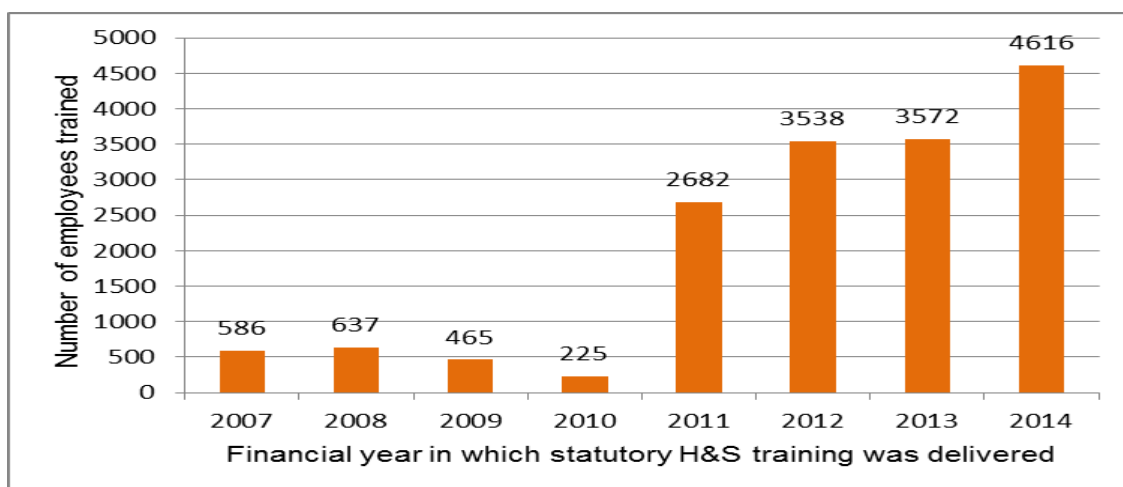
Stand-alone portable H&S Unit training kit

• H&S induction briefing	130
• Fire safety awareness briefing	133
• Manual handling briefing	92
• Legionella briefing	8
• Asbestos briefing	8
	Sub-total <u>371</u> (102)

Classroom based courses:

• Practical load handling	136
• Various 'people handling' courses (delivered by PHBCA)	669
• Work -activity risk assessment	53
• Fire warden training	28
	Sub-total <u>886</u> (765)

**Overall total** **4616** (3572) *Note: totals for 2013/14 in brackets*



H&S Unit/PHBCA training facilitated since financial year 2007/08  
(Data taken from H&S records - 20<sup>th</sup> May 2015)

### 3.4 Incident reporting statistics for 2014/2015:

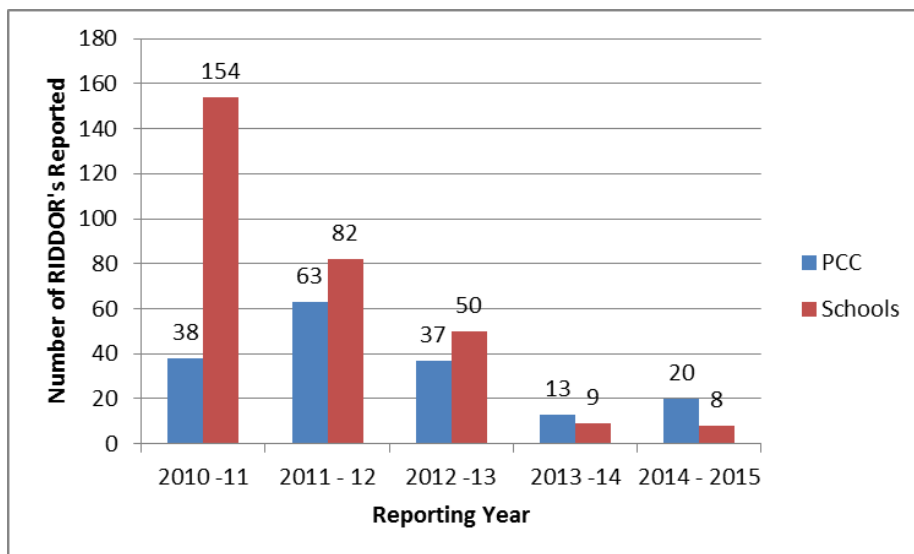
3.4.1 No fatalities or serious workplace accidents involving council employees were reported to PCC H&S Unit or the HSE in this reporting year. 'Overall' incidents reported were 6% fewer than in the previous year, with RIDDOR reports marginally increased. Incident statistics for 2014/15 continue to reflect a pro-active reporting as opposed to a poor safety culture - and the high number of violent incident reported (of which less than 1% relate to serious incidents) support this conclusion. No negative trends were highlighted by the H&S Unit and statistics reflect the expected industry norm, taking into account the type of work activities undertaken by council employees.

3.4.2 The total number of incidents (accidents and acts of violence) reported to the H&S Unit in 2014/15 was 655 (441 PCC services + 214 schools), compared with 700 in 2013/14 (389 PCC services + 311 schools).

3.4.3 RIDDOR reports accounted for 28 of the total incidents reported (20 PCC services + 8 schools), compared with 22 in the previous year (13 PCC services + 9 schools). Of the 28 reports:

- 24 involved staff (19 x 'over 7day absence' and 5 x 'specified injury' categories)
- 4 involved members of the public being taken to hospital from incident scene (1 x pupil, 1 x council resident, 1 x contractor and 1 x ferry port user).

3.4.4 As predicted in last year's annual report the significant reduction in RIDDOR reports since 2010 has now stabilised upon completion of the H&S Unit education campaign to reduce 'over-reporting' to the enforcing authority (HSE).



RIDDOR incidents reported to the HSE: 2010 - 2015

Note: RIDDOR is the 'Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013'

3.4.5 Violent incident reports (VIRs) account for 484 of the 655 incidents reported to the H&S Unit (305 PCC services + 179 schools), compared with 448 VIRs reported in the previous year (233 PCC services + 215 schools). VIR's can be broken down as follows:

- 93 reported as non-physical acts (verbal, intimidation and property damage)
- 391 reported as physical acts (330 'non-injury' and 154 'injury' incidents)
- Injuries sustained mostly minor but 4 x RIDDOR's (all 'over 7 day absence')

3.4.6 Graphical statistics taken direct from the corporate incident database are attached at Appendices 3 and 4.

### 3.5 Corporate H&S Audit and Inspection Policy:

The corporate H&S Audit and inspection policy was launched in April 2015, detailing arrangements and responsibilities for routinely inspecting and auditing council managed workplaces. Specific policy aims include:

- empowering site managers to undertake and record site-specific H&S audits and develop action plans to evidence compliance with corporate H&S policy requirements
- empowering the H&S Unit to undertake and record H&S management audits at service/department level throughout the council
- providing corporate documented evidence of compliance with UK legislation at service/department level and assist senior managers in targeting resources effectively

### 3.6 H&S Unit Service Level Agreement (SLA) with LA Schools and Academies:

The H&S Unit continues to work positively with schools within the city. At time of writing this report, in addition to 100% buy-in from all 46 LA schools offered the service, 8 local academies have also opted-in to the H&S Unit traded services agreement.

### 3.7 Policy reviews:

The following corporate policies and guidance documents were produced and/or reviewed by the H&S Unit in this reporting year:

- First Aid Policy (revised April 2014)
- Corporate Health and Safety Policy (revised August 2014)
- Corporate H&S Policy Statement (revised August 2014)
- Manual Handling Policy (revised October 2014)
- Health & Safety Training Policy (revised February 2015)
- Legionella Management Policy (revised April 2015)
- H&S Audit and Inspection Policy (April 2015)
- Asbestos Management Plan & Log Book (April 2015)
- Fire Alarm Activation Report Form (July 2014)
- Fire Incident Report Form (July 2014)

### 3.8 Corporate H&S Unit Action Plans:

The 2015/16 H&S Unit action plan, submitted for approval, is attached at Appendix 1 and the 2014/15 H&S Unit action plan has been reviewed and is attached as Appendix 2.

## **4. Reasons for recommendations**

These recommendations are put forward for approval to assist the council in complying with UK H&S legislation, PCC H&S policies and to strive for continual improvement of the corporate H&S management system

**5. Equality impact assessment (EIA)**

This report has undergone an effective equality impact assessment

Signed ..... Date ..... (Owen Buckwell, Head of HPS)

**6. Legal Implications**

There are no legal implications in this report and it ensures that the council meets its statutory duties and also supports the council’s policies on H&S.

**7. Director of Finance’s comments**

There are no additional financial costs arising from the recommendations in this report.

**Appendices:**

- Appendix 1: H&S Unit corporate action plan for 2015/16
- Appendix 2: Update of H&S Unit corporate action plan 2014/15
- Appendix 3: School incident statistics
- Appendix 4: Portsmouth City Council incident statistics

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected

by ..... on ..... Signed by: .....



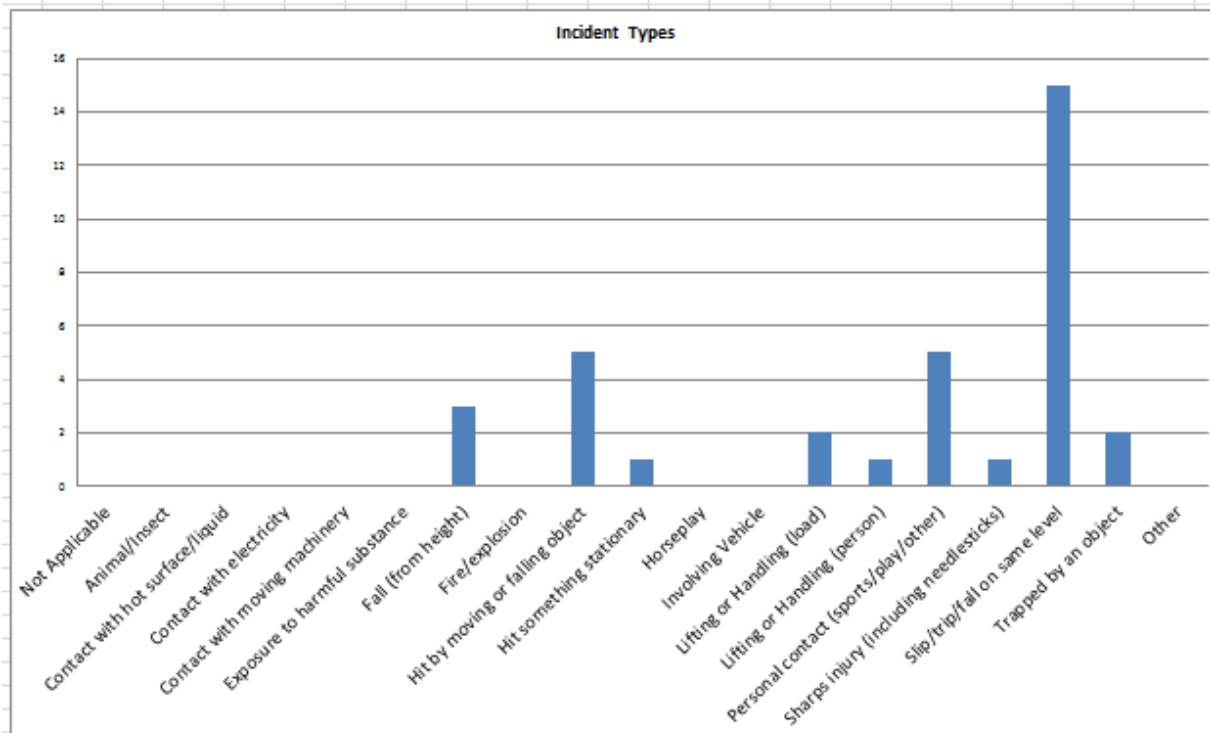
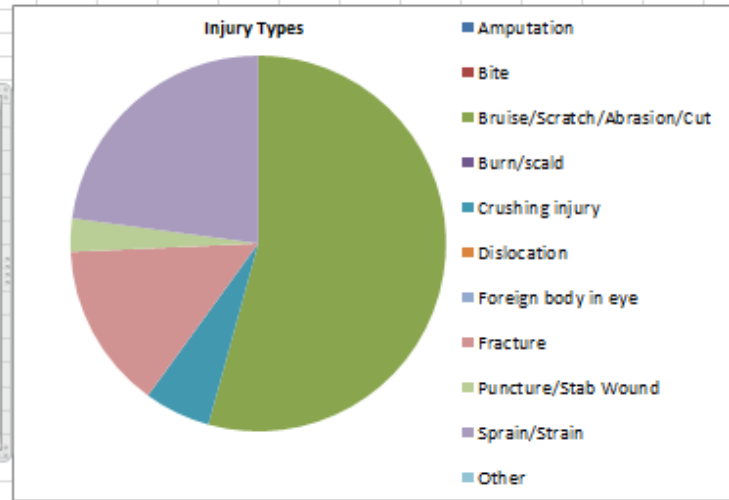
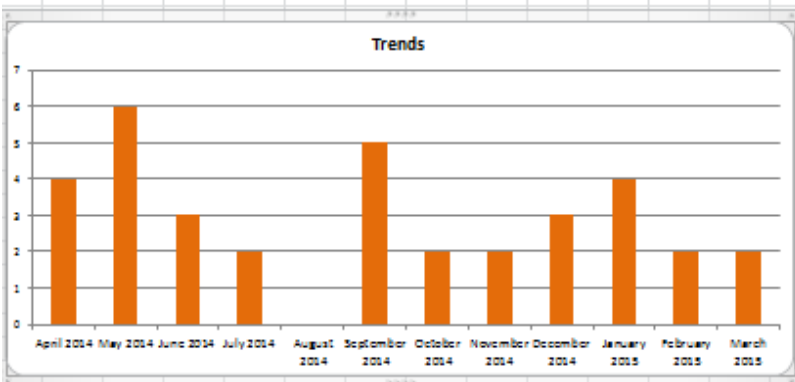
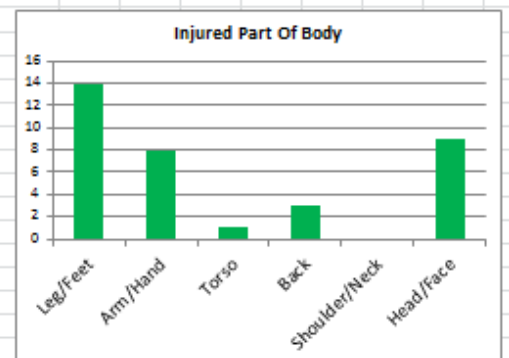
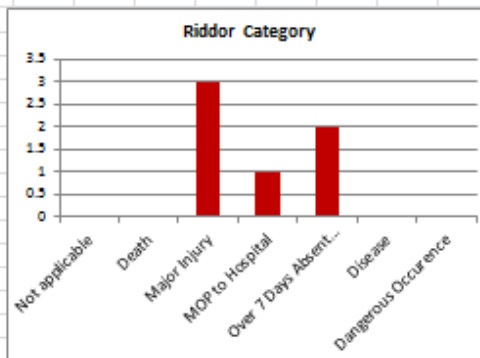
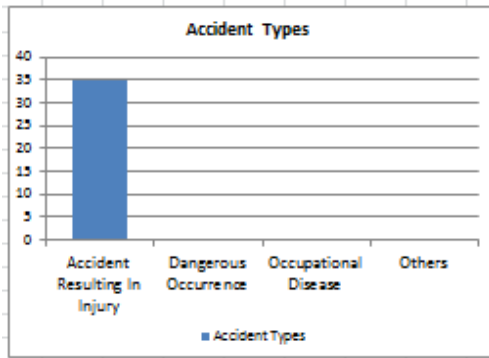
## **Portsmouth City Council: H&S Unit Corporate Action Plan 2015/16**

<b>Action</b>	<b>Objective</b>	<b>Target date</b>	<b>Lead person</b>	<b>Update/ outcome</b>
1. Annual review of the corporate H&S policy and statement of intent	To ensure compliance with H&S legislation and council policies and strategies	28/02/16	H&S Manager	
2. Produce the annual report for employment committee	For compliance with corporate H&S policy	30/05/16	H&S Manager	
3. Review corporate asbestos management policy	To reflect current legislative requirements and council policy/procedures	31/10/15	H&S Manager	
4. Deliver schools services in accordance with the SLA	To ensure compliance with H&S policy/legislation and generate income to support the H&S Advisor post	31/03/16	H&S Manager	
5. Implement and facilitate a corporate H&S management audit and inspection program	To provide corporate assurance by verifying service/workplace-specific compliance with corporate H&S policies and UK H&S legislation	31/7/15	H&S Manager	
6. Facilitate 4 x JHSW forums and distribute minutes and associated e-newsletter	For compliance with corporate H&S policy and UK legislation	31/03/16	H&S Manager	
7. Facilitate and deliver the H&S Unit's 2015/16 H&S 'classroom-based' training program	Programming, advertising and delivering corporate 'risk assessment' and 'load handling' training courses to assist managers and staff in complying with corporate H&S training requirements and UK legislation	31/03/16	H&S Manager/ H&S Advisor	
8. Maintaining the corporate incident reporting database and reviewing accident and incident reports submitted to the H&S unit	To assist managers and staff in complying with corporate 'post-incident' management requirements and UK legislation. To assist service managers in documenting evidence for future reference, in case of legal/civil litigation claims	31/03/16	H&S Manager	
9. Undertake the day-to-day duties associated with the role of corporate H&S team	To assist managers and staff in complying with legislative and corporate H&S policy requirements.	31/03/16	H&S Manager	
	End of action plan			

**Portsmouth City Council: H&S Unit Corporate Action Plan 2014/15**

<b>Action</b>	<b>Objective</b>	<b>Target date</b>	<b>Lead person</b>	<b>Update/outcome</b>
1. Annual review of the corporate H&S policy and statement of intent	To ensure compliance with H&S legislation and council policies and strategies	28/02/15	H&S Manager	<b>Action complete</b>
2. Produce/implement a corporate H&S audit and inspection policy	To provide corporate assurance and verify service/ workplace specific compliance with corporate H&S policy	31/12/14	H&S Manager	<b>Action complete</b>
3. Review corporate first aid policy	To reflect current legislative requirements and council policy/procedures	31/05/14	H&S Manager	<b>Action complete</b>
4. Review the corporate 'manual handling e-learning' course	Revised course to compliment the corporate 'H&S risk assessment' training course and customer needs.	30/06/14	H&S Manager	<b>Action complete</b>
5. Review/revise the corporate mandatory 'load handling practical' training course	Revised course to compliment the corporate 'H&S risk assessment' training course and the 'manual handling e-learning'	30/09/14	H&S Manager	<b>Action complete</b>
6. Revise the corporate manual handling policy	Revised policy to reflect current legislative requirements and corporate procedures	31/10/14	H&S Manager	<b>Action complete</b>
7. Implement corporate fire safety warden training	To ensure compliance with H&S/fire safety legislation and council policy	31/11/14	Fire Safety Advisor	<b>Action complete</b>
8. Deliver schools services in accordance with the SLA	To ensure compliance with H&S policy/legislation and generate income to support H&S Advisor post	31/03/15	H&S Manager	<b>Action complete</b>
9. Further develop and maintain corporate and schools H&S webpages	To provide a one-stop location for corporate H&S policies and H&S information relevant to PCC activities	31/03/15	H&S Manager	<b>Action complete</b>
10. Produce the annual report for employment committee	For compliance with corporate H&S policy	30/05/15	H&S Manager	<b>Action complete</b>
	End of action plan			

**Schools 'Accident' Reports: 1 April 2014 - 31 March 2015**



### Schools 'Accident' Reports: 1 April 2014 - 31 March 2015

<b>Number Of Accidents Reported</b>	<b>35</b>
<b>Accident Types</b>	
Accident Resulting In Injury	35
Dangerous Occurrence	0
Occupational Disease	0
Others	0
<b>Injury Types</b>	
Amputation	0
Bite	0
Bruise/Scratch/Abrasion/Cut	19
Burn/scald	0
Crushing injury	2
Dislocation	0
Foreign body in eye	0
Fracture	5
Puncture/Stab Wound	1
Sprain/Strain	8
Other	0
<b>Injured Part of Body</b>	
Leg/Feet	14
Arm/Hand	8
Torso	1
Back	3
Shoulder/Neck	0
Head/Face	9
<b>Number of Riddor's</b>	<b>6</b>
<b>Riddor Category</b>	
Not applicable	0
Death	0
Major Injury	3
MOP to Hospital	1
Over 7 Days Absent Injury	2
Disease	0
Dangerous Occurrence	0

<b>Incident Type</b>	<b>35</b>
Not Applicable	0
Animal/Insect	0
Contact with hot surface/liquid	0
Contact with electricity	0
Contact with moving machinery	0
Exposure to harmful substance	0
Fall (from height)	3
Fire/explosion	0
Hit by moving or falling object	5
Hit something stationary	1
Horseplay	0
Involving Vehicle	0
Lifting or Handling (load)	2
Lifting or Handling (person)	1
Personal contact (sports/play/other)	5
Sharps injury (including needlesticks)	1
Slip/trip/fall on same level	15
Trapped by an object	2
Other	0
<b>Trends</b>	
April 2014	4
May 2014	6
June 2014	3
July 2014	2
August 2014	0
September 2014	5
October 2014	2
November 2014	2
December 2014	3
January 2015	4
February 2015	2
March 2015	2

**Schools 'Violent Incident' Reports: 1 April 2014 - 31 March 2015**

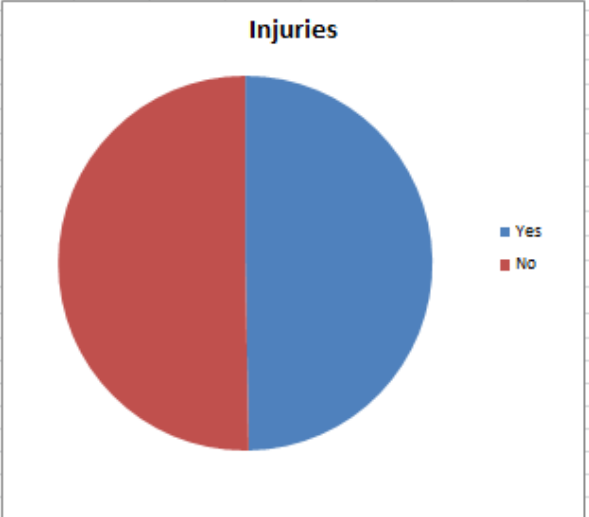
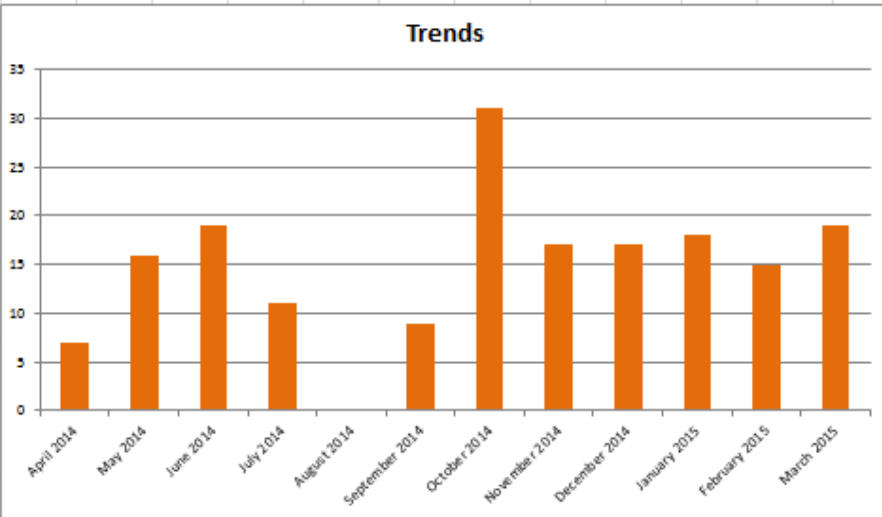
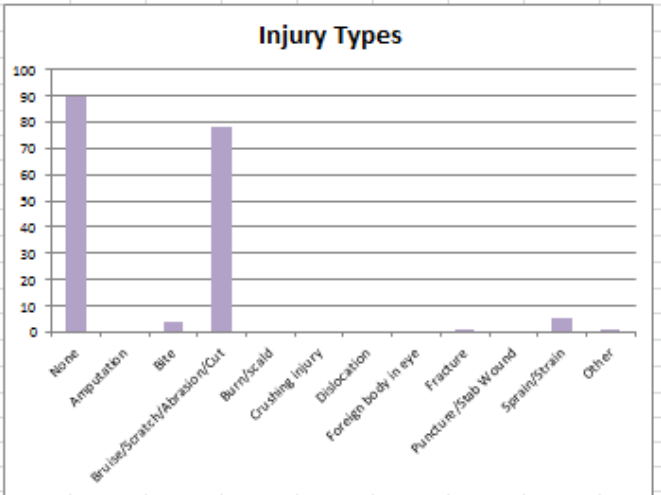
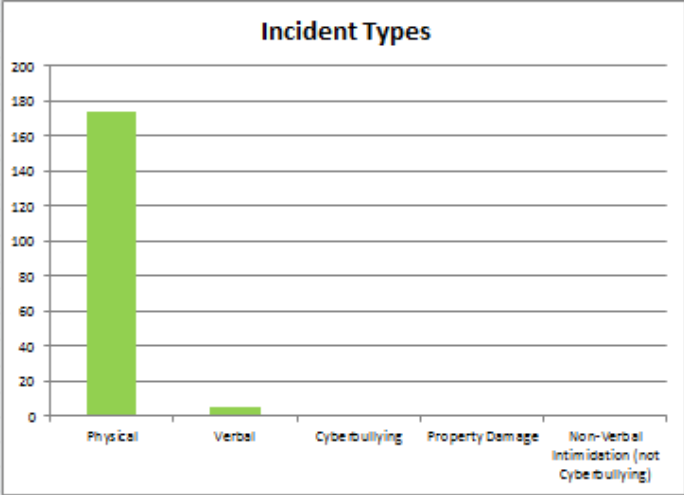
<b>Number Of Incidents Reported</b>	179
<b>Total Number of RIDDOR</b>	2

Incident Types	
Physical	174
Verbal	5
Cyberbullying	0
Property Damage	0
Non-Verbal Intimidation (not Cyberbully	0

Injuries	
Yes	89
No	90

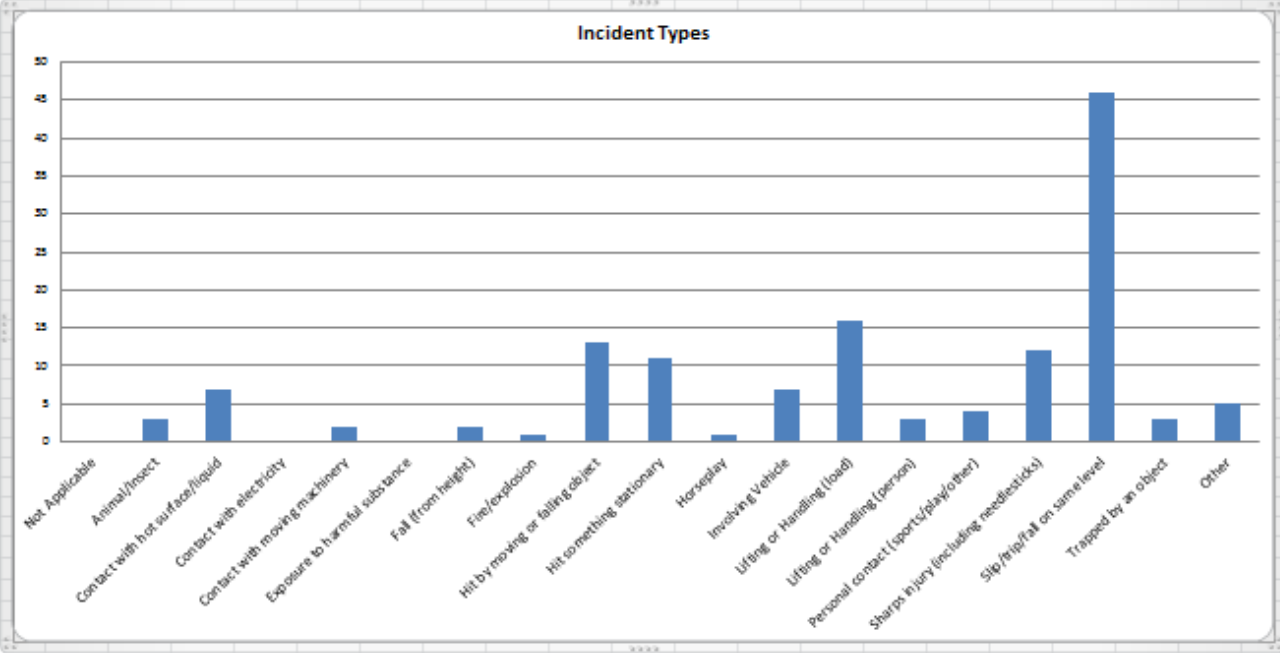
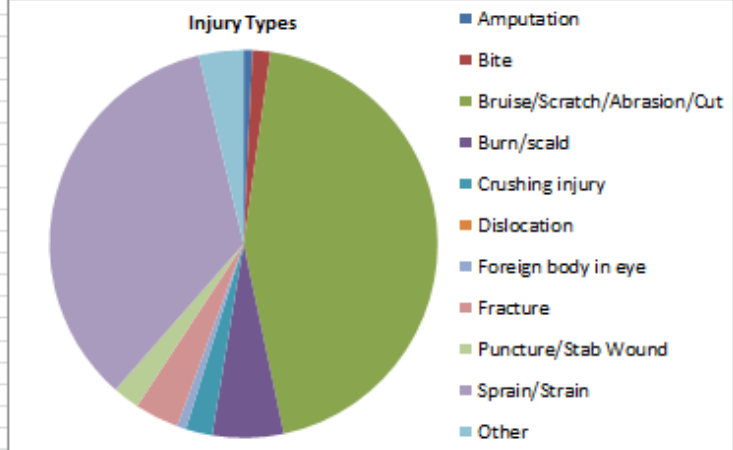
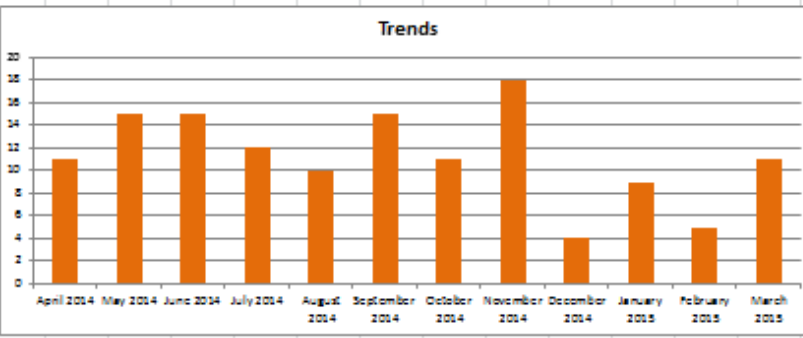
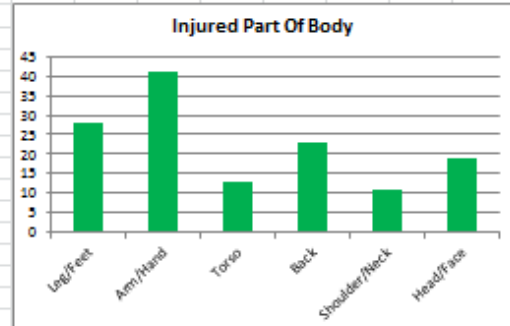
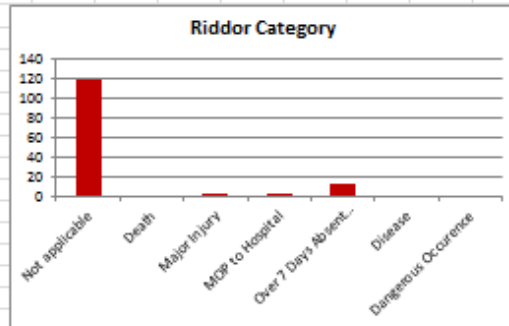
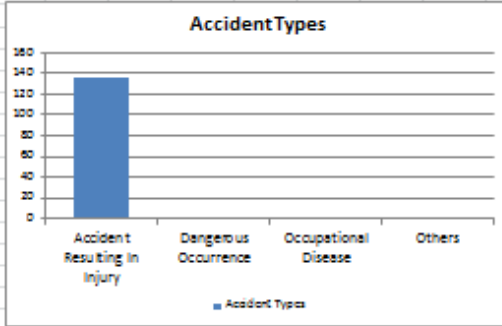
Injury Types	
None	90
Amputation	0
Bite	4
Bruise/Scratch/Abrasion/Cut	78
Burn/scald	0
Crushing injury	0
Dislocation	0
Foreign body in eye	0
Fracture	1
Puncture/Stab Wound	0
Sprain/Strain	5
Other	1

Trends	
April 2014	7
May 2014	16
June 2014	19
July 2014	11
August 2014	0
September 2014	9
October 2014	31
November 2014	17
December 2014	17
January 2015	18
February 2015	15
March 2015	19



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**Portsmouth City Council 'Accident' Reports: 1 April 2014 - 31 March 2015**



## Portsmouth City Council 'Accident' Reports: 1 April 2014 - 31 March 2015

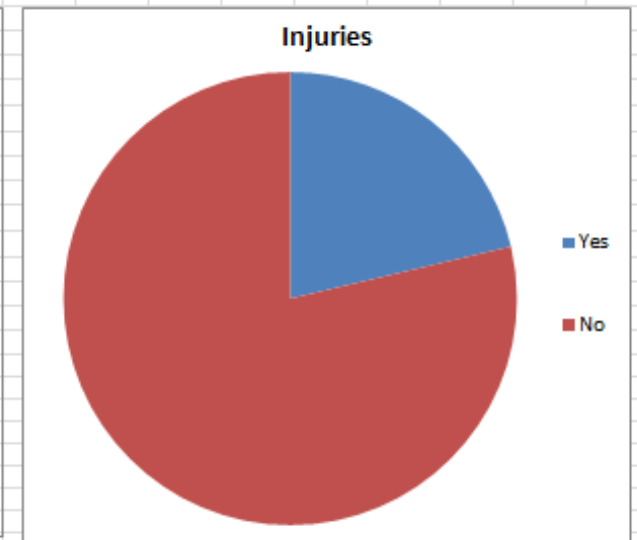
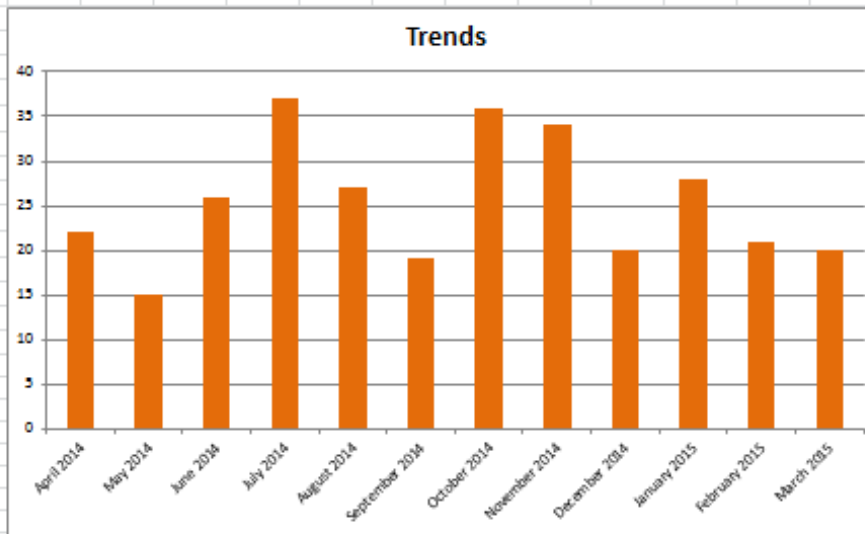
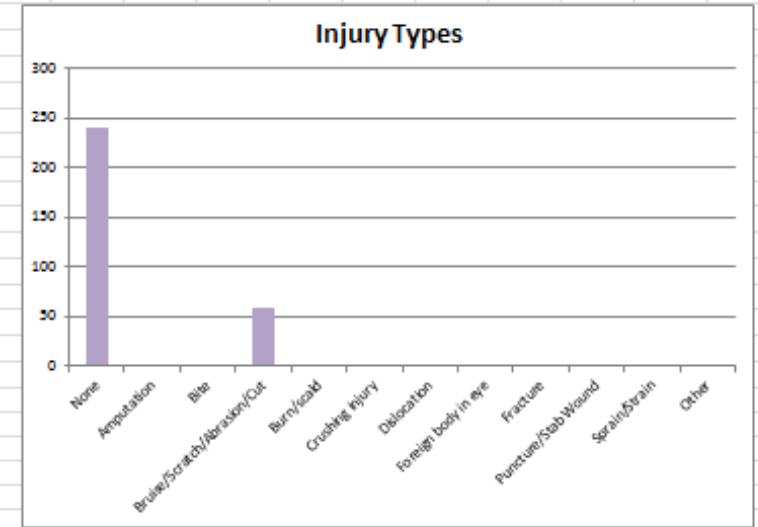
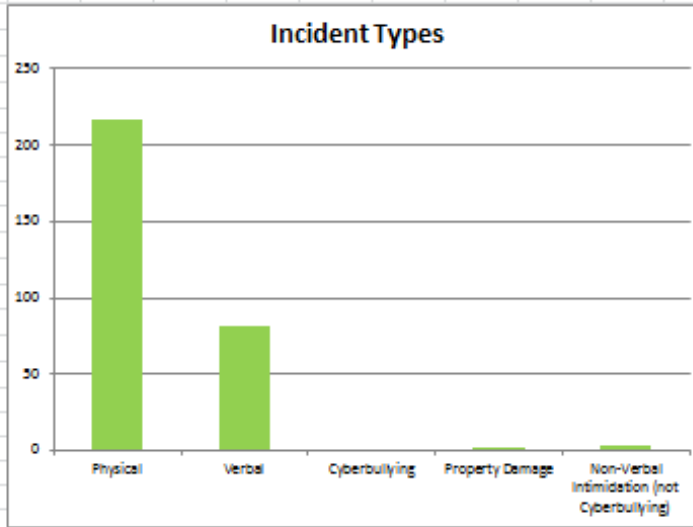
<b>Number Of Accidents Reported</b>	<b>136</b>
<b>Accident Types</b>	
Accident Resulting In Injury	136
Dangerous Occurrence	0
Occupational Disease	0
Others	0
<b>Injury Types</b>	
Amputation	1
Bite	2
Bruise/Scratch/Abrasion/Cut	60
Burn/scald	8
Crushing injury	3
Dislocation	0
Foreign body in eye	1
Fracture	5
Puncture/Stab Wound	3
Sprain/Strain	47
Other	5
<b>Injured Part of Body</b>	
Leg/Feet	28
Arm/Hand	41
Torso	13
Back	23
Shoulder/Neck	11
Head/Face	19
<b>Number of Riddor's</b>	
	18
<b>Riddor Category</b>	
Not applicable	118
Death	0
Major Injury	3
MOP to Hospital	2
Over 7 Days Absent Injury	13
Disease	0
Dangerous Occurrence	0

<b>Incident Type</b>	<b>136</b>
Not Applicable	0
Animal/Insect	3
Contact with hot surface/liquid	7
Contact with electricity	0
Contact with moving machinery	2
Exposure to harmful substance	0
Fall (from height)	2
Fire/explosion	1
Hit by moving or falling object	13
Hit something stationary	11
Horseplay	1
Involving Vehicle	7
Lifting or Handling (load)	16
Lifting or Handling (person)	3
Personal contact (sports/play/other)	4
Sharps injury (including needlesticks)	12
Slip/trip/fall on same level	46
Trapped by an object	3
Other	5
<b>Trends</b>	
April 2014	11
May 2014	15
June 2014	15
July 2014	12
August 2014	10
September 2014	15
October 2014	11
November 2014	18
December 2014	4
January 2015	9
February 2015	5
March 2015	11



**Portsmouth City Council 'Violent Incident' Reports: 1 April 2014 - 31 March 2015**

<b>Number Of Incidents Reported</b>	305
<b>Total Number of RIDDOR</b>	2
<b>Incident Types</b>	
Physical	217
Verbal	82
Cyberbullying	1
Property Damage	2
Non-Verbal Intimidation (not Cyberbullying)	3
<b>Injuries</b>	
Yes	65
No	240
<b>Injury Types</b>	
None	240
Amputation	0
Bite	2
Bruise/Scratch/Abrasion/Cut	58
Burn/scald	1
Crushing injury	0
Dislocation	0
Foreign body in eye	1
Fracture	1
Puncture/Stab Wound	0
Sprain/Strain	2
Other	0
<b>Trends</b>	
Month	No'
April 2014	22
May 2014	15
June 2014	26
July 2014	37
August 2014	27
September 2014	19
October 2014	36
November 2014	34
December 2014	20
January 2015	28
February 2015	21
March 2015	20



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# Agenda Item 5

Agenda item:

**Title of meeting:** Employment Committee  
**Date of meeting:** 15 September 2015  
**Subject:** Employee Benefits Portal  
**Report by:** Shaun Tetley, Payroll and Pension Manager  
**Wards affected:** None  
**Key decision:** No  
**Full Council decision:** No

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## 1. Purpose of report

- 1.1 This report seeks approval in principle to select and procure an employee benefits portal, subject to it demonstrating employer recruitment and retention benefits, employee benefits and overall financial savings.

## 2. Recommendations

- 2.1 Employment Committee approve the implementation of an employee benefits portal, subject to recommendations 2.2 and 2.3 below
- 2.2 Employment Committee delegates the selection of the employee benefits portal to the Director of Finance and IS and Director of HR, Legal and Procurement. The selection criteria will incorporate a financial appraisal to demonstrate that financial savings will accrue from this initiative.
- 2.3 Employment Committee delegate authority to the Director of HR, Legal and Procurement in consultation with the Chair of the Employment Committee to investigate and implement the appropriate range of benefits to be included in the portal. This will be informed by some external support we are currently obtaining (at no cost) to look at the demographics of the council workforce to identify which benefits would deliver the best outcome for staff in terms of take up and also savings to the council. An idea of the types of benefit that could be included in the portal are listed below in section 4.1.

## 3. Background

- 3.1 The council is continually seeking to enhance its employee benefit provision. This is particularly important during periods of pay restraint where employee benefits can provide an important incentive to recruit and retain staff.

- 3.2 There are a number of external providers who offer employee benefit portals that provide employee access to a wide range of benefits. Some of these benefits are offered through a salary sacrifice arrangement and these result in savings for the employee in terms of lower deductions in respect of income tax, national insurance and in some cases pension. In addition they provide savings for the council through lower employer national insurance contributions and for some benefits employer pension costs. The employer savings can be significant and will make an important contribution towards the budget savings.
- 3.3 The market for companies who provide employee benefit packages is mature and numerous public sector bodies have implemented schemes. The council have had demonstrations by a number of companies who provide employee benefit services and the advantages to the council and staff in implementing a benefits portal are as follows:
- The significant extension to the range of benefits currently available to staff will act as a valuable recruitment and retention tool in an increasingly buoyant employment market.
  - The fact that the public sector is faced with a further 4 years of pay restraint (with pay increases expected to be limited to 1% each year) will require greater flexibility in terms of employer benefits provision.
  - A number of the benefits available through employee benefit portals utilise salary sacrifice arrangements and this provides the employee with significant savings in income tax, national insurance and sometimes pension contributions.
  - The council can make significant savings in employer national insurance and pension contributions. This is particularly important given the closure of contracted out national insurance from April 2016 where the council is faced with an increase of approximately 3% in its national insurance contributions for every pension scheme member.
  - There are numerous external providers of benefits portals and the market is fiercely competitive to the extent that the cost to the council of procuring a portal will be minimal. In fact we are aware of some providers who provide the portal at no cost with their income being generated through their relationship with the companies they contract with to provide the benefits.
  - The council already provides a number of benefits such as childcare vouchers, cycle to work scheme, purchase of annual leave, discounts in local shops and these can be readily included in any portal.

#### **4. Potential range of benefits**

- 4.1 It is important to agree the range of benefits to be included in the portal from the implementation date. This will determine to a large extent the success of the project as a flexible range of benefits will attract staff interest and deliver greater savings to both the staff and the council. Research into the most attractive benefits provided in the workplace suggests that we could include the following benefits in the package.
- Life insurance

- Private medical insurance
- Private dental insurance
- Car lease scheme
- Retail vouchers
- Gym membership
- IT equipment
- Mobile phones
- Critical illness cover
- Personal accident cover

In addition to the above items we would include all of the current benefits that we provide to PCC staff (childcare vouchers, cycle to work scheme, interest free season ticket loans, purchase of annual leave, discounts at local shops etc.).

Recommendation 2.3 of this report indicates that we are in the process of identifying the most appropriate benefits to include in the portal given the demographic workforce of the council, to ensure that we offer a range of benefits that will be popular with staff and deliver savings to the council.

## **5. Implementation issues**

- 5.1 The selection of the external portal provider will be critical to the success of the project. A project team will be formed to cover the disciplines required to implement a scheme of this nature. This will initially comprise staff from HR/Procurement and Finance/IS with other departments co-opted onto the project at the appropriate time.
- 5.2 A number of the employee benefits do affect LGPS pension entitlement and it will very important that pension scheme members are fully aware of the pension scheme implications before signing up to the arrangements. This will be covered in the frequently asked questions material.
- 5.3 There will be resourcing issues associated with implementing a major scheme of this nature. Although external portal companies provide support in terms of online help and calculators to enable staff to understand the cost of any benefits they select, internal resource will be required to cover items such as:
- Monitoring the contract
  - Updating the system each month with deadlines and other publicity collateral
  - Updating the payroll system with deductions
  - Monthly reconciliation of the scheme deductions
  - Managing imports and exports of data between the council and the portal provider
  - Providing information advice and guidance to staff on the scheme
  - Providing advice to staff on the implications to LGPS benefits
  - Managing early terminations
  - Managing cases where staff go on maternity leave
  - Managing cases where staff go on long term sick leave

- Handling any communication issues
- Adding new benefits to the portal

The employer savings on national insurance and pensions are significant and it is proposed that we engage dedicated resource to manage all aspects of the portal with the ongoing cost being financed from the ongoing savings. This approach is critical to the success of the project and has been adopted by other councils

## **6. Equality impact assessment (EIA)**

A preliminary or full equality impact assessment is not required at this stage. Although we are seeking member approval to investigate and implement an employee benefits portal, no adverse impacts have been identified at this stage on any of the protected characteristics as described by the Equality Act 2010. An Equality impact assessment maybe required in the future when more detail is known on the portal supplier to ensure that all of the workforce can access the portal.

## **7. Legal implications**

There are very limited legal implications in terms of direct risk associated with the establishment of a portal opportunity. Provided that any successful provider offers services on an inclusive basis avoiding any potential discrimination in the supply of services then there would be no allegation that the L.A is failing to promote the Public Sector Equality Duty. What would need to be clear is that the provision of a portal opportunity is an opportunity to employees to contract direct with a third party supplier and that in accessing the portal the L.A is not a party to any contract and does not endorse the quality of any service or product offered via accessing the portal.

## **8. Finance comments**

The report has highlighted that the implementation of an employee benefits portal will not only act as an important recruitment and retention tool but will also make significant savings towards the budget deficit. The level of the savings will be influenced by the range of benefits that are included in the package and by ensuring that the scheme is widely promoted to staff. The estimated savings based on the likely take up are expected to be in excess of £100,000 in a full year. This project will require the appointment of dedicated resource to manage all aspects of the portal as set out in section 5.3 above.

Signed by:

**Background list of documents: Section 100D of the Local Government Act 1972**

None

The recommendation(s) set out above were approved/ approved as amended/ deferred/  
rejected by ..... on .....

.....  
Signed by:

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# Agenda Item 7



Portsmouth  
CITY COUNCIL

Agenda item:

**Title of meeting:** Employment Committee

**Date of meeting:** 15<sup>th</sup> September 2015

**Subject:** Definition of a Chief Officer at Portsmouth City Council

**Report From:** Director of HR, Legal & Procurement

**Report by:** Paddy May, Corporate Strategy Manager

**Wards affected:** N/A

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

1.1. To seek approval from Members for a definition of what we mean by a Chief Officer employed by Portsmouth City Council.

**2. Recommendations**

2.1. It is recommended that Employment Committee notes that the outdated reference to SM2 in the delegations to the Employment Committee (section 2, part 2, para 3) be updated to a catch all definition of *Chief Officer*, which should be:

2.1.1. on the JNC terms and conditions, and

2.1.2. defined as one, or more, of the following:

- The Chief Executive
- The Deputy Chief Executive
- The S151 Officer
- A direct report to the Chief Executive (i.e. Port Manager; Director of Public Health; Director of Regulatory Services, Community Safety and Troubled Families; Director of Integrated Commissioning Unit; Director of Adult Services; and, Director of Children Services and Education)
- A direct report to the Deputy Chief Executive (i.e. Director of Housing and Property; Director of Transport, Environment and Business Support; Director of Culture and City Development; Director of Finance and Information Services (NB also S151 officer); Director of HR, Legal and Procurement; and, Director of Community and Communication)

### 3. Background

- 3.1. It is important that the organisation is clear about what constitutes a Chief Officer. Employment Committee have a role in terms of agreeing the structure of the organisation at Chief Officer level and the committee is also involved in the recruitment and dismissal processes for Chief Officers. It is therefore important that we are clear which officers these roles relate to. Chief Officers would also normally be on the Joint Negotiating Committee (JNC) terms and conditions which often, for example, have different pay settlements from staff on National Joint Council (NJC) contracts.
- 3.2. Currently Portsmouth City Council's delegations to its Employment Committee (constitution part, 2, section 2, para 3) to appoint and discipline staff makes reference to the SM2 grade. This is considered to be out of date, so a corrective definition of Chief Officer is sought. Currently it is accepted that a Chief Officer is someone who is at grade 16 or above. This was agreed following the Moving Towards Excellence review which created the posts of Strategic Directors (SDs) and Heads of Service (HoS). The HoS were all at Band 16 or Band 17 and reported directly to the SDs. This means that any appointment at Band 16 or above should be a member appointment and should be subject to the JNC terms and conditions of employment.
- 3.3. However posts such as the Deputy Section 151 Officer and the Troubled Families Coordinator are now Band 16 posts and this does create anomalies where, for example, members are involved in the appointment process for some, but not all, third tier officers. Similarly there are two Band 16 posts in the Port staffing structure that are not on JNC terms and conditions and therefore are not Chief Officers even though they meet the definition of being on Band 16 or above.
- 3.4. This report is therefore seeking to get approval for a definition of Chief Officer that will remove these anomalies. The Parliamentary Communities and Local Government Committee in their second report of the session on Chief Officers' remuneration stated that "*A Chief Officer is defined here as a local authority Chief Executive or a corporate director or a service head. Chief Officers' are defined here as those employed in Chief Executive, tier 1 and 2 roles. A tier 1 role is broadly one with strategic management responsibilities, often with statutory or constitutional duties, such as Director of Children's Services, monitoring officer or deputy head of paid service. In most cases tier 1 officers report directly to the Chief Executive. Tier 2 officers are usually operational managers such as heads of major functions, such as head of human resources or planning...*".
- 3.5. In legislative terms Section 43 of the Localism Act (2011) defines a Chief Officer in the following way (the context for this chapter and section of the Localism Act is the pay accountability requirements) :
- "In this Chapter "chief officer", in relation to a relevant authority, means each of the following—*
- a. the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;*
  - b. its monitoring officer designated under section 5(1) of that Act;*
  - c. a statutory chief officer mentioned in section 2(6) of that Act;*

- d. *a non-statutory chief officer mentioned in section 2(7) of that Act;*
- e. *a deputy chief officer mentioned in section 2(8) of that Act."*

3.6. The Localism Act refers to Section 2 of the Local Government and Housing Act (1989). This relates to politically restricted posts and includes a definition of a Statutory Chief Officer (such as the S151 Officer) and also the Non-Statutory chief officers. These are defined as:

- *a person for whom the head of the authority's paid service is directly responsible;*
- *a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the head of the authority's paid service; and*
- *any person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the local authority themselves or any committee or sub-committee of the authority.*

A deputy chief officer is defined as "*as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers*". It is worth noting that the Act recognises that a person "*whose duties are solely secretarial or clerical or are otherwise in the nature of support services shall not be regarded as a non-statutory chief officer or a deputy chief officer for the purposes of this Part*".

#### 4. **The Portsmouth definition of Chief Officer**

4.1 With the legislative definitions above it would be possible to argue that a Chief Officer in Portsmouth would comprise the:

- Chief Executive
- Deputy Chief Executive
- S151 Officer
- Direct reports to the Chief Executive (i.e. Port Manager, Director of Public Health, Director of Regulatory Services etc., Director of Integrated Commissioning Unit, Director of Adult Services, Director of Children Services and Education)

4.2 However this would ignore that the direct reports to the Deputy Chief Executive are equivalent to the other directors. With the relationship between these Directors and the relevant Cabinet Member(s) or Committee(s) (such as Employment Committee) it could be argued that these Directors would meet the requirements of someone who "*as respects all or most of the duties of his post, is required to report directly or is directly accountable to the local authority themselves or any committee or sub-committee of the authority*". This would make these posts Chief Officer posts under the definition used in the Local Government & Housing Act (1989).

4.3 On this basis it is recommended that Portsmouth City Council ensures that all Chief Officers are on the JNC terms and conditions and that a Chief Officer is defined as someone having one, or more, of the following roles:

- The Chief Executive

- The Deputy Chief Executive
- The S151 Officer
- Direct reports to the Chief Executive (i.e. Port Manager; Director of Public Health; Director of Regulatory Services, Community Safety and Troubled Families; Director of Integrated Commissioning Unit; Director of Adult Services; and, Director of Children's Services and Education)
- Direct reports to the Deputy Chief Executive (i.e. Director of Housing and Property; Director of Transport, Environment and Business Support; Director of Culture and City Development; Director of Finance and Information Services (NB also S151 officer); Director of HR, Legal and Procurement; and, Director of Community and Communication)

**5. Equality Impact Assessment**

5.1 There is no requirement for an Equality Impact Assessment at this time.

**6. Legal Implications**

6.1 As this is corrective action, it can be carried out by the monitoring officer.

**7. Director of Finance's comments**

7.1. There are no financial implications arising directly from this report.

.....  
Signed by: Jon Bell, Director of HR, Legal & Procurement

**Appendices:**

Appendix 1 - Structure Chart

Appendix 2 - List of posts currently at Band 16 or above

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

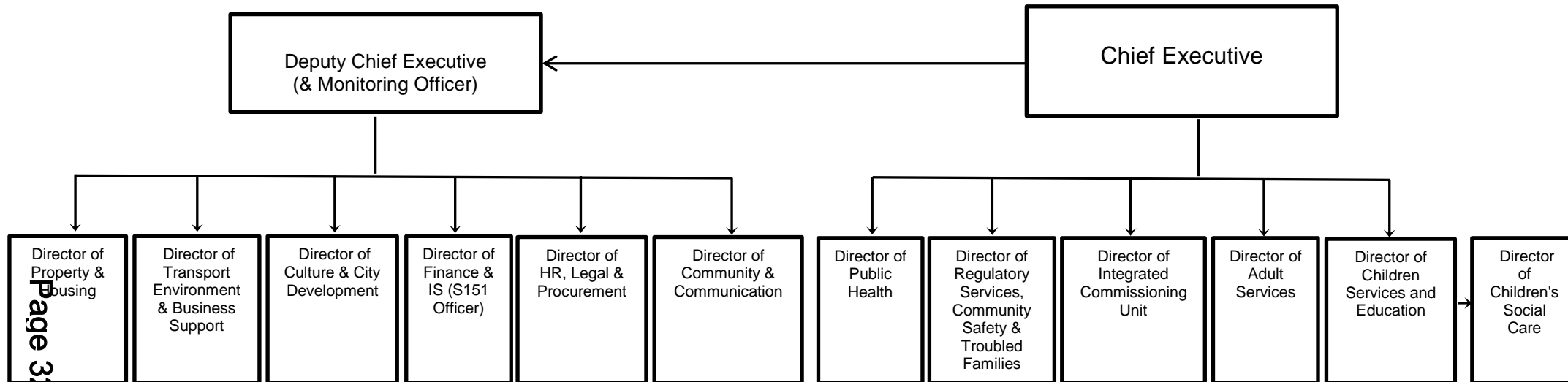
Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/  
rejected by ..... on .....

.....  
Signed by: Name and Title



Portsmouth City Council Management Structure (August 2015)



**APPENDIX 2**
**Current Portsmouth City Council Posts at Band 16 or Higher**

<b>Position</b>	<b>Position Grade</b>	<b>JNC Terms &amp; Conditions</b>
Chief Executive	Band 20	YES
Deputy Chief Executive / Monitoring Officer	Band 19	YES
Port Manager	Band 19	YES
Director of Public Health	Band 19	YES
Director of Children Services & Education	Band 19	YES
Director of Finance and Information Services (S151 Officer)	Band 18	YES
Director of Adult Social Care	Band 18	YES
Director of Property & Housing	Band 18	YES
Director of Transport, Environment & Business Support	Band 17	YES
Director of Cultural & City Development	Band 17	YES
Director of Children's Social Care and Safeguarding	Band 17	YES
Director of Community & Communication	Band 17	YES
Director of HR, Legal & Procurement	Band 17	YES
Director of Integrated Commissioning Unit	Band 17	YES
Director of Regulatory Services, Community Safety & Troubled Families	Band 17	YES
Ferry Port Manager	Band 16	NO
Business Manager Ferry Port	Band 16	NO
Troubled Families Co-Ordinator	Band 16	YES
Assistant Head of Finance & Deputy S151 Officer	Band 16	YES
Solent LEP Chief Executive	Band 19	YES

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# Agenda Item 8



Portsmouth  
CITY COUNCIL

Agenda item:

**Title of meeting:** Employment Committee

**Date of meeting:** Tuesday 15<sup>th</sup> September 2015

**Subject:** Equal Pay Audit

**Report by:** Director of HR, Legal and Procurement

**Wards affected:** None

**Key decision:** No

**Full Council decision:** No

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## 1. Purpose

To present the outcomes of the Equal Pay Audit 2015, ensuring the Council can fulfil its statutory obligations in respect of equal pay for its employees, and deliver its corporate commitment to equalities.

## 2. Recommendations

It is recommended that the Employment Committee:

- 2.1 Note the key findings of the Equal Pay Audit 2015.
- 2.2 Agree the recommendations set out within the Equal Pay Audit report.

## 3. Background

### 3.1 The National Context

- 3.1.1 The Equality Act came into force on the 1 October 2010. The Act gives women and men a right to equal pay (and other terms and conditions) for equal work. It replaces previous legislation, including the Equal Pay Act 1970 and the Sex Discrimination Act 1975, and the equality provisions in the Pensions Act 1995. Under the Equality Act 2010, pay systems may also be open to challenge on grounds of race, age or other protected characteristics
- 3.1.2 Nationally, the full-time gender pay gap has narrowed since 1975 when legislation on equal pay first came into force, but there remains a gap of 19.1% between women's and men's mean average pay for both full and part-time workers (Office for National Statistics - 2014). Historically women have often been paid less than men for doing the same or equivalent work and in some cases this inequality has persisted. The Equality Act provisions on

equal pay and sex discrimination are intended to ensure that pay and other employment terms are determined without sex discrimination or bias.

- 3.1.3 Employers in the public sector are subject to a specific public sector equality duty in respect of their functions. They must have due regard to the need to eliminate discrimination and advance equality of opportunity.
- 3.1.4 Under the 1997 National Joint Council (NJC) Single Status Agreement, councils undertook to review their pay and grading structures. A key driver for the agreement was the need to address equal pay. The Single Status Agreement aimed to bring together into a single structure the pay structures of manual workers and white collar local government officers. The 2004 NJC National Pay Agreement required local authorities to undertake and implement a local pay review (for all staff other than teachers) and set out timescales to achieve this.

## **3.2 The Local Context**

- 3.2.1 Following the National Pay Agreement, Portsmouth City Council conducted the Local Pay Review which was implemented in 2009. As part of this review, a Local Pay and Conditions Document was developed setting out the Council's policy framework on local pay and conditions.
- 3.2.2 During the Local Pay Review all job types in the city council were evaluated using the JESS (Job Evaluation Support System) job evaluation scheme, and jobs were placed in the band which contained their job's evaluation score. The JESS scheme continues to be used to evaluate all new or amended posts.

## **4. Implementation**

### **4.1 Methodology**

- 4.1.1 The Equality and Human Rights Commission (EHRC) recommends that all employers regularly review and monitor their pay practices. The EHRC Statutory Code of Practice on Equal Pay suggests that equal pay audits may be the most effective means of ensuring that a pay system delivers equal pay. The Commission has also produced an Equal Pay Audit Toolkit to provide guidance for employers in carrying out an equal pay audit.
- 4.1.2 The EHRC Equal Pay Audit Toolkit has been used to guide the process and the methodology used to carry out the Audit. Guidance for use in undertaking an in-house Equal Pay Audit was produced following the first Equal Pay Audit in 2011/12, which has been used to conduct this audit.

## 4.2 Scope

4.2.1 The Scope of the Equal Pay Audit 2015 has included:

- An analysis of pay across all PCC employees, including those working in schools (excluding teachers). The analysis has not included casual or agency staff.
- Comparing the average basic pay and total gross pay of men and women in each pay band (i.e. assessed as doing 'equal work').
- Where any significant pay gaps were identified, undertaking further analysis to identify the causes of the pay gaps.
- Overview assessments of the Council's pay policies and job evaluation scheme.
- Making recommendations on further actions needed.

4.2.2 The Equal Pay Audit 2015 has not included analysis of pay across other protected groups where comprehensive data is currently unavailable, for example in terms of ethnicity and disabilities. The information currently available across these diversity strands is not adequate for the purposes of carrying out an audit.

## 5. Key Findings and Recommendations

5.1 The key findings are set out in the Equal Pay Audit Report and a summary of recommendations is provided on page 13 of the report.

## 6. Conclusions

6.1 The Equal Pay Audit has analysed basic pay and has not identified any significant pay gaps between the average pay of males and female employees in each band. The analysis of total gross pay has identified significant pay gaps in four of the Council's pay bands. The causes of the pay gaps have been investigated and in each case the pay gaps have been found to be for justifiable reasons and not due to inequalities. The Council's job evaluation scheme has been checked against the EHRC checklists and the responses indicate that the scheme is at low risk of being discriminatory.

6.3 Through the implementation of the Local Pay Review, Portsmouth City Council has significantly reduced the risks of pay inequalities by introducing a single salary band structure and developing a new model of allowances. The Council can continue to ensure the principles of equal pay are met by endorsing and implementing the recommendations set out in the Equal Pay Audit report.

**7. Equality Impact Assessment**

7.1 A preliminary EIA form has been completed and a full assessment is not needed.

**8. Finance Comments**

8.1 There are no direct financial implications arising from the recommendations in this report.

**9. Legal Implications**

9.1 The report and recommendations are consistent with the promotion of the Public Sector Equality Duty and are compliant with the Equality Act 2010 in that the current review of equal pay seeks to address the existing material differences. The preparation and publication of the Equal Pay Audit is consistent with the statutory obligation placed upon the Authority to identify the differences in pay, prepare an action plan and seek to eradicate differentials that are found to exist.

.....  
Signed by:

**Appendices:**

Appendix 1: Equal Pay Audit 2015

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location



# EQUAL PAY AUDIT 2015

September 2015

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

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## **Background**

The Equality Act 2010 gives women and men a right to equal pay for equal work. It replaces previous legislation, including the Equal Pay Act 1970 and the Sex Discrimination Act 1975. Under the Equality Act 2010, pay systems may also be open to challenge on grounds of race, age or other protected characteristics.

Employers in the public sector are subject to a specific public sector equality duty in respect of their functions. They must have due regard to the need to eliminate discrimination and advance equality of opportunity.

The Equality and Human Rights Commission (EHRC) recommends that all employers regularly review and monitor their pay practices, although this is not a formal legal requirement. The EHRC Statutory Code of Practice on Equal Pay suggests that equal pay audits may be the most effective means of ensuring that a pay system delivers equal pay.

Under the 1997 National Joint Council (NJC) Single Status Agreement, councils undertook to review their pay and grading structures. A key driver for the agreement was the need to address equal pay. The Single Status Agreement aimed to bring together into a single structure the pay structures of manual workers and white collar local government officers. The 2004 NJC National Pay Agreement required local authorities to undertake and implement a local pay review (for all staff other than teachers) and set out timescales to achieve this.

Following the National Pay Agreement, Portsmouth City Council began negotiations with unions to conduct a Local Pay Review which was completed in 2009. As part of this review, a Local Pay and Conditions Document was developed setting out the Council's policy framework on local pay and conditions.

During the Local Pay Review all job types in the city council were evaluated using the JESS (Job Evaluation Support System) job evaluation scheme, and jobs were placed in the band which contained their job's evaluation score. The JESS scheme continues to be used to evaluate all new or amended posts.

## **Methodology**

The Equality and Human Rights Commission has produced an Equal Pay Audit Toolkit to provide guidance for employers in carrying out an equal pay audit. The toolkit's recommended process and methodology have been adopted to undertake this audit.

## Scope

The EHRC Equal Pay Audit Toolkit recommends that organisations determine the scope of their audit taking account of practical considerations such as availability of information. The toolkit suggests that organisations may want to take a staged approach, perhaps beginning with an audit of men's and women's pay and developing expertise in the audit process before extending the scope in subsequent audits.

The scope of this audit has been determined using the advice given above and has been shaped by the extent of the employee data which is currently available.

The Scope of the Equal Pay Audit 2015 has included:

- An analysis of pay across all PCC employees, including those working in schools (excluding teachers) as at 31<sup>st</sup> March 2015. The analysis has not included casual or agency staff.
- Comparing the average basic pay and total gross pay of men and women in each pay band (i.e. assessed as doing 'equal work'). (Basic pay is related to Spinal Column Points within the pay structure. Gross Pay includes all pay allowances including shift allowances, recruitment & retention payments, honoraria payments and Standby Payments. It does not include travel and subsistence reimbursements)
- Where any significant pay gaps were identified, undertaking further analysis to identify the causes of the pay gaps.
- An overview assessment of the Council's pay policies and job evaluation scheme.
- Making recommendations on further actions needed.

The Equal Pay Audit 2015 has not included analysis of pay across other protected groups where comprehensive data is currently unavailable, for example ethnicity and disabilities. The information currently available across these diversity strands is not adequate for the purposes of carrying out an audit. However, with the recent implementation of HR Self-Serve across the authority, employees will now have access and will be encouraged to update their personal data. The cleansed personal data will be available for subsequent Equal Pay Audits to include the analysis of other protected characteristics including ethnicity and disability.

**It is recommended that the Council works to encourage employees to update their personal data on the HR self-serve system, to ensure that the next Equal Pay Audit can include analysis of other protected characteristics, for example ethnicity and disabilities, within its subsequent Equal Pay Audits.**



## Analysis of Basic Pay

An equal pay audit must compare the pay of employees in protected groups e.g. men/women, doing equal work. Under the equal pay provisions of the Equality Act 2010, men and women in the same employment who are performing equal work should receive equal pay. For the purposes of analysing pay within PCC, equal work can be determined by looking at work rated as equivalent under the JESS job evaluation scheme.

The analysis of basic pay included all employees employed by PCC on all pay bands within the JESS Job Evaluation scheme as at 31<sup>st</sup> March 2015. The pay of part time employees was included in the analysis with pay being scaled up to a full time equivalent rate. The data used in the analysis reflects the basic pay attached to posts. A number of employees have two or more posts, often at different grades, and these have been analysed separately. The totals do not therefore correlate directly with the numbers of actual employees within the organisation.

An analysis was carried out for all staff including non-teaching staff within schools (see table 1 and graph 1) and a separate analysis was carried out for all staff excluding those in schools (table 2 and graph 2).

Schools based staff (non-teaching) were included in the basic pay analysis as these staff are employed by the council within the same pay evaluation system and therefore could be included as either comparators or claimants within an equal pay investigation. Teaching staff are paid under national pay scales for teachers and were not included in the analysis.

**Table 1: Basic Pay Analysis of all PCC staff within the JESS scheme (including schools)**

Pay Band	Number of Females	Number of Males	Total number of employees	% female	% male	Mean average pay of females	Mean average pay of males	Average pay gap	In favour of
Band 1	590	40	630	93.65%	6.35%	£13,849	£13,758	0.66%	Females
Band 2	125	20	145	86.21%	13.79%	£14,410	£14,512	0.70%	Males
Band 3	816	208	1024	79.69%	20.31%	£15,621	£15,556	0.42%	Females
Band 4	754	113	867	86.97%	13.03%	£16,862	£16,734	0.76%	Females
Band 5	562	177	739	76.05%	23.95%	£19,365	£19,397	0.16%	Males
Band 6	528	195	723	73.03%	26.97%	£22,352	£22,458	0.47%	Males
Band 7	366	173	539	67.90%	32.10%	£26,234	£26,297	0.24%	Males
Band 8	370	123	493	75.05%	24.95%	£28,935	£29,020	0.29%	Males
Band 9	144	86	230	62.61%	37.39%	£32,176	£32,271	0.30%	Males
Band 10	142	94	236	60.17%	39.83%	£35,746	£36,018	0.76%	Males
Band 11	39	47	86	45.35%	54.65%	£39,466	£39,633	0.42%	Males
Band 12	87	78	165	52.73%	47.27%	£43,374	£43,986	1.39%	Males
Band 13	25	30	55	45.45%	54.55%	£51,899	£52,601	1.33%	Males
Band 14	18	32	50	36.00%	64.00%	£59,162	£58,742	0.72%	Females
Band 15	9	10	19	47.37%	52.63%	£66,305	£65,518	1.20%	Females
Band 16	0	5	5	0.00%	100.00%	£0	£73,187	No Comparator	
Band 17	4	5	9	44.44%	55.56%	£78,882	£82,006	3.81%	Males
Band 18	0	3	3	0.00%	100.00%	£0	£91,421	No Comparator	
Band 19	3	2	5	60.00%	40.00%	£109,430	£109,430	0.00%	Equal
Band 20	0	1	1	0.00%	100.00%	£0	£148,885	No Comparator	
<b>All</b>	<b>4582</b>	<b>1442</b>	<b>6024</b>	<b>76.06%</b>	<b>23.94%</b>				

**Table 2: Basic Pay Analysis of all PCC staff within the JESS scheme (excluding schools)**

Pay Band	Number of Females	Number of Males	Total number of employees	% female	% male	Mean average pay of females	Mean average pay of males	Average pay gap	In favour of
Band 1	17	22	39	43.59%	56.41%	£13,744	£13,690	0.39%	Females
Band 2	46	15	61	75.41%	24.59%	£14,487	£14,579	0.63%	Males
Band 3	176	166	342	51.46%	48.54%	£15,694	£15,590	0.67%	Females
Band 4	476	77	553	86.08%	13.92%	£16,890	£16,750	0.83%	Females
Band 5	428	171	599	71.45%	28.55%	£19,428	£19,437	0.05%	Males
Band 6	333	152	485	68.66%	31.34%	£22,436	£22,519	0.37%	Males
Band 7	319	161	480	66.46%	33.54%	£26,251	£26,265	0.05%	Males
Band 8	320	105	425	75.29%	24.71%	£28,934	£29,066	0.45%	Males
Band 9	125	84	209	59.81%	40.19%	£32,150	£32,280	0.40%	Males
Band 10	139	94	233	59.66%	40.34%	£35,741	£36,018	0.77%	Males
Band 11	32	45	77	41.56%	58.44%	£39,472	£39,607	0.34%	Males
Band 12	86	78	164	52.44%	47.56%	£43,369	£43,986	1.40%	Males
Band 13	24	29	53	45.28%	54.72%	£51,935	£52,601	1.27%	Males
Band 14	18	32	50	36.00%	64.00%	£59,162	£58,742	0.72%	Females
Band 15	9	9	18	50.00%	50.00%	£66,305	£65,216	1.67%	Females
Band 16	0	5	5	0.00%	100.00%	£0	£73,187	No Comparator	
Band 17	4	5	9	44.44%	55.56%	£78,882	£82,006	3.81%	Males
Band 18	0	3	3	0.00%	100.00%	£0	£91,421	No Comparator	
Band 19	3	2	5	60.00%	40.00%	£109,430	£109,430	0.00%	Equal
Band 20	0	1	1	0.00%	100.00%	£0	£148,885	No Comparator	
<b>All</b>	<b>2555</b>	<b>1256</b>	<b>3811</b>	<b>67.04%</b>	<b>32.96%</b>				
<b>Part Time</b>	<b>1338</b>	<b>240</b>	<b>1578</b>	<b>84.79%</b>	<b>15.21%</b>				
<b>Full Time</b>	<b>1217</b>	<b>1016</b>	<b>2233</b>	<b>54.50%</b>	<b>45.50%</b>				

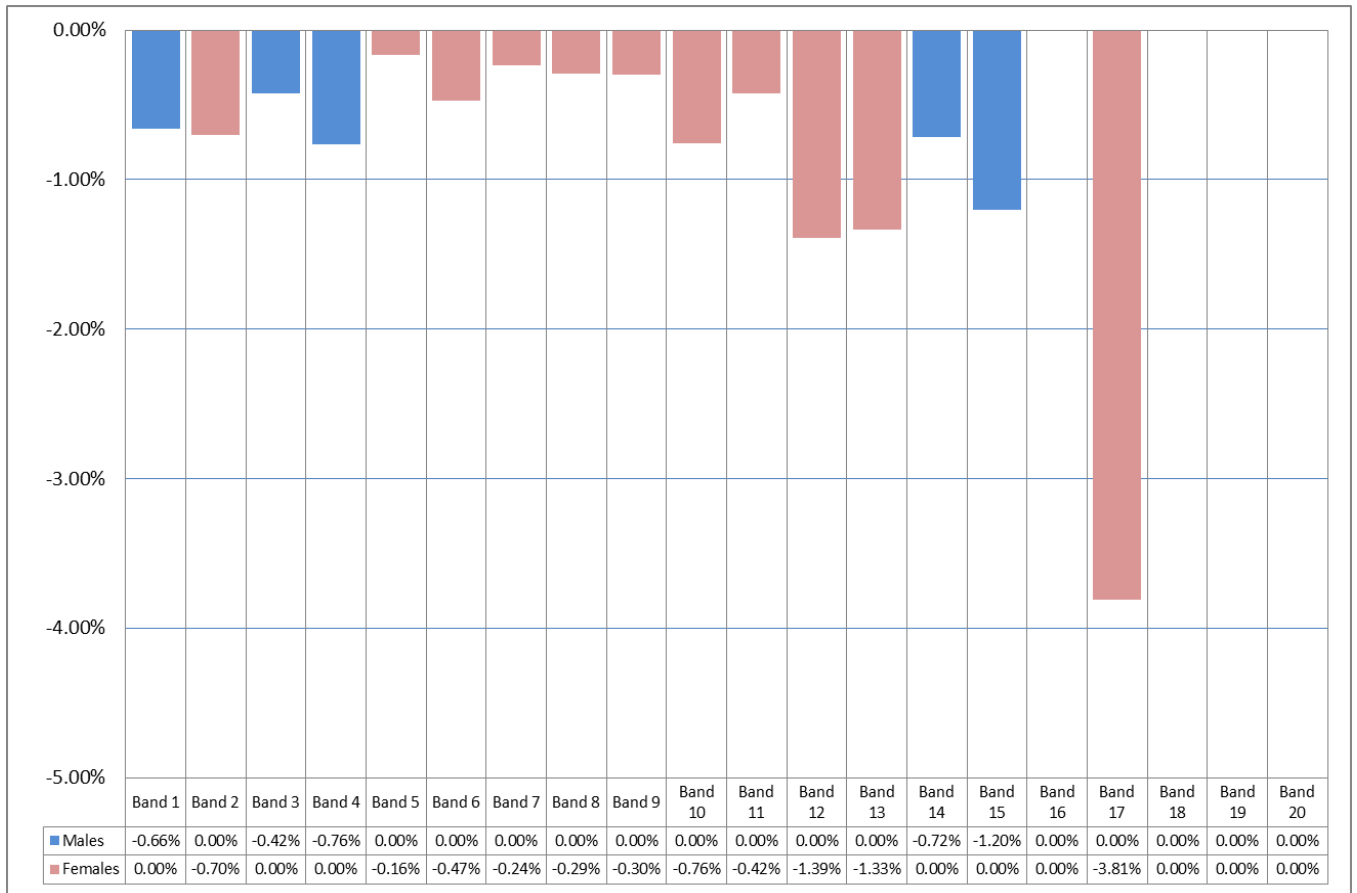
### Gender Pay Gap – Basic Pay

The EHRC Equal Pay toolkit suggests that a ‘significant’ pay gap is a gap of 5% or more difference in the pay of men and women doing equal work, or where there is a consistent pattern of differences favouring one sex or another, a 3% difference.

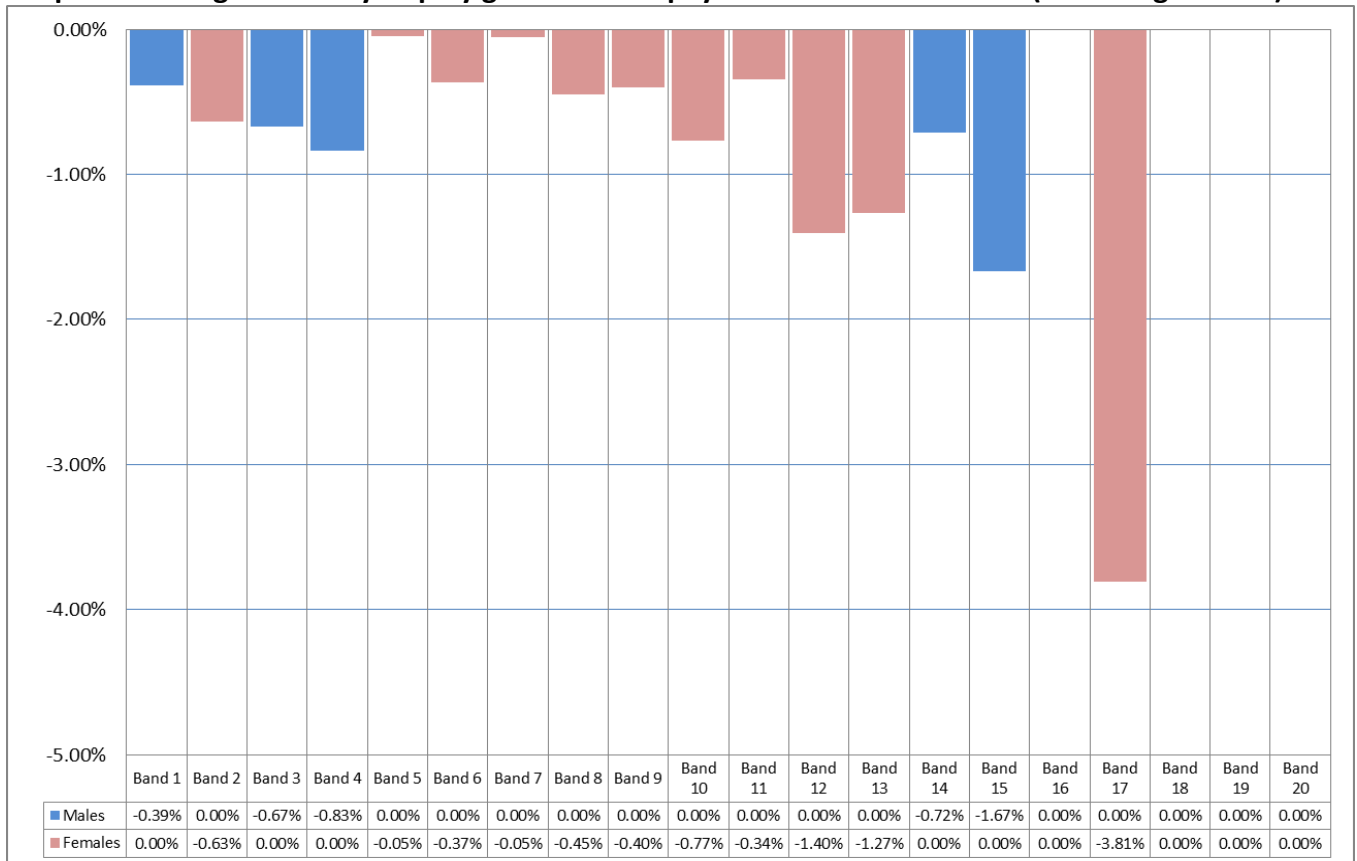
As the tables and graphs on pages 5 to 7 show, no significant pay gaps were found in the analysis of basic pay of male and female staff in the same pay band. Pay gaps were not significant in either the analysis including schools staff or the analysis excluding schools staff.

The pay gap was calculated as the difference between the mean average basic pay of female and male staff, as a percentage of the mean average basic pay of male staff. The negative values show where female staff have a higher average pay than male staff.

**Graph 1: Average Basic Pay Gap by gender for all pay bands and all PCC staff (including schools)**



**Graph 2: Average Basic Pay Gap by gender for all pay bands and all PCC staff (excluding schools)**

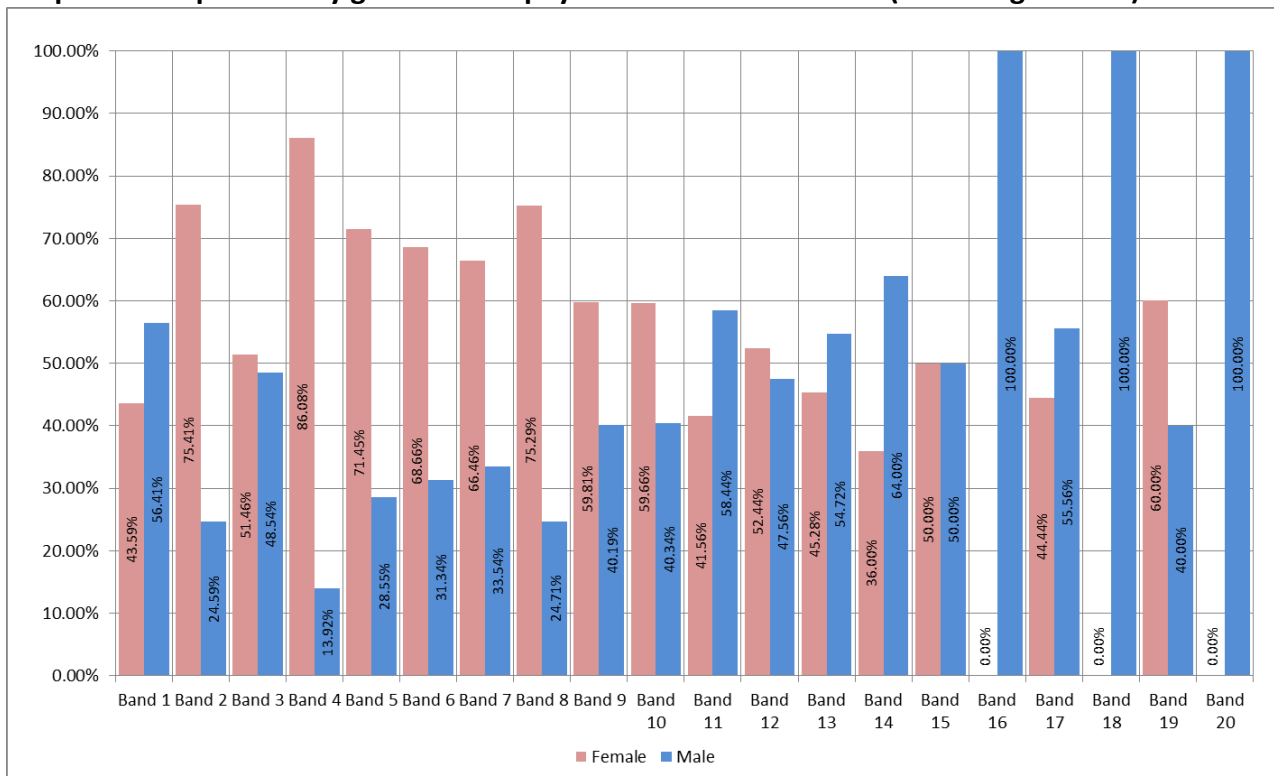


## Overall Pay Analysis

Schools staff, although employed on pay scales within the JESS job evaluation scheme, have pay and conditions policies determined locally rather than PCC corporate HR policies. The analysis of overall average pay and total pay have not included schools staff as schools have separate policies and therefore promotion, progression and pay are not able to be influenced by PCC policies.

Overall, the average basic pay for female staff was less than that for male staff. One of the key reasons for the difference in average male and female pay is the higher predominance of female staff within the lower pay bands and the higher proportions of male staff within the higher pay bands. This is illustrated in Graph 3 below.

**Graph 3: Composition by gender of all pay bands and all PCC staff (excluding schools)**



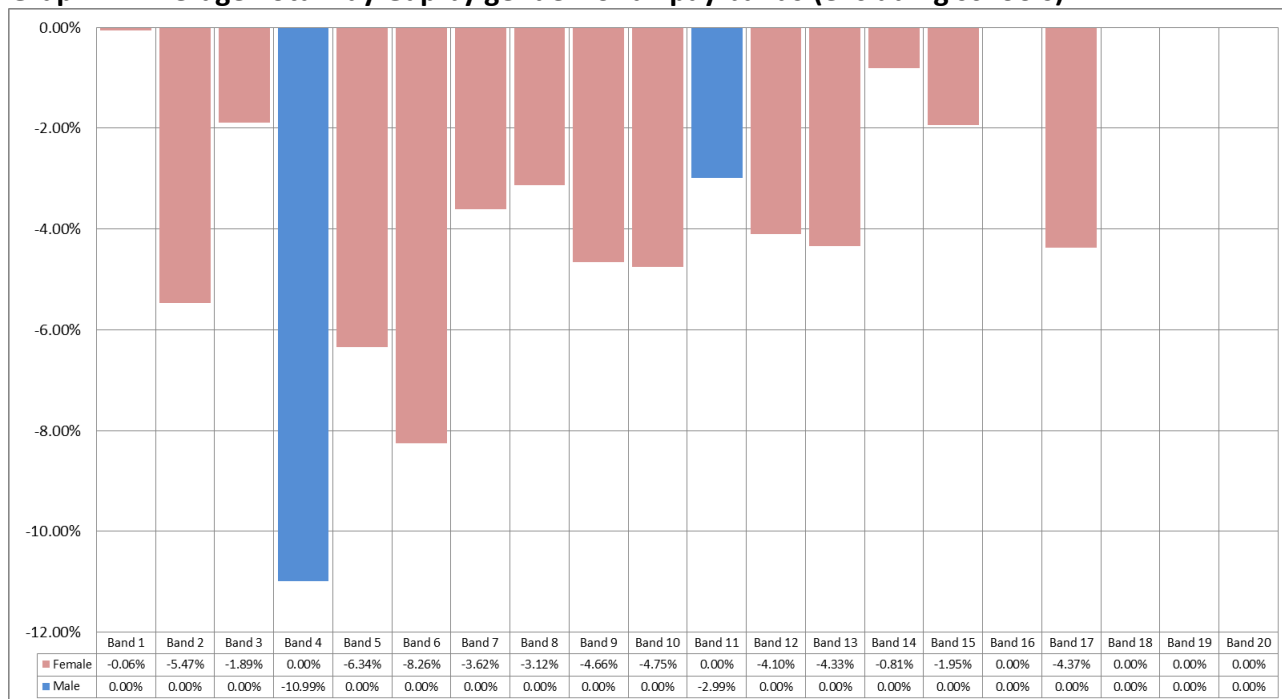
It is recommended that the Council continues to make efforts through its leadership and management development, succession planning and flexible working practices, to achieve a more representative gender distribution of staff.

## Total Gross Pay Analysis

The analysis of total pay used data for all employees (excluding schools) and was based on 12 months' gross pay received from 1 April 2014 to 31 March 2015. This data was then scaled up in the case of part time employees, to give a full time equivalent.

The results for the analysis of total pay are illustrated in the graph below.

**Graph 4: Average Total Pay Gap by gender for all pay bands (excluding schools)**



The results indicated that for 13 of the pay bands there were no significant pay gaps and no comparators for another 3 pay bands. Four pay bands had average pay gaps of greater than 5% and were therefore deemed to be significant. These pay differences were investigated and in each case were found to be justified. The reasons for the significant pay gaps are set out in table 3 below.

**Table 3: Average Total Pay Gap by gender for all pay bands (excluding schools)**

Pay Band	Average total gross pay gap	Reason for significant pay gap (greater than 5%)
Band 1	0.06%	
Band 2	5.47%	This significant pay gap is due to Domestic and Laundry Assistant posts within Adult Social Care who receive a shift allowance which is applied due to the patterns of work. The shift allowance is applied equally to male and female post holders, however, there are a greater proportion of females in this role.
Band 3	1.89%	
Band 4	10.99%	This significant pay gap is due to Security Officer posts that attract a shift allowance due to the pattern of work. Whilst this is applied equally to male and female post holders, all posts are currently held by male workers.
Band 5	6.34%	This significant pay gap is due to Respite Night Officer, Residential Social Services Assistant, Waking Nights Officers and Respite Officer posts, all of which attract shift allowances due to the pattern of work. Whilst the allowances are equally applied to male and female post holders, the posts are predominantly held by female workers.
Band 6	8.26%	This significant pay gap is due to Community Warden, Shift Leader, Shift Leader (nights), and Rehabilitation & Re-enablement Officer posts, all of which attract shift allowances due to the patterns of work. Allowances are applied equally to male and female post holders but the posts are predominantly held by female workers (with the exception of Community Wardens).
Band 7	3.62%	

<b>Band 8</b>	3.12%	
<b>Band 9</b>	4.66%	
<b>Band 10</b>	4.75%	
<b>Band 11</b>	2.99%	
<b>Band 12</b>	4.10%	
<b>Band 13</b>	4.33%	
<b>Band 14</b>	0.81%	
<b>Band 15</b>	1.95%	
<b>Band 16</b>	No Comparator	At the time of data analysis, there were just four posts at Band 16, all of which were held by male employees.
<b>Band 17</b>	4.37%	
<b>Band 18</b>	No Comparator	At the time of data analysis, there were just three posts at Band 18, all of which were held by male employees.
<b>Band 19</b>	0.00%	
<b>Band 20</b>	No Comparator	There is just one post held at this level so no comparator is available.

## **Job Evaluation**

The equal pay legislation does not require an employer to use job evaluation. However it advises that a job-evaluated system should reduce the risk of an equal pay claim, may provide a defence to an equal pay claim if one is made, and will greatly facilitate carrying out an equal pay audit.

The EHRC toolkit advises that employers who use analytical job evaluation schemes need to check that their scheme has been designed and implemented in such a way as not to discriminate on grounds of sex. A series of questions is contained within the guidance to help employers to check whether the scheme they are using is non-discriminatory.

PCC's job evaluation scheme has been checked against the EHRC checklists and the responses indicate that the scheme is at low risk of being discriminatory.

**It is recommended that the Council continues to monitor and review the job evaluation scheme at appropriate intervals to demonstrate that the system is fair and non-discriminatory.**

## **Allowances in Addition to Basic Pay**

All allowances were reviewed on implementation of the Local Pay Review. A large number of previous allowances were considered in the job evaluation process and their monetary value is now included as part of basic pay, with the allowance being discontinued. The Local Pay Review developed a new allowances model along the principles of:

- Simplicity
- Transparency
- Consistency
- Equity
- Appropriateness

Payments for irregular working hours were rationalised within the Local Pay Review into 4 shift patterns. Each of the shift patterns has a set percentage enhancement on basic salary reflecting the degree of disruption to life that the particular shift pattern causes.

Standby payments are tiered payments, depending on the nature of the work and the likelihood of being called. The different rates are based on the job role and therefore applied equally to male and female employees in that job type. Clear rules are also set out for call-out payments. The council has policies setting out clear procedures for overtime payments, acting up allowances and honoraria.

A Recruitment and Retention Policy sets out the Council's policy to make such payments only in exceptional circumstances and to follow a clear and consistent framework for the determination of any market supplement payment. The policy specifies a three stage procedure to be followed whenever a case for a market supplement is considered. A biennial review process is also specified at which time a further assessment of market conditions and organisational requirements takes place to determine whether the supplements should be preserved, varied or withdrawn.

**It is recommended that within its next Equal Pay Audit, the Council reviews access to, and amounts received of, each pay element.**

**For each pay element received by men and women doing equal work, the Council should review:**

- 1. The proportion of men and women who receive this element.**
- 2. The average amount of each pay element received by men and women and the gap between them.**

**Further guidance is detailed within the EHRC Toolkit.**

## **Equalities Policies**

The Council has an "Equal Opportunities in Employment Policy" statement which sets out the commitment of equality of opportunity and how this will be put into practice, whilst also ensuring there is no unlawful discrimination.

## **Comparison with Equal Pay Audit Outcomes 2012**

The workforce breakdown of male and female employees has remained broadly the same with less than 1% difference from 2012. Whilst the average pay of both male and female workers has increased (in line with incremental pay increases and national pay awards) the pay gap has increased by 1%. One of the key reasons for this is the higher predominance of male workers in higher paid jobs, which correlates with the national trend.

## **Conclusion**

The analysis of basic pay has not identified any significant pay gaps between the average pay of males and female employees in each band. The analysis of total gross pay has identified significant pay gaps in four of the Council's pay bands. The causes of the pay gaps have been investigated and relate in the main to shift allowances and the higher proportion of male or female within these roles. In each case the pay gaps have been found to be for justifiable reasons and not due to inequalities.

The Council has a simplistic pay structure where all posts fall into a single salary band structure, up to and including the chief executive. All jobs continue to be evaluated and allocated a pay band through the JESS job evaluation scheme, which is a factor-based analytical job evaluation methodology. This methodology is used for all new and amended posts. The job evaluation scheme has been checked against EHRG checklists and the responses indicate that the scheme is at low risk of being discriminatory.

The Council's allowances model is transparent and this lessens the risk of equal pay issues. However, it is recommended that within its next Equal Pay Audit, the Council reviews access to, and the amounts received of each allowance, to ensure there are no equal pay risks.

**It is recommended that the Council carries out a regular equal pay audit on a biennial basis to ensure it continues to fulfil its statutory obligations with respect to equal pay.**



## **Summary of Recommendations**

1. That the Council works to fill the gaps in existing employee data through the implementation of the HR self-serve system, and includes analysis of other protected characteristics, for example ethnicity and disabilities, within its subsequent Equal Pay Audits.
2. That the Council continues to make efforts through its leadership and management development, succession planning and flexible working practices, to achieve a more representative gender distribution of staff.
3. That the Council continues to monitor and review the job evaluation scheme at appropriate intervals to demonstrate that the system is fair and non-discriminatory.
4. That the Council reviews access to, and amounts received of, each pay element within its next Equal Pay Audit. This will rely on the data being available and the appropriate reporting processes in place in order to analyse the data.
5. That the Council carries out a regular equal pay audit to ensure it continues to fulfil its statutory obligations with respect to equal pay.
6. That the Council develops and agrees an operational action plan to ensure delivery of the above recommendations.



Portsmouth  
CITY COUNCIL

Telephone: 023 9284 1967

Email: [rachel.richardson@portsmouthcc.gov.uk](mailto:rachel.richardson@portsmouthcc.gov.uk)

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

# Agenda Item 9



Portsmouth  
CITY COUNCIL

Agenda item:

**Title of meeting:** Employment Committee  
**Date of meeting:** 15<sup>th</sup> September 2015  
**Subject:** Children's Services Senior Management Structure  
**Report From:** Chief Executive  
**Report by:** Jon Bell, Head of HR Legal & Procurement

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## 1. Purpose of report

The purpose of this report is to advise members of proposed modifications to the senior management structure for Children's Services, in order to clarify reporting lines and accountabilities.

## 2. Recommendations

Members are recommended to:

- (i) Revise the senior management structure, as agreed by this committee on 19<sup>th</sup> February 2015, to the effect of deleting the post of Director of Children's Social Care.
- (ii) Note the creation of posts of Deputy Director of Children's Services - Social Care and Deputy Director of Children's Services - Education, reporting to the Director of Children's Services

## 3. Background

- 3.1. Members agreed a new senior management structure at the meeting of Employment Committee on 19<sup>th</sup> February 2015. The agreed structure is shown at appendix 1, and was implemented with effect from 1<sup>st</sup> April 2015.
- 3.2. In accordance with members' wishes to have a "flat" structure, the posts of Director of Children's Services & Education (DCS) and Director of Children's Social Care were shown as being on the same structural tier, but with a reporting relationship between the two (with the statutory Director of Children's Services role being the more senior).
- 3.3. The structure contained no separate director-level post with responsibility for education as this responsibility would rest with the DCS role, in accordance with statutory guidance. An interim Head of Education was in post at the time but the contract has now ended.

## 4. Proposal

- 4.1. The interim DCS has reviewed the Children's Services structure, having regard to statutory guidance, the expectations of OFSTED, and also to the prospects of successfully recruiting to the DCS role. The view of the interim DCS is that the structure should provide greater clarity around the respective roles of the DCS and the officers responsible for both safeguarding and education. In particular, the structure should make it clear that the DCS is solely accountable to the Chief Executive for Children's Services, and that senior managers for both safeguarding and education should report directly to the DCS.
- 4.2. Statutory guidance for the role of DCS states: *Local Authorities must ensure that there is a single officer responsible for education and children's social care. The DCS should have an integrated children's services brief ensuring that the safety and the educational, social and emotional needs of children and young people are central to the local vision.* Whilst the original structure agreed by members did have regard to this guidance, it is felt that the accountabilities of the DCS role would be strengthened and clarified by replacing the current "flat" relationship with a more hierarchical structure.
- 4.3. The structure is likely to be a relevant factor for the recruitment of a permanent DCS to the council. Given the statutory nature of the role, potential candidates are unlikely to find the role attractive if they feel that lines of accountability are unclear.
- 4.4. The proposed structure for children's services is included at Appendix 2. This shows the Director of Children's Services, with two Deputy Directors reporting directly to him or her. In accordance with members' wishes to maintain a flat senior management structure, the Deputy Directors would be "3<sup>rd</sup> tier managers" as opposed to chief officers. As such, the creation of, and recruitment to, these posts are matters that are delegated to the Director of Children's Services in consultation with the Chief Executive and relevant cabinet member.
- 4.5. The existing Director of Children's Social Care has recently resigned from the council, and so will not be affected by this change. Recruitment to the two new Deputy Director posts will commence following the permanent appointment of a Director of Children's Services, for which recruitment is currently underway.

## 5. **Reasons for recommendations**

In order for the council to discharge its statutory functions in respect of Children's Services, it must have a management structure that provides for clear lines of accountability.

## 6. **Equality impact assessment (EIA)**

A preliminary EIA has been completed and this concluded that there was no requirement for a full EIA at this stage.

**7. City Solicitor comments**

All legal comments are contained within the body of the report.

**8. Director of Finance and Information Services' comments**

The SMT review approved in February 2015 reduced the previous management structure for children's services from three to two posts thereby creating an additional saving of one post at over and above the budget savings originally approved for that review. This saving of £114,500 was not taken from the service budget at the time pending the outcome of the Interim Director of Children's Services review of the service.

The structure now proposed in this report establishes three roles for the management of Children's Services at an additional full year cost of £114,500, to be met from the saving identified above and is therefore budget neutral in the full year.

In the current year, 2015/16, there are additional costs associated with the interim cover arrangements and will be further costs arising from the recruitment to these posts. This is estimated to be circa £50,000 and will need to be met from existing budget provision.

.....  
Signed by: Chief Executive

**Appendices:**

Appendix 1: Existing Senior Management Structure

Appendix 2: Proposed Children's Services Management Structure

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

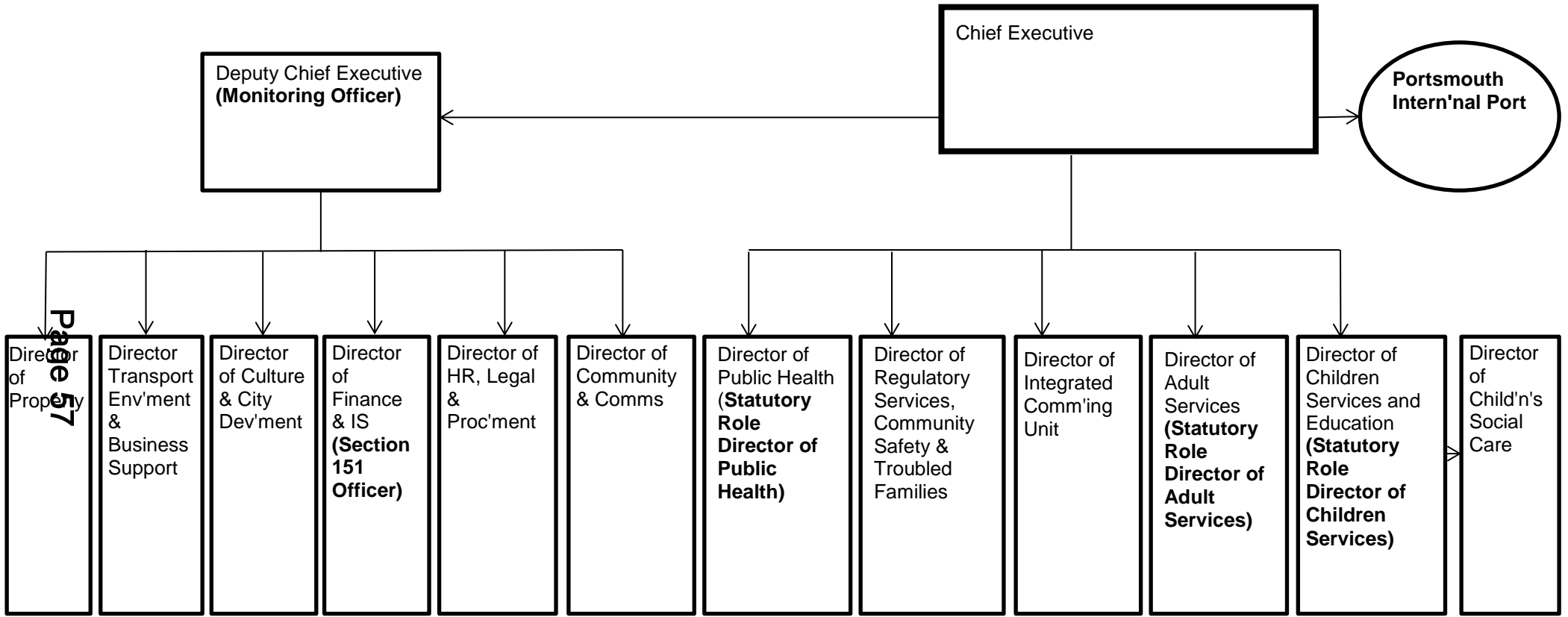
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The recommendation(s) set out above were approved/ approved as amended/ deferred/  
rejected by ..... on .....

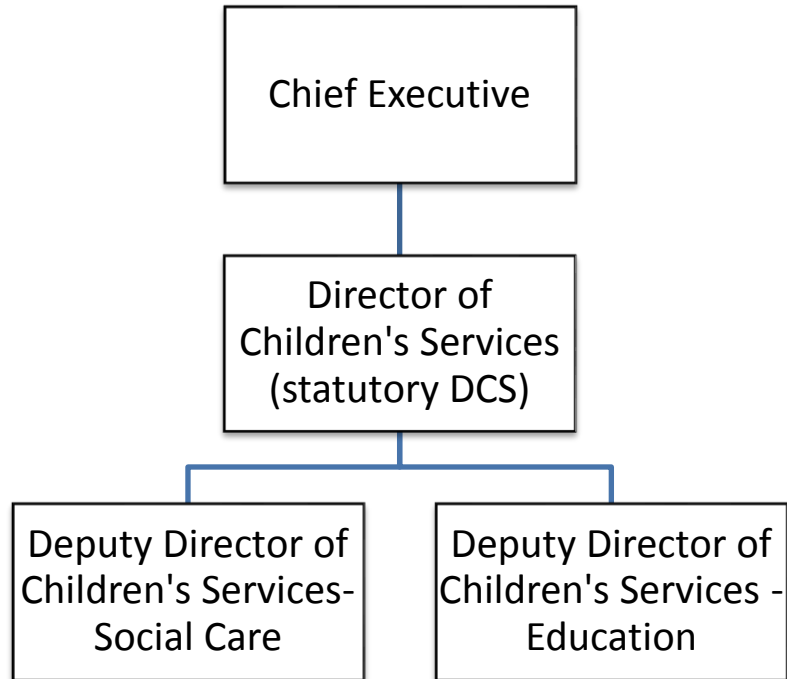
.....  
Signed by: Name and Title



# Portsmouth City Council Management Structure March 2015



## Appendix 2







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Agenda item:

**Title of meeting:** Employment Committee

**Date of meeting:** 15<sup>th</sup> September 2015

**Subject:** Changes to the designated independent person dismissal procedures

**Report From:** Director of HR, Legal & Procurement

**Report by:** Paddy May, Corporate Strategy Manager

**Wards affected:** N/A

**Key decision:** No

**Full Council decision:** Yes

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**1. Purpose of report**

1.1. To inform members of a change to the procedures, recently agreed by Full Council that must be followed for the dismissal of designated statutory officer posts (Head of Paid Service, Monitoring Officer or Chief Finance Officer). These new changed procedures were set by central Government. To ensure that the new procedures are in line with employment law this report also seeks that the committee approve an appeals process, to be followed in the event of such a dismissal, which will then be placed before full council.

**2. Recommendations**

2.1. It is recommended that Employment Committee:

2.1.1. notes the new process for dismissal of designated statutory officer posts (set out in paragraphs 4.1-4.4) and also the new Officers' Employment Procedure Rules in Part 3D of the constitution that have been approved by Council (see Appendix 1) in line with Government requirements and which have been subsequently modified to take account of the contents of this report

2.2. agrees that in order to meet the new requirements, and also employment law, that the specific process to be followed, set out in section 5, is proposed to Full Council for adoption (via Governance and Audit and Standards Committee) with the proposed new Officers Employment Procedure Rules shown as Appendix 1.

**3. Background**

3.1. The Heads of Paid Service, the Monitoring Officers and the Chief Finance Officers (S151 officer) all have statutory responsibilities to discharge to their councils. As they work with, and report to elected members, they discharge these responsibilities in a political environment. Previously any allegation of misconduct

against any of these officers had to be undertaken by a Designated Independent Person (DIP) and no disciplinary action could be taken other than that which had been recommended in a report by the DIP. The purpose of these requirements was to ensure that these officers could discharge their duties without any fear of being influenced by elected members or of being dismissed without good reason.

3.2. In response to a policy position that the process of appointing a DIP and undertaking an investigation was bureaucratic, complex, time consuming and expensive, new regulations (the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 ("the regulations")) have been issued which have the effect of directing councils to change their standing orders.

#### 4. **The new arrangements**

4.1 The stated intention of the new regulations was to "simplify and localise the disciplinary process for the most senior officers". The new regulations apply to dismissals for the same reasons as apply to the current DIP process i.e. for reasons other than redundancy, permanent ill health or infirmity of mind and body (and failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such a contract). The requirement to appoint a DIP was removed and instead a decision has to be taken by Full Council who must consider:

- any advice, views or recommendations from an independent panel
- the conclusions of any investigation into the proposed dismissal
- any representations from the officer concerned.

4.2 Councils had to agree the new approach at the first ordinary Council meeting after the election and modify their standing orders (or equivalent) with the text given in the regulations. In Portsmouth this meant that changes had to be made to the "Officers' Employment Procedure Rules in Part 3D of the Constitution" and this was agreed at the Council meeting on the 7<sup>th</sup> July. A copy of the revised employment procedure rules, with additional elements to reflect the content of this report, is attached as Appendix 1.

4.3 As part of the new process if a council wishes to undertake a disciplinary process against the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer it must invite independent persons, appointed under the provisions set out by section 28(7) of the Localism Act 2011 (which also govern the members' conduct regime) to form an independent panel. A panel will be formed if two or more independent persons accept the invitations. Councils should issue invitations in accordance with the following priority order:

- an independent person who has been appointed by the council and who is a local elector
- any other independent person who has been appointed by the council
- an independent person who has been appointed by another council or councils

4.4 The regulations limit the remuneration that should be paid to the independent persons on the panel to the level that they would receive as an independent person in the conduct regime. It is suggested that this will significantly reduce the costs of any process. In terms of the need to set up any such panel Council

agreed that this responsibility should rest with the Director of HR, Legal and Procurement. There are a number of concerns that have been raised about these new requirements and one of these is about the lack of clarity about an appeal process. This issue was also raised at Governance & Audit & Standards Committee when they discussed the changes to our constitution. Section 5 below suggests a process that should be followed to overcome these concerns.

**5. A proposed process to follow**

- 5.1 It is worth stressing that the new regulations do not "trump" employment law. A process that is entirely consistent with the new regulations could be against Employment Law and therefore leave the Council open to legal challenge through an employment tribunal. It is therefore important that we design a process that is both consistent with the new regulations and with employment law. It should be noted that nationally it has been very rare for such dismissals to take place.
- 5.2 The Local Government Association have published an Advisory Bulletin which suggested a new process that could be followed that would be consistent with the new regulations and employment law. In this advisory bulletin they state *"the regulations provide little detail of how the new process will operate in practice. For this reason authorities will need to consider how the new process could work in their authority and in particular how they will join the gaps in the Regulations to ensure the effective running of a disciplinary / dismissal process"*. A modified version of the LGA approach is the suggested approach for Portsmouth City Council.
- 5.3 It is proposed that in the event of a potential disciplinary process against one of the designated statutory officer posts that the Council should secure by way of the Director of HR, Legal and Procurement (or in the event that the factual circumstances suggest that a conflict of interests may arise in respect of that Director another Director) the establishment of an Investigation and Disciplinary Committee (I&DC) of three members and a standing I&DC Appeals Committee of three members, along with a Panel to independently advise on the decision. Each of the I&DC and the I&DC Appeals Committee would be made up of councillors in political proportionality to the number of seats each party has on the council and each of whom shall not take part in any decisions of the council relating to the same matter. The I&DC should:
- Screen potential disciplinary / dismissal issues to consider whether they require investigation and whether the relevant "protected" officer should be suspended
  - To organise the investigation
  - To review the results of the investigation to consider what disciplinary action, if any, is appropriate after hearing the views of the relevant officer and then report its recommendations
  - If the recommendation is for a dismissal then the I&DC would refer the matter to the new Panel set up in line with the new regulations, to be convened by the Director of HR, Legal and Procurement (or other Director in the event of a conflict of interests), as described in the draft *Officers' Employment Procedure Rules*, at Appendix 1. The I&DC would then,

subject to the right of appeal referred to below, send any report from the Panel, alongside its own report to Council for a formal decision.

- If the Council approves the dismissal the City Solicitor or Deputy City Solicitor (in the event that the City Solicitor was the relevant "protected" officer) shall notify all members of the Cabinet of the name, and matters relevant to the dismissal.
- Following receipt of the notification above, the Leader may within 7 days, give notice of objection to the dismissal, accompanied by reasons for the objection.
- The City Solicitor or Deputy City Solicitor (in the event that the City Solicitor was the relevant "protected" officer) may request that the I&DC action the dismissal provided that:
  - No objection is received from the Leader; or,
  - Upon receiving an objection, a meeting of the Council is convened, the objection considered, and the Council resolves that the objection is not material or is not well-founded.
- In the event that the relevant "protected" officer elects to appeal the recommendation, the I&DC Appeals Committee shall convene to hear the appeal of the relevant "protected" officer, who shall review the decision of the I&DC, referring any new matters to the Panel, before submitting a report to Council for formal decision.

5.4 The advice from the LGA is that if a process is set up without an I&DC, or equivalent, and the process results in a dismissal it would not be possible to have an appeal because no one would have the authority to overturn the Council's decision.

5.5 Undertaking the process as described would also satisfy the Executive Objections procedure. The Executive Objection Procedure, set out in Schedule 3 to the 2001 Regulations, remains in force. So, where the Panel resolves to recommend to Council that a statutory officer be dismissed, notice will still have to be given to all members of the Executive, and the Leader then has a prescribed period to submit any objections or representations, which must be considered by Council when it considers the recommendation of the Panel. If the "decision" has been delegated to an I&DC, or equivalent, this means that the objections procedure could take place once the committee has made its dismissal recommendation and prior to the Council meeting.

5.6 Finally it is worth noting that whilst we have met the requirements to amend our standing orders, or equivalent, this has no effect on the contracts of employment of the designated officers or on the National Terms and Conditions. The current national Joint Negotiating Committee (JNC) terms and conditions for Chief Officers are based on the old DIP process. The statement of particulars for the three Portsmouth City Council designated statutory officer posts state that "Any disciplinary situation will be handled in accordance with the principles of the Joint Negotiating Committee for Chief Officers of Local Authorities" This means that until these change the Council would be following the old DIP process. The LGA are currently in discussion with CLG and the unions about updating the national terms and conditions although it is not clear when this will be complete.

**6. Reasons for recommendations**

6.1 The City Council has agreed the modified Officers' Employment Procedure Rules in Part 3D of the constitution relating to taking disciplinary action against the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer. The recommendations in this report are to create a process consistent with the regulations and employment law and then to further modify the constitution. It is worth noting that negotiations are still being undertaken nationally about how the new regulations will be implemented.

**7. Equality impact assessment (EIA)**

7.1 A preliminary EIA was completed at the time of taking the report to Council and this concluded that there was no requirement for a full EIA at this stage.

**8. Legal Implications**

8.1 All legal comments are contained within the body of the report.

**9. Director of Finance's comments**

9.1 No specific budget provision exists for such an event and should this situation arise, costs would represent a call on contingency.

.....  
Signed by: Jon Bell, Director of HR, Legal & Procurement

**Appendices:**

Appendix 1 - Proposed New Officers' Employment Procedure Rules from Part 3D of the Constitution

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by: Name and Title

**Proposed Officers' Employment Procedure Rules in Part 3D of the Constitution****Part 3D - Officers' Employment Procedure Rules <sup>1</sup>**

These rules determine procedures to be followed in the recruitment of senior officers of the council and in any disciplinary action which may become necessary and the involvement of Members in such matters. Further details of the disciplinary process for senior officers are contained in relevant policies agreed by the Employment Committee.

1. Recruitment and appointment
  - (a) Declarations
    - i) The council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are related to, or in a relationship with, any existing councillor or employee of the council; or of the partner of such persons.
    - ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.
  - (b) Seeking support for appointment.
    - i) Subject to paragraph (iii), the council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the council. The content of this paragraph will be included in any recruitment information.
    - ii) Subject to paragraph (iii), no councillor will seek support for any person for any appointment with the council.
    - iii) Nothing in paragraphs (i) and (ii) above will preclude a councillor from giving a written reference for a candidate for submission with an application for appointment.
2. Recruitment of head of paid service and chief officers

Where the council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the council will:

  - (a) draw up a statement specifying:
    - i) the duties of the officer concerned; and
    - ii) any qualifications or qualities to be sought in the person to be appointed;
  - (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
  - (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request;
3. Where a post has been advertised as provided in paragraph 2(b), the council shall -
  - (a) interview all qualified applicants for the post, or
  - (b) select a short list of such qualified applicants and interview those included on the short list.
4. Where no qualified person has applied the council shall make further arrangements for advertisement in accordance with paragraph 2(b),
5. The council may authorise a chief officer to carry out any or all of the steps in paragraphs 2, 3 and 4 above and unless the council otherwise directs, the chief executive is authorised to carry out those steps in respect of any chief officer post.

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<sup>1</sup> Last updated on [to be added]



## 6. **Appointment of head of paid service**

- (a) The arrangements for the appointment of the head of paid service (the chief executive) are reserved to the council<sup>2</sup>.
- (b) Where the Employment Committee or an appointments sub committee is acting on behalf of the authority, the full council must approve the appointment before an offer of appointment is made.<sup>3</sup>
- (c) The council may only make or approve the appointment of the head of paid service where no well-founded objection has been made by any member of the Cabinet.

## 7. **Appointment of chief officers**

- (a) The arrangements for and appointment of all chief officers and staff on the Joint National Council for Chief Officers conditions of service is delegated to the Employment Committee who are authorised to delegate any such process and appointment (including the terms of any contract for such appointment) to an 'appointments sub committee', which shall comprise such members as the Employment Committee thinks fit, but must include at least one member of the Cabinet.
- (b) An offer of employment under (a) above must not be made by the Employment Committee or the appointments sub committee until —
  - (i) the chief executive has been notified of the names of the shortlisted candidates together with any particulars considered relevant to the proposed appointment;
  - (ii) the chief executive has notified every member of the Cabinet of —
    - the names of the shortlisted candidates;
    - any particulars relevant to the proposed appointment of any of the shortlisted candidates;
    - the period within which any objection to the making of any offer is to be made by the Leader of the Council on behalf of the Cabinet; and
  - (iii) either —
    - The Leader has, within the period specified, notified the committee that the Cabinet has no objection to the making of any offer;
    - the chief executive has notified the committee that no objection was received from the Leader within the period specified; or
    - the committee is satisfied that any objection received from the Leader of the Council within the period specified is not material or is not well-founded.

## 8. **Other appointments**

- (a) Officers other than head of paid service and chief officers  
Appointment of officers on any other scheme of condition of service is the responsibility of the relevant chief officer or his/her nominee, and may not be made by councillors.

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<sup>2</sup> The head of paid service (usually referred to as the Chief Executive) is a statutory appointment pursuant to section 4 of the Local Government and Housing Act 1989.

<sup>3</sup> Paragraph 4 of Part 2 of Schedule 1 of the Local Authorities (Standing Orders) (England) Regulations 2001(as amended).

9. **Disciplinary action of Relevant Officers**

- (a) **Suspension.** The head of paid service, monitoring officer and chief finance officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.
- (b) councillors will not be involved in disciplinary action against any officer other than those employed on the Joint National Council for Chief Officers conditions of service.

10. **Dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer**

- (a) In this paragraph 10:
- "the 2011 Act" means the Localism Act 2011;
  - "independent person" means a person appointed under section 28(7) of the 2011 Act;
  - "local government elector" means a person registered as a local government elector in the council's area;
  - "The Panel" means a committee appointed by the council for the purposes of advising the council on matters relating to the dismissal of the head of paid service, the monitoring officer or the chief financial officer;
  - "relevant meeting" means a meeting of the full council to consider whether or not to approve a proposal to dismiss the head of paid service, the monitoring officer or the chief financial officer;
  - "relevant officer" means the chief officer, head of paid service, or monitor officer, as the case may be.
- (b) Where the Employment Committee or a committee acting on its behalf is discharging on behalf of the council the function of dismissal of a relevant officer, the full council must approve that dismissal before notice of dismissal is given to that person.

The relevant officer may not be dismissed unless the procedure set out in the following paragraphs 10(b) (i) to (xi) is complied with:

- (i) The Director of HR, Legal, and Procurement (or in the event that the factual circumstances suggest that a conflict of interests may arise in respect of that Director another Director) shall appoint:
- a. In consultation with the leaders of each political group, a committee of three members (the Investigation and Disciplinary Committee (I&DC)) shall be established, made up of councillors in political proportionality to the number of seats each party has on the council and each of whom shall not take part in any decisions of the council relating to the same matter;
  - b. In consultation with the leaders of each political group, a committee of three members (the I&DC Appeals Committee) not being members of the I&DC shall be established made up of councillors in political proportionality to the

- number of seats each party has on the council and each of whom shall not take participate in any decisions of the council relating to the same matter;
- c. A Panel of at least two independent persons appointed in accordance with the procedure set out below at (ii) to (v) for the purpose of providing advice, views, and recommendations.
- (ii) The Panel referred to at (i) (c) shall comprise "relevant independent persons" (meaning any independent person who has been appointed by the council), or where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the council considers appropriate.
- (iii) Subject to paragraph (iv), the council must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph (iii) in accordance with the following priority order-
- (1) a relevant independent person who has been appointed by the council and is a local government elector;
  - (2) any other relevant independent person who has been appointed by the council;
  - (3) a relevant independent person who has been appointed by another authority or authorities.
- (iv) No more than two relevant independent persons need be appointed but may do so.
- (v) The Panel must be appointed at least 20 working days before the relevant meeting.
- (vi) A meeting of the Investigation and Disciplinary Committee (the I&DC) shall:
- a. Screen potential disciplinary / dismissal issues to consider whether they require investigation and whether the relevant officer should be suspended;
  - b. Organise an investigation;
  - c. Review the results of the investigation to consider what disciplinary action, if any, is appropriate after hearing the views of the relevant officer and then report its recommendations;
  - d. If the recommendation is for a dismissal, refer the matter to the Panel who shall review the decision and report of the I&DC, and provide their advice, views, and recommendations;
  - e. The I&DC shall, subject to ix) below, provide the report of the Panel alongside its own report to Council for a formal decision.
- (vii) In the event that the relevant officer elects to appeal the decision of the I&DC to recommend dismissal the I&DC Appeals Committee shall convene to hear the appeal of the relevant officer, and shall review:
- a. the decision and report of the I&DC
  - b. any report of the Panel on the matter
  - c. any representations made by the relevant officer,

- d. any additional commentary provided by the Panel (in relation to any new matters raised)

Following which, the I&DC Appeals Committee shall where it resolves to recommend dismissal, submit its report together with any report of the Panel to Council for formal decision

- (viii) Before the taking of the vote at the relevant meeting on whether or not to approve such a dismissal, the full council must take into account, in particular-
- any advice, views or recommendations of the Panel;
  - the conclusions of any investigation into the proposed dismissal; and
  - any representations of the officer whose dismissal is being considered at the meeting
- (ix) If the Council approves the dismissal the City Solicitor or Deputy City Solicitor (in the event that the City Solicitor was the relevant officer) shall notify all members of the Cabinet of the name, and matters relevant to the dismissal.
- (x) Following receipt of the notification above, the Leader may within 7 days, give notice of objection to the dismissal, accompanied by reasons for the objection.
- (xi) The City Solicitor or Deputy City Solicitor (in the event that the City Solicitor was the relevant officer) may request that the I&DC action the dismissal provided that:
- a. No objection is received from the Leader; or,
  - b. Upon receiving an objection, a meeting of the Council is convened, the objection considered, and the Council resolves that the objection is not material or is not well-founded.

Any remuneration, allowances or fees paid by the council to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the 2011 Act.

#### 11. **Dismissal of other Senior Officers**

- (a) councillors will not be involved in the dismissal of any officer other than those who are employed on the Joint National Council for Chief Officers conditions of service.
- (b) Where the Employment Committee or a committee acting on its behalf is discharging the function of dismissal of an officer on the Joint National Council for Chief Officers Conditions of Service, at least one member of the Cabinet must be a member of that committee.
- (c) Notice of the dismissal of an officer on the Joint National Council for Chief Officers Conditions of Service must not be given by the council, the Employment Committee, a sub-committee or officer until —

- (i) the chief executive has been notified of the name of the person whom it is proposed to dismiss and any particulars which are considered relevant to the dismissal;
- (ii) the chief executive has notified every member of the Cabinet of —
  - the name of the person whom it is proposed to dismiss;
  - any particulars relevant to the proposed dismissal;
  - the period within which any objection to the proposed dismissal is to be made by the Leader of the Council on behalf of the Cabinet; and
- (iii) either —
  - The Leader has, within the period specified, notified the committee or officer taking the decision that the Cabinet has no objection to the dismissal;
  - the chief executive has notified the committee or officer taking the decision that no objection was received from the Leader within the period specified; or
  - the committee or officer is satisfied that any objection received from the Leader of the Council within the period specified is not material or is not well-founded.

*(These Rules incorporate where required within paragraphs 6, 7, 8, 9, 10 and 11, the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001)(as amended).*

NOTE:

The term chief officer includes Directors.

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Agenda item:

**Title of meeting: Employment Committee**

**Date of meeting: 15 September 2015**

**Subject: HR policy changes**

**Report by: Jon Bell, Director of HR, Legal and Procurement**

**Wards affected: N/A**

**Key decision:** No

**Full Council decision:** No

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## 1. Purpose of report

The purpose of the report is to advise Members about proposed changes to HR policies.

## 2. Recommendations

Members are recommended to:

- i. Adopt the new Appeal policy (Appendix 1) and note consequent amendments to other associated policies.
- ii. Note that the Director of HR, Legal and Procurement will update all other policies to reflect new job roles created by latest senior management restructure (in particular removing references to Heads of Service and Strategic Directors).
- iii. Note that the 2<sup>nd</sup> appeal stage in the grievance section of the Formal Action policy will be removed.
- iv. Note the different composition of dismissal panels (excluding schools and probationary dismissals) as detailed in the report.
- v. Change the requirement in the Flexible Retirement policy from a permanent reduction in salary of at least 50% to a permanent reduction in salary of at least 20%. Achieved through either a reduction in hours or band of post or a combination of these.
- vi. Adopt the revised Organisational Change and Redundancy policy and procedure and note that the qualifying criteria for redeployment support would increase from 1 year to 2 years' continuous local government service.

### **3. Background**

- 3.1. The council must continually review its HR policies to ensure that they are fit for purpose and adequately reflect the changing shape of the organisation. In particular, the recent senior management restructure has necessitated a number of changes to policies, as detailed in the sections below. Changes are also proposed to the Flexible Retirement Policy and the rules relating to the redeployment of staff.
- 3.2. Whilst there is no requirement for Employment Committee to approve routine changes to HR policies, it is important for Members to maintain oversight of significant workforce matters, which includes the suitability of the Council's overall policy framework.
- 3.3. Trades Unions have been consulted about the proposed policy changes through the Joint Officer and Staff Forum (JOSF) and have been provided with details of the changes and invited to provide comments. Staff groups have also been consulted in accordance with the established protocol.
- 3.4. All HR policies are available to managers and staff via the "PolicyHub" system, or through alternative arrangements for the minority of staff who cannot access the system.
- 3.5. Changes to policies have due regard to the ACAS code of practice, and to the agreed "PLAN" principles for HR policies (i.e. that they should be Proportionate, Lawful, Accountable and Necessary).

### **4. Changes to Senior Management Structure**

HR Policies make numerous references to "Head of Service" and "Strategic Director". These policies will be updated to reflect the removal of these roles from the council's senior management structure. Where this results in a fundamental change to the policy (e.g. by changing the levels of escalation), the changes are detailed in the sections below.

### **5. Appeal policy**

- 5.1. A number of policies (namely Formal Action, Managing Absence, Ill health retirement and redundancy dismissal, Flexible Working, Flexible Retirement and Career Break) contain a procedure for making an appeal. For simplicity and consistency, it has been decided to remove the separate appeal procedures from the individual policies and replace them with a single Appeal Policy (Appendix 1).
- 5.2. Currently, appeals are generally heard (wherever possible) by a person senior in authority to the person who made the initial decision. The Council's new flatter



structure means that this current process will become more difficult and therefore the changes are proposed in order to counteract this.

- 5.3. Except for an appeal against dismissal, it is deemed appropriate to hear an appeal at the same level of management as the initial decision maker (or above) as long as those hearing the appeal have the ability to challenge the original decision, have the authority to override the original decision (where necessary), and have had no prior involvement in the case.

## **6. Formal Action - Grievance**

The Grievance Policy currently allows for 2 stages of appeal in addition to the formal hearing of the grievance. This is felt to be excessive, and in practice, having 2 appeal stages is rarely valuable in resolving grievances. Given the flatter senior management structure, there is also limited scope to form panels for the 2<sup>nd</sup> appeal stage. Therefore, it is proposed to remove the 2<sup>nd</sup> appeal stage, and so make grievance appeals consistent with other appeals within the Appeal Policy. The policy also emphasises the importance of seeking informal resolution of grievances, and also the possibility of using mediation.

## **7. Formal Action - Authority to take action**

- 7.1. The Formal Action Policy prescribes the appropriate level of management to undertake disciplinary hearings and appeals. Following the senior management restructure (and the removal of the posts of Strategic Director and Head of Service) it has been necessary to revise this policy.
- 7.2. For a hearing where the maximum sanction possible is a first written warning, the hearing can now comprise of 2 people rather than 3.
- 7.3. Where the maximum sanction possible could be dismissal, the hearing panel will comprise a Director, another senior officer and an HR officer.
- 7.4. The Employee Appeal Panel (EAP), for an appeal against a dismissal, will be composed of the Deputy Chief Executive (where possible), a Director and an HR officer, or 2 Directors and an HR officer. Panel members will have had no previous involvement in the case.
- 7.5. Separate arrangements exist for schools staff and those on probationary periods.

## **8. Flexible Retirement**

The current Flexible Retirement Policy states that an employee can only take flexible retirement if they reduce their salary (either by reducing hours or band of post) by at least 50%. This is felt to limit the number of people for whom flexible retirement is a viable option. It is therefore recommended that the Flexible

Retirement policy be amended to require a reduction in salary of at least 20%. Members should note that flexible retirement is primarily aimed at those employees who are already entitled to access their full pension. Where a pension strain cost will arise (generally for employees between 55 and 60 years of age), approval will only be given if a robust business case exists.

## **9. Organisational Change and Redundancy**

The Organisational Change and Redundancy Policy currently provides for redeployment rights and support to be given to those employees who have at least 1 years' continuous local government service (as defined by The Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999 (as amended). This is inconsistent with other employment rights (e.g. the right to claim unfair dismissal) which accrue after 2 years of employment. Also, given the limited availability of redeployment opportunities, it makes sense to target these towards those "at risk" staff with greater lengths of service. Therefore, it is proposed that redeployment rights and support are also provided after 2 years' continuous service.

## **10. Reasons for recommendations**

The recommendations are made to ensure that all of the HR policies reflect the new senior management structure and to ensure that employment issues continue to be managed with a transparent and consistent approach.

## **11. Equality impact assessment (EIA)**

A preliminary EIA has been completed and a full EIA is not required.

## **12. Legal implications**

The contents of this report and the proposed policy amendments are reflective of the current statutory and common law positions. In addition, the proposed policy amendments are consistent with the relevant ACAS Codes and clearly evidence that the Authority is promoting a fair and transparent approach to dealing with staff issues, the proposed changes are needful and proportionate. Whilst any policy is challengeable, the current amendments do provide a clear point of reference and mitigate against challenge within either the Employment Tribunal or Court environments.

## **13. Finance comments**

There are no financial implications arising directly from the recommendations in this report.

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Signed by:

**Appendices:**

Appendix 1 - Proposed new Appeal policy

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
ACAS Code of Practice on Disciplinary and Grievance procedures	<a href="http://www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf">http://www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf</a>

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**Contents:**

Introduction  
 Scope  
 Principles  
 Framework  
     Types of appeal  
     Authority to hear the appeal  
     Procedure

<b>ID</b>	HR v 1.0
<b>Last Review Date</b>	Draft September 2015
<b>Next Review Date</b>	September 2017
<b>Approval</b>	Director responsible for HR
<b>Policy Owner</b>	Director responsible for HR
<b>Policy Author</b>	Anna Buxcey
<b>Advice &amp; Guidance</b>	Please contact HR
<b>Location</b>	PolicyHub
<b>Related Documents</b>	
<b>Applicability</b>	This policy applies to all employees in the City Council, except those in schools. The employment procedures and action in relation to Chief Officers are conducted in accordance with the constitution. Please note: Information in paragraph 2.2 in relation to probationary periods.

## 1. INTRODUCTION

When an appeal is received, HR will provide support to managers in accordance with the principles set out below.

## 2. SCOPE

- 2.1. This policy applies to all employees in the City Council, except those in schools.

The employment procedures and action in relation to Chief Officers are conducted in accordance with the constitution.

- 2.2. Employees in their probationary period are not subject to the Formal Action policy or Managing Absence policy and any associated appeal specified within this document. They will be managed via the Probationary policy, available on Policyhub.

## 3. PRINCIPLES

Any decisions taken will be based on the circumstances of each case. All decisions will be:

<b>Proportionate</b>	based upon the circumstances
<b>Lawful</b>	we will not break the law
<b>Accountable</b>	managers will be accountable for their decisions
<b>Necessary</b>	to achieve the right outcome

## 4. FRAMEWORK

### 4.1. Types of appeal

An employee can appeal under the following circumstances:

- Where they consider that action taken against them under the Formal Action policy is wrong or unjust.
- Where they consider a grievance has not been satisfactorily resolved.
- Where they consider that action taken against them under the Managing Absence policy is wrong or unjust.
- Against a dismissal (including ill health retirement and redundancy dismissal).
- Where they are dissatisfied with the outcome of a request made under the Flexible working policy, Flexible retirement policy and Career Break policy.

- Where they are dissatisfied with the application of the procedure followed for any of the above.

All policies are available on Policyhub  
<http://policyhub/PolicyHub/UserInbox/Default.aspx>

#### **4.2. Authority to hear the appeal**

##### **All appeals (Except appeal against dismissal)**

- The appeal will be heard by management with no previous involvement in the case and will be established in accordance with PLAN.
- The appeal will be heard by the same level of management (or above) who made the decision that is being appealed against. Chosen from within the same directorate or where necessary or appropriate across the organisation.

##### **For appeal against dismissal**

- The appeal will be heard by the Employee Appeal Panel (the responsibility cannot be delegated down) and will be established in accordance with PLAN. Panel members will have no previous involvement in the case

##### **The Employee Appeal Panel (The EAP) consists of:**

The Deputy Chief Executive, a Director and HR

Or

2 Directors and HR

#### **4.3. Procedure**

##### **4.3.1. Submitting the Appeal**

The appeal should be submitted in writing to the manager/Chair of the panel who made the decision that is being appealed against within 10 working days of the date of receipt of the outcome letter.

The letter must clearly state why the original decision is being appealed and should include:

- What the grounds for the appeal are.
- What the employee's desired outcome is.

The manager/Chair of the panel will check that an appeal is the appropriate route. If the grounds for the appeal are not clearly stated in writing, the employee will be contacted to provide further information in order for the appeal hearing to be arranged.

**4.3.2. Inform the employee**

The appeal will be considered without unreasonable delay.

The employee will be invited in writing to the appeal hearing. The invite letter will inform the employee that they may be accompanied by a trade union representative or workplace colleague.

*Please note: Under the statutory right to request flexible working, the law requires that all requests, including any appeal, must be considered and decided on, within a period of 3 months from first receipt. Full details are available in the Flexible Working policy on Policyhub.*

**4.3.3. Hold formal appeal hearing with the employee**

The appeal hearing will be held and both sides will be given the opportunity to state their case.

**4.3.4. Confirm outcome in writing**

The outcome of the hearing will be confirmed in writing to the employee without unreasonable delay.

**The outcome of the appeal hearing is final. There are no further stages.**





Agenda item:

**Title of meeting:** Employment Committee  
**Date of meeting:** 15<sup>th</sup> September 2015  
**Subject:** Sickness Absence - Quarterly Report  
**Report by:** Jon Bell - Director of HR, Legal and Procurement  
**Wards affected:** N/A  
**Key decision:** No  
**Full Council decision:** No

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## 1. Purpose of report

The purpose of this quarterly report is to update and inform Employment Committee on actions being taken that have an effect on the levels of sickness absence across Services.

## 2. Recommendations

- **To continue to monitor sickness absence, on a quarterly basis, and to ensure appropriate management action is taken to address absenteeism.**
- **To continue to offer a range of interventions around the three main reasons for sickness absence to assist employees to manage their attendance at work.**
- **To support Public Health flu vaccination campaign for 2015 by working with Corporate Communications to develop marketing initiatives to maximise the uptake of flu vaccinations, especially where Directorates have contact with NHS defined risk groups or have particular low uptake in 2014.**

## 3. Background

- 3.1 In the period since the last quarterly update in June 2015 the level of sickness absence has decreased from 8.73 to 8.65 average days per person per year. This is against the new corporate target of an average 7 days per person per year. Members will note the reversal in trend from the previous quarter, when an increase in sickness absence levels was reported. The overall trend over recent months is downwards.
- 3.2 Absence levels by Directorates for the period from 01 August 2014 to 31 July 2015 are attached in Appendix 1.

- 3.3 Of the 14 Directorates, nine (including schools) are over the corporate target of an average 7 days per person per year. Four Directorates are over an average 10 days per person per year.
- 3.4 Since the last Employment Committee the Leader of the Council has written to Directors where levels of absence are over the corporate target (an average 7 days per person per year) to encourage them to redouble their efforts to reduce absence levels.
- 3.5 Analysis of data indicates that over the last quarter there has been a slight decrease in the amount of long term absence from 4.70 to 4.69 average days per person per year. This continues the trend in long term absence, which has reduced from 5.88 to 4.69 average days per person per year since August 2012. Short term absence has been stable at around 2.57 average days per person per year over the same period. A summary of the analysis has been included in Appendix 2.
- 3.6 At the last meeting, members asked for further analysis to be carried out about the support provided to employees who were sick, including surveying affected staff. Public Health has been commissioned to carry out this work and the results will be presented at a future Employment Committee.

## **4. Occupational Health**

### **4.1 Fit for Work**

The New Government Fit for Work service to provide an occupational health assessment and general health advice to employees, employers (mainly small and medium sized organisations) via General Practitioners (GPs) went live across the country on 22 July 2015.

At present the Council has not received a notification from a GP regarding a personalised return to work plan and managed support for an employee via this service.

## **5. Health and Well-Being**

### **5.1 Interventions**

A table of reasons for absence over the last three years is included in Appendix 3. The analysis of the data indicates that the main reasons for absence have not changed dramatically, with the three main reasons; musculoskeletal; anxiety, stress and psychological and colds, flu and virus, accounting for 52-55% of all absences in each of the last three years.

### **5.2 Assisting staff to manage stress and anxiety**

In response to current corporate absence levels identifying 'stress, anxiety and psychological' as a contributory cause of work related sickness absence, a

Stress Management course, provided via Solent NHS has been delivered for Managers. In total, there were 64 attendees from 9 Directorates.

### **5.3 Building your Resilience**

A 'Building your Resilience' course, aimed at supporting council employees experiencing pressure in their job roles, is being offered. The course looks at causes and symptoms relating to pressure/stress, and considers positive psychology, the different reactions to pressure and practical resilience techniques based on an understanding of personality types and different responses to pressure/stress to help build resilience.

As a result of the high demand for the 'Building your Resilience' course further dates are being considered. It is apparent that Directorates with the highest levels of sickness absence (Children's Social Care and Adult Services) are promoting attendance on this course.

### **5.4 People handling and back care**

The People Handling and Back Care Advisor provides a range on interventions to assist employees with back care and musculoskeletal issues. This includes the provision of 'local back care link' courses for shift leaders who undertake manual handling risk assessments, as well as Posture Awareness courses at the Civic Offices. Some of those undertaking the back care links course are converting to local back care trainers.

1:1 back care supervision is also provided by the People Handling and Back Care Advisor.

### **5.5 Flu vaccinations**

NHS Choices have indicated that over time, annual flu vaccinations decrease the impact of potential outbreaks of flu epidemics. Public Health co-ordinated the flu vaccination campaign for 2014. The cost of vaccinations were covered by Services

**5.6** In 2014, 903 members of staff took advantage of the vaccination campaign which equated to a final uptake of 22.7%. The internal flu jab survey in January 2015 showed a high degree of satisfaction with the vaccination programme although a number of changes will be made to enhance the service and increase the uptake. These will include:

- Developing materials to dispel some of the myths surrounding flu and flu vaccination, including evidence of effectiveness
- Developing the booking system to include voucher booking
- Working with key services to maximise uptake amongst staff for example adult and children's social services

**5.7** Members will be aware that a flu vaccination programme provides a number of potential benefits to staff, clients and services as it prevents; periods of sickness absence due to staff illness with influenza or due to caring for a family member with influenza, at a time when services may be stretched, and assists with the protection of vulnerable clients in the Council's care from influenza infection and influenza related illness.

The provision of a flu vaccination also demonstrates the Council's role as a responsible employer and provider, committed to staff and client health and wellbeing.

**5.8** The Employment Committee supported the recommendations to continue with the offer of free flu vaccinations to employees in 2015 at the last meeting. In response, Public Health has written to Directors, outlining last year's uptake, the benefits of providing flu vaccinations, as well as the potential cost to the Director budget.

The maximum cost of 100% vaccination uptake at £10.72 per vaccination will be £41,154. Although every effort will be made to maximise uptake, Public Health have estimated that it is unlikely that this will exceed 40% as some staff members will be vaccinated at their GP. At 40% uptake the cost would be £16,461.

## **6. Reasons for recommendations**

The continued monitoring of sickness absence and the identification of good management practices is an important part of maximising attendance, which will in turn increase productivity, improve engagement and build resilience.

## **7. Equality impact assessment (EIA)**

A preliminary Equality Impact Assessment has been completed.

## **8. Legal implications**

There are no immediate legal implications arising from this report.

## **9. Finance comments**

There is no significant cashable saving resulting from the reduction in sickness absence. However there will be an improvement in productivity in terms of total days worked.

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Signed by:

### **Appendices:**

Appendix 1: Sickness Absence by Directorate

Appendix 2: Analysis of levels of absence year by year

Appendix 3: Summary of reasons for absence over the last three years

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
NHS Choices - The Flu Jab	<a href="http://www.nhs.uk/conditions/vaccinations/pages/flu-influenza-vaccine.aspx">http://www.nhs.uk/conditions/vaccinations/pages/flu-influenza-vaccine.aspx</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by:

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## Appendix 1: Sickness Absence by Directorate

### Sickness Absence by Directorates - 01 August 2014 to 31 July 2015

Directorate	Average Headcount	Working Days Lost to Sickness	Total		Long Term		Medium Term		Short Term		Average Number of Occasions per Person per year	Average per Person per Year (Previously Reported)
			% Working Days Lost To Sickness	Average per person per year	Working Days Lost	Average Per Person Per Year	Working Days Lost To Sickness	Average Per Person Per Year	Working Days Lost To Sickness	Average Per Person Per Year		
Adult Services	792	9676.50	6.13%	12.22	5569.41	7.03	1677.48	2.12	2429.61	3.07	1.79	12.75
Children's Services and Education	239	2056.57	4.68%	8.60	1280.00	5.36	141.78	0.59	634.79	2.66	1.59	7.19
Children's Social Care	365	3890.77	4.86%	10.66	2369.22	6.49	601.12	1.65	920.43	2.52	1.58	11.18
Community and Communication	233	2487.65	4.49%	10.68	1441.64	6.19	399.61	1.72	646.41	2.77	1.64	10.94
Culture and City Development	240	832.88	1.85%	3.47	233.00	0.97	100.09	0.42	499.78	2.08	1.15	3.72
Executive	21.5	36.03	0.70%	1.68			8.00	0.37	28.03	1.30	1.02	1.69
Finance and Information Services	292	1609.20	2.39%	5.51	735.34	2.52	281.41	0.96	592.46	2.03	1.32	5.40
Human Resources, Legal and Procurement	147.5	598.05	1.71%	4.05	195.00	1.32	161.65	1.10	241.40	1.64	1.06	3.51
Integrated Commissioning	35	74.53	1.01%	2.13	0.00	0.00	12.00	0.34	62.53	1.79	0.89	2.81
Portsmouth International Port	84	979.00	4.65%	11.65	704.00	8.38	91.00	1.08	184.00	2.19	1.23	10.24
Property and Housing	881	7928.46	4.09%	9.00	4030.45	4.57	1263.95	1.43	2634.06	2.99	1.73	9.11
Public Health	55	402.03	3.76%	7.31	148.64	2.70	71.76	1.30	181.63	3.30	2.22	6.40
Regulatory Services, Community Safety and Troubled Families	85	467.95	2.30%	5.51	199.32	2.34	73.12	0.86	195.50	2.30	1.20	5.59
Transport, Environment and Business Support	386.5	3421.09	5.09%	8.85	2002.28	5.18	570.65	1.48	848.17	2.19	1.34	8.53
PCC Schools	2403	21552.65	5.32%	8.97	10854.08	4.52	3039.08	1.26	7659.49	3.19	1.93	8.30
<b>Total (Including PCC Schools)</b>	<b>6212.50</b>	<b>56013.34</b>	<b>4.61%</b>	<b>9.02</b>	<b>29762.36</b>	<b>4.79</b>	<b>8492.70</b>	<b>1.37</b>	<b>17758.28</b>	<b>2.86</b>	<b>1.71</b>	<b>8.77</b>
Internal Agency (Agency Workers)	179	100.38		0.56	0.00	0.00	25.74	0.14	74.64	0.42	0.26	0.54
<b>**Total (Excluding PCC Schools)</b>	<b>3988.50</b>	<b>34561.07</b>	<b>4.26%</b>	<b>8.67</b>	<b>18908.28</b>	<b>4.74</b>	<b>5479.36</b>	<b>1.37</b>	<b>10173.43</b>	<b>2.55</b>	<b>1.51</b>	<b>8.73</b>

Definition of periods of absence

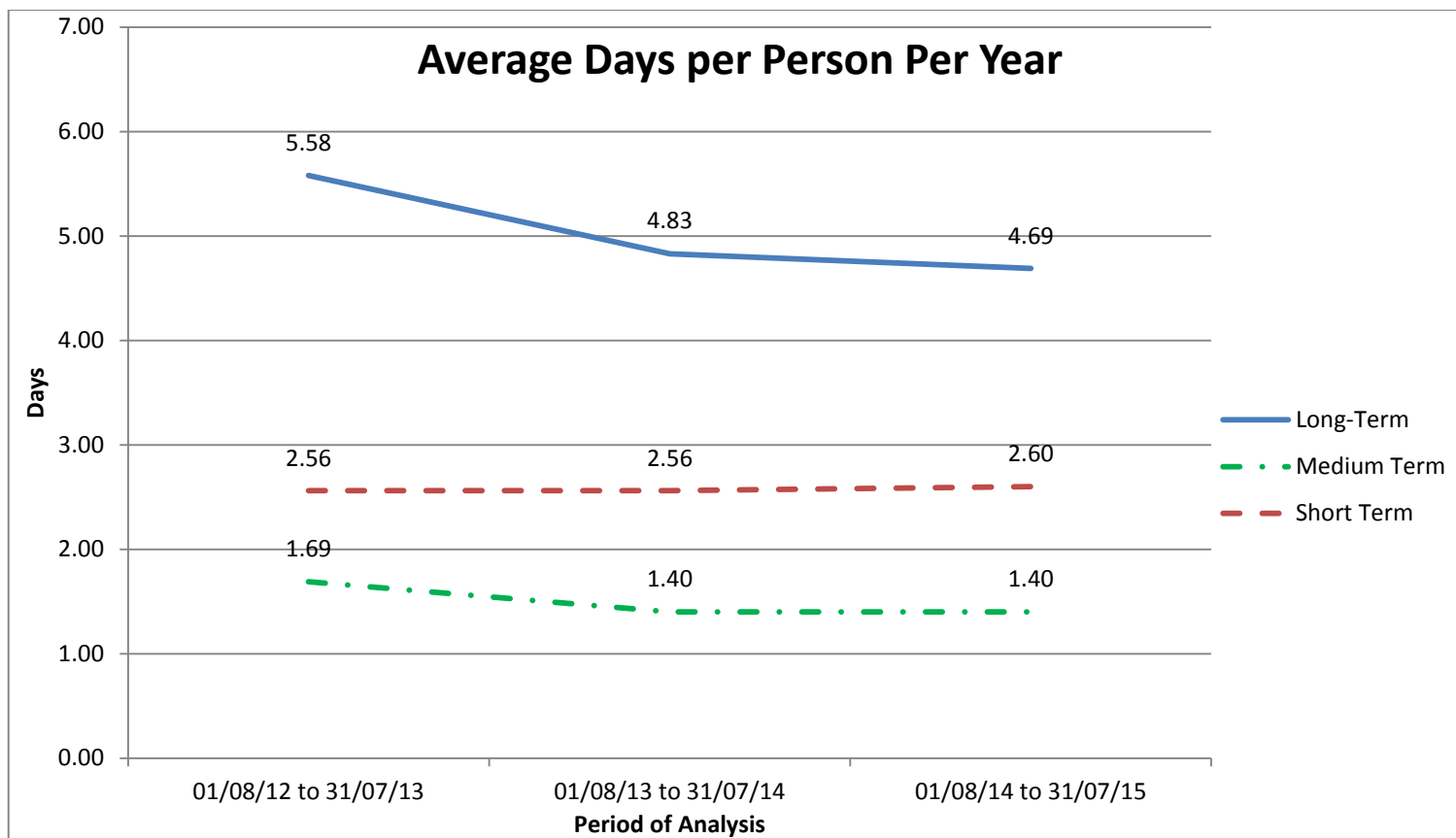
Long-term absence: 21 days or more, Medium Term absence: 8 to 20 days, Short Term absence: 7 days or less

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## Appendix 2: Analysis of levels of absence year by year

### Analysis of changes in absence levels over the past three years by types of absence



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Appendix 3: Summary of reasons for absence over the last three years

Summary of reasons for absence over the last three years

Absence Reason	01/08/2014 to 31/07/2015		01/08/2013 to 31/07/2014		01/08/2012 to 31/07/2013	
	% of Total Working Days Lost	Rank	% of Total Working Days Lost	Rank	% of Total Working Days Lost	Rank
Musculoskeletal	21.63%	1	20.65%	1	21.73%	1
Psychological	21.25%	2	20.17%	2	19.79%	2
Virus	12.76%	3	11.15%	3	13.81%	3
Gastrointestinal	10.40%	4	10.08%	4	10.68%	4
Neurology/Nervous System	5.02%	5	4.35%	9	3.78%	9
Unknown/Not Recorded	4.89%	6	4.63%	7	2.89%	11
Respiratory Problems	4.65%	7	5.36%	6	4.30%	7
Cancer and Tumours	4.22%	8	5.68%	5	4.83%	5
Dental/Oral	3.68%	9	4.39%	8	3.51%	10
Gynaecological	3.34%	10	3.79%	10	4.13%	8
Pregnancy Related	1.41%	11	1.50%	12	1.25%	13
Genitourinary	1.38%	12	1.88%	11	1.43%	12
Heart Disorders	1.24%	13	1.15%	14	4.31%	6
Eye Problems	1.02%	14	1.04%	16	0.70%	16
Family Bereavement	0.91%	15	0.50%	19	0.90%	14
Skin Disorders	0.73%	17	0.61%	18	0.53%	17
Infectious Disease	0.30%	18	0.69%	17	0.41%	18
Substance Misuse	0.20%	19	0.01%	21	0.00%	21
Accident	0.19%	20	1.07%	15	0.88%	15

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