

Public Document Pack



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Personnel Committee
Date: Tuesday 31 January 2023
Time: 2.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Jason Slaymaker (Chairman)	Councillor Simon Holland (Vice-Chairman)
Councillor Andrew Beere	Councillor Ian Corkin
Councillor Gemma Coton	Councillor Fiona Mawson
Councillor Lynn Pratt	Councillor Chris Pruden
Councillor Les Sibley	Councillor Amanda Watkins
Councillor Douglas Webb	Councillor Barry Wood

AGENDA

1. Apologies for Absence and Notification of Substitute Members

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

4. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. Minutes (Pages 5 - 8)

To confirm as a correct record the Minutes of the meeting of the Committee held on 17 November 2022.

6. Chairman's Announcements

To receive communications from the Chairman.

7. Policy Updates (Pages 9 - 58)

Report of Chief Executive

Purpose of report

To seek approval from the Personnel Committee on proposed changes to existing HR policies.

Recommendations

The meeting is recommended:

1.1 to review and approve the following policies for implementation:

- Annual Leave and Bank Holiday Policy
- Compassionate Leave Policy
- Court Attendance Policy
- Employee Code of Conduct
- Statutory Officer Disciplinary and Dismissal Procedure

8. Gender Pay Gap (Pages 59 - 70)

Report of Chief Executive

Purpose of report

To provide the Personnel Committee with the latest Gender Pay Gap report for information.

Recommendations

The meeting is recommended:

1.1 to review the latest Gender Pay Gap report provided for information.

9. Workforce Profile Statistics (Pages 71 - 88)

Report of Chief Executive

Purpose of report

To provide the Personnel Committee with an update on Cherwell District Council's workforce including KPIs for measuring staff well-being and to highlight the actions officers are taking to address any issues

Recommendations

The meeting is recommended:

- 1.1 to review and note the workforce data for Quarter 3 of 2022/23 provided in Appendix one.

10. Exclusion of the Public and Press

The following reports contain exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

1 - Information relating to any individual.

2 – Information which is likely to reveal the identity of an individual

3– Information relating to the financial or business affairs of any particular person (including the authority holding that information).

4 – Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Members are reminded that whilst the following item(s) have been marked as exempt, it is for the meeting to decide whether or not to consider each of them in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 3 and 4 of Schedule 12A of that Act.”

11. Property Restructure (Pages 89 - 140)

Exempt report of Corporate Director Resources

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Meeting

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221534 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Aaron Hetherington, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Yvonne Rees
Chief Executive

Published on Monday 23 January 2023

Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 17 November 2022 at 2.00 pm

Present:

Councillor Jason Slaymaker (Chairman)
Councillor Simon Holland (Vice-Chairman)
Councillor Andrew Beere
Councillor Ian Corkin
Councillor Fiona Mawson
Councillor Lynn Pratt
Councillor Chris Pruden
Councillor Les Sibley
Councillor Amanda Watkins
Councillor Douglas Webb
Councillor Barry Wood

Apologies for absence:

Councillor Gemma Coton

Officers:

Claire Cox, Assistant Director Human Resources
Susan Blunsden, HR Manager
Natasha Clark, Governance and Elections Manager
Matt Swinford, Democratic and Elections Officer

Officers attending virtually:

Yvonne Rees, Chief Executive

21 **Declarations of Interest**

There were no declarations of interests.

22 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

23 **Urgent Business**

There were no items of urgent business.

24 **Minutes**

The Minutes of the meeting of the Committee held on 17 October 2022 were agreed as a correct record and signed by the Chairman

25 **Chairman's Announcements**

The Chairman asked the Committee for volunteers to join a Councillor working group with Members of the Overview and Scrutiny Committee. The working group's role would be to help shape and oversee the work the Council is doing to deliver on its equality, diversity and inclusion commitments which are set out in the Council's Equalities Framework 'Including Everyone'.

26 **Policy Updates**

The Chief Executive submitted a report to seek approval on proposed changes to existing HR policies.

In introducing the report, the Assistant Director Human Resources explained that the policies brought to the Committee were the second set tranche of policies officers are bringing to Personnel Committee for approval as HR systematically work through and refresh all HR-related policies.

The Assistant Director Human Resources advised that the time off for dependents policy has been reviewed since the last Committee meeting due to a situation that arose since the policy was implemented.

In response to Members' comments regarding if the policies were compliant with national legislation, the Assistant Director Human Resources confirmed that the policies were compliant with national legislation. External legal advice had been sought to ensure the Council was fulfilling its legal obligations and that the policies were sound.

Resolved

(1) That, having given due consideration, the following policies be approved and implemented:

- Time off for Dependents
- Capability Policy
- Disciplinary and Dismissal Policy
- Grievance Policy
- Organisational Change Policy
- Sickness Absence Policy

27

Workforce Profile Statistics

The Chief Executive submitted a report to provide an update on the Council's workforce including Key Performance Indicators for measuring staff well-being and to highlight the actions officers were taking to address any issues.

In introducing the report, the Assistant Director Human Resources advised the Committee that further to the quarter one statistics highlighting that a significant amount of sensitive information was missing, officers had been encouraging staff to complete this information. HR Officers had been supporting depot staff, who weren't regular users of the HR system, to provide this information. The Assistant Director Human Resources reminded the Committee that it was not mandatory for staff to provide sensitive data but as a result of the concerted encouragement, the collection rate for sensitive information had increased from 48.75% to 68.73%.

In response to Members' comments regarding if there were any links between staff resignations and stress, the Assistant Director Human Resources advised that the reasons provided by staff for leaving did not indicate any links. Staff were encouraged to complete an exit interview and the processes were being reviewed. The Assistant Director Human Resources advised that information gained from employee exit questionnaires and interviews would be reported to the Committee in future statistics.

Resolved

- (1) That, having given due consideration, the workforce date for Quarter 2 of 2022/23 be noted.

The meeting ended at 2.30 pm

Chairman:

Date:

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Cherwell District Council

Personnel Committee

31 January 2023

Policy Updates

Report of Chief Executive

This report is public

Purpose of report

To seek approval from the Personnel Committee on proposed changes to existing HR policies.

1.0 Recommendations

The meeting is recommended:

1.1 to review and approve the following policies for implementation:

- Annual Leave and Bank Holiday Policy
- Compassionate Leave Policy
- Court Attendance Policy
- Employee Code of Conduct
- Statutory Officer Disciplinary and Dismissal Procedure

2.0 Introduction

2.1 The policies outlined above are the second tranche of policies officers are bringing to Personnel Committee for approval as HR systematically work through and refresh all HR-related policies.

2.2 UNISON are also provided with these documents for review and comment. Any feedback received will be shared at the Personnel Committee ahead of these policies being approved.

3.0 Report Details

3.1 The approach officers are taking to review all HR policies is to prioritise those needed to reflect changes in legislation and or work practices.

- 3.2 The aim of the review was to simplify the content where possible, removing any unnecessary information and ultimately making them more user friendly for managers and employees to understand and follow them.
- 3.3 The table in Appendix 1 gives an overview of all the proposed changes for each policy.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Officers have updated the policies attached to this report to reflect current legislation and good practice but also to make them much more user friendly and attractive for existing and potential employees. For these reasons officers recommend the committee approves the revised policies.

5.0 Consultation

Unions are being consulted on the policies.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The alternative option would be to continue with the existing policies however officers have rejected this as the policies would not reflect current legislation or the Council's objectives of being an attractive, modern employer.

7.0 Implications

Financial and Resource Implications

- 7.1 In order to mitigate risk it is important that the Council operate with up-to-date policies. The update to these policies are anticipated to be minor and will be managed within existing budgets, as is currently the case.

Comments checked by:

Leanne Lock Strategic Finance Business Partner,
leanne.lock@cherwell-dc.gov.uk, 01295 227098

Legal Implications

- 7.2 This is in accordance with the programme for reviewing policies. There are no legal implications.

Comments checked by:

Shiraz Sheikh, Assistant Director of Law and Governance and Monitoring Officer,
Shiraz.Sheikh@cherwell-dc.gov.uk

Risk Implications

- 7.3 There are no risk management implications arising directly from this report.

Comments checked by:
Shona Ware, Assistant Director – Customer Focus, 01295 221652
shona.ware@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 There are no EDI implications arising from this report. Officers have considered EDI implications in suggesting changes to the policies to ensure the council meets its statutory responsibilities under the Equality Act and the commitments in its equalities framework 'Including Everyone'. The policies also allow for some flex so they can be adapted to suit the situation and specific circumstances. Furthermore, the policies are regularly reviewed and updated to ensure they remain fit for purpose so any future EDI implications can be captured and mitigated against.

Comments checked by:
Shona Ware, Assistant Director – Customer Focus, 01295 221652
shona.ware@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

N/A

Document Information

- Appendix 1 – Overview of changes to each policy
- Appendix 2 – Annual Leave and Bank Holiday Policy
- Appendix 3 - Compassionate Leave Policy
- Appendix 4 - Court Attendance Policy
- Appendix 5 - Employee Code of Conduct
- Appendix 6 - Statutory Officer Disciplinary and Dismissal Procedure

Background papers

None

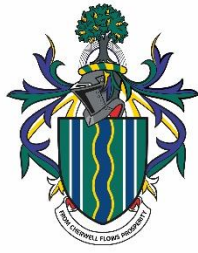
Report Author and contact details

Claire Cox, Assistant Director of Human Resources
Claire.cox@cherwell-dc.gov.uk
01295 221549

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Document	Outline of changes
Annual Leave and Bank Holidays Policy	<ul style="list-style-type: none"> • General tidying up. • Reference to annual leave given in hours as this is how it is booked within iTrent, the HR/Payroll system • Updated entitlements in line with an extra day being awarded with effect from 1 April 2023. • Removed examples of how to calculate annual leave due to explanation being within iTrent. Removed due to the explanation being on itrent.
Court Attendance	<ul style="list-style-type: none"> • General tidy up.
Compassionate leave	<ul style="list-style-type: none"> • Increase in entitlement to compassionate leave from five to ten days. • Added statutory parental bereavement entitlement
Employee Code of Conduct	<ul style="list-style-type: none"> • General tidy up • Clarification on permission to seek additional employment opportunities at different grades • Clarification on expectations of employees around declarations of gifts and hospitality
Statutory Officer Disciplinary and Dismissal Policy and Procedure	<ul style="list-style-type: none"> • General tidy up • Acknowledgement of updates to the Chief Executive Handbook

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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Annual Leave and Bank Holiday Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Annual leave and bank holiday Policy
Owner	Human Resources
Version	1.0
Date of implementation	1 February 2023

DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
Personnel Committee	31 January 2023

DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District

DATE FOR REVIEW

No later than 1st February 2026 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision

Contents

Entitlement	4
Carry over	5
New employees	5
Leaving the authority	5
Sickness during a period of annual leave	5
Accrual during maternity and adoption leave	5

Annual Leave and Bank Holidays

1. The annual leave period is from 1 April to 31 March.
- 1.1 The timing of annual leave is at the discretion of the line manager and must be planned within the requirements of the service. All employees must obtain prior authorisation for leave from their line manager.
- 1.2 All annual leave and bank holidays are present in hours within the HR/Payroll system under the Employee Self Service (ESS).

2. Entitlement

- 2.1 In addition to the national bank holidays and one locally agreed concessionary day, employees have a minimum annual leave entitlement of:

Grade A to I - 26 working days/ 192.4 hours, rising to 29 days/214.6 hours after 5 years continuous service. The increase is effective from the 5th anniversary of the continuous service date.

Grade J and above – 34 working days/ 251.6 hours

These entitlements are pro-rated for part-time employees.

- 2.2 Bank holidays recognized on an annual basis and the locally agreed concessionary day are as follows:

Bank Holidays	Locally Agreed Concessionary Day
New Year's Day Good Friday Easter Monday The first Monday in May (May Day) Spring Bank Holiday Monday Summer Bank Holiday Monday Christmas Day Boxing Day	One concessionary day decided annually – usually Christmas Eve or between Christmas and New Year.

- 2.3 All employees who work part time hours or have a working pattern where the number of hours worked each day are different, benefit from a pro rata entitlement to bank holidays and the concessionary day.

2.4 There is a “holiday calculation guide” available on the HR/Payroll system under your ESS.

3. Carry-Over

3.1 A maximum of the employees working week may be carried forward into the new leave year. Additional carry-over may be agreed in exceptional circumstances with the advance agreement of the Assistant Director - HR.

4. New Employees

4.1 For the current leave year new employees are entitled to an amount of leave proportionate to completed **weeks** of service during the leave year.

4.2 By prior arrangement an employee transferring from the service of one authority to another may transfer their balance of outstanding annual leave provided there is no break in service.

5. Leaving the Authority

5.1 An employee who leaves local government service during the leave year shall be allowed a pro rata entitlement to annual leave and bank holidays based on the number of **weeks** completed service in the current leave year.

5.2 Employees who leave CDC to join another local authority within the leave year are entitled to transfer any outstanding leave to that authority. In such circumstances a statement of annual leave should be requested from Human Resources.

5.3 Employees who leave within the leave year having taken more than their proportionate entitlement will be required to repay the Council, normally by deduction from their final salary.

5.4 Employees who have not taken their proportionate entitlement in the leave year when they tender their resignation will be required to take their outstanding leave during their notice period. However, in exceptional circumstances the Assistant Director or Corporate Director may agree to payment in lieu of outstanding leave.

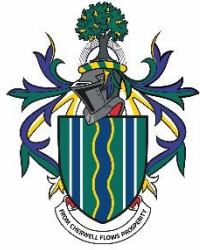
6. Sickness during a period of annual leave

6.1 In the event an employee falls sick during a period of his or her annual leave, they will be entitled to this annual leave being recredited only upon receipt of a GP fit note.

7. Annual leave accrual during maternity and adoption leave

7.1 Subject to agreement by your manager, you should take your accrued annual leave prior to the commencement of your maternity leave. Any annual leave entitlement for the year that is not taken or cannot reasonably be taken before starting your maternity leave can be carried over to the next annual leave year. This must be taken immediately before returning to work or within three months of returning to work. Please see maternity /adoption leave policy for more information.

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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Compassionate Leave Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Compassionate Leave Policy
Owner	Human Resources
Version	1.0
Date of implementation	1 February 2023

DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
CDC Personnel Committee	31 January 2023

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REVISION HISTORY

Version	Revision date	Summary of revision

This policy covers:

1	Who the scheme applies to	4
2	Compassionate leave	4
3	Entitlement	4
4	Refusing a request	5
5	Ongoing support	5
6	Parental Bereavement Leave	6

1 Who the scheme applies to

Cherwell District Council's compassionate leave scheme applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.

This policy does not form part of any contract of employment or other contract to provide services, and the Council may amend it at any time

2 Compassionate leave

The Council recognise that adopting a compassionate leave policy supports employees who are going through bereavement and grief following the death of a close family member. The Council is sympathetic to any employee when they lose a close member of their family and are committed to treating the individual with sensitivity and compassion.

The purpose of this policy is to ensure that compassionate leave is granted in a fair and equitable manner whilst, at the same time, recognising that compassionate leave arrangements need to be flexible in individual circumstances. The aim is to set down clear guidance in the use of and application of compassionate leave.

The compassionate leave policy should not be confused with the statutory right to time off for dependants which is covered in the family friendly policy.

In circumstances where an employee is required to care for a critically or terminally ill family member the councils will be as flexible as possible. Examples of this may include granting short notice annual leave or flexi time, allowing the employee to work from home or authorising a period of unpaid leave.

3 Entitlement

Employees are entitled to request compassionate leave regardless of their length of service.

Up to ten days paid compassionate leave will usually be granted in the event of the death of an employee's:

- Spouse or partner
- Child (under the age of 18)*
- Daughter / Son (including step-children) *
- Parent (including step-parent)
- Parent-in law
- Sibling (including step-sibling)
- Grandparent
- Grandchild

* please see Parental Bereavement Leave below

This list is not exhaustive and will be reviewed in individual circumstances where Senior Management has discretion, in consultation with the HR Business Partner.

An employee must request compassionate leave as soon as is practicably possible given the circumstances of the situation; this may, however, be after the employee has returned to work.

If a manager wishes to approve a period of compassionate leave, (up to ten days), employee will add this to the HR/Payroll system under paid leave.

Managers will consider requests sympathetically, reasonably, in confidence and in consultation with his/her HR Business Partner. The Manager should authorise this leave request as quickly as possible.

Where five days compassionate leave is insufficient, consideration should be given to other leave options including annual leave, flexitime, parental leave and time off for dependants leave if applicable.

Further compassionate leave may be granted at the discretion of a member of Senior Management.

4 Refusing a request

A manager will not unreasonably refuse a request for compassionate leave. If the manager feels they are unable to grant a request they must seek guidance from their HR Business Partner.

5 Ongoing support

Managers are encouraged to discuss on-going additional support whilst the employee is taking compassionate leave and upon their return to work. Such consideration could include short-term flexibility in working arrangements and a referral to Occupational Health for counselling or other well-being advice.

It is important for managers to remember those special or significant days such as the inquest, anniversary of the death or the birthday of the person who has died can also be particularly difficult times for employees.

Grief does not have predicted stages and phases. Everyone reacts differently to bereavement, and this should be understood and respected by both managers and colleagues.

6. Parental Bereavement Leave (PBL)

The Parental Bereavement Leave Regulations 2020, introduce statutory parental bereavement leave and pay for parents in respect of children who die on or after 6th April 2020.

The primary beneficiaries of statutory parental leave are employees who are the parents of a deceased child under the age of 18 years. This includes adoptive parents, foster parents and guardians and intended parents under a surrogacy agreement as well as more informal groups such as close relatives or family friends who have taken responsibility for the child's care in the absence of parents for a continuous period or at least 4 weeks before the death.

6.1 Eligibility for Leave

Parental bereavement leave is a "day one" employment right, meaning that employees do not require a minimum period of service for the leave. Eligibility extends to cover individuals with caring responsibility for a deceased child who has died providing that the individual has, for a continuous period of at least four weeks before the child dies, been living with the child and has day-to-day responsibility for the child. Parents who suffer a stillbirth 24 weeks or more into the pregnancy are also entitled to parental bereavement leave.

6.2 Taking Parental Bereavement leave (PBL)

PBL may be taken at any time within 56 weeks of the death of the child.

The statutory entitlement is to two weeks leave. This leave must be taken in blocks of one week and is not available as individual days.

Parents may take leave in a single block of 2 weeks or in two separate blocks of one week each. The weeks need not be consecutive.

Where more than one child dies, the employee is entitled to two weeks' parental bereavement leave in respect of each child.

Where a bereaved employee is already on maternity leave then they can add the parental bereavement leave to the end of their maternity leave. The PBL must then be taken in a single consecutive period.

6.3 Notification

To take parental bereavement leave, an employee must confirm to the HR Department or the line manager that they will take this leave and provide the following information:

- The date of the child's death
- Their relationship to the deceased child that entitles them to statutory parental bereavement leave
- The date they are beginning their parental bereavement leave

- If they intend to take one or two weeks' parental bereavement leave

6.4 Length of Notice requirements

If the employee is taking leave within 56 days of the child's death then they are able to take the leave straightaway without having to give a period of notice.

To cancel this week's parental bereavement leave, the employee must give notice by no later than the time on the first day of that week at which the employee would have been due to start work.

If the employee is taking leave more than 56 days after the child's death then at least one weeks' notice of their intention to take parental bereavement leave is required.

To cancel this week's parental bereavement leave, the employee must give notice to the employer at least one week before the start of that week.

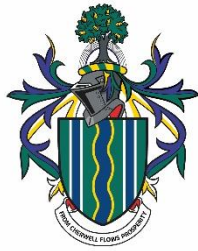
An employee may not cancel any week of parental bereavement leave which has already commenced.

6.5 Statutory Parental Bereavement Pay

To be eligible for statutory parental bereavement pay, employees who are on parental bereavement leave are required to have:

- At least 26 weeks' continuous employment with their employer ending with the week before the week in which their child dies and still be employed by that employer on the day on which their child dies; and
- Normal weekly earnings in the eight weeks up to the week before the child's death that are no less than the lower earnings limit for national insurance contribution purposes

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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Court Attendance

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Court Attendance
Owner	Human Resources
Version	1.0
Date of implementation	1 February 2023

DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
CDC Personnel Committee	31 January 2023

DOCUMENT DISTRIBUTION

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DATE FOR REVIEW

No later than 1st February 2026 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision

Contents	Page
1 If you are selected for jury service	4
2 Asking to do jury service at a later date	4
3 Loss of earnings	4
4 Payment from the court	4
5 If you are called to court as a witness	5
6 If you need to attend court as a defendant	5
7 Time recording	5

Cherwell District Council's Court Attendance Policy applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.

This policy does not form part of any contract of employment or other contract to provide services, and the Council may amend it at any time

1 If you are selected for jury service

Trial by jury is a key part of our legal system and our democratic way of life. A jury is made up of twelve members of the public, randomly selected using the electoral register. Jury service usually lasts for ten days, but some trials take longer. Jurors are usually warned in advance if a trial is expected to last a long time.

If you are selected for jury service, you will be sent:

- a jury summons form
- a confirmation of jury service letter
- a certificate of loss of earnings
- confirmation of the allowances you can claim

The jury summons form tells you the time and date you need to be at court. You must complete and return this form to the Jury Central Summoning Bureau within seven days of receipt to confirm your attendance. You will then be sent details of how to get to the court and what to expect once you are there.

Prior to doing this you should pass the confirmation of jury service letter to your line manager. You will be granted leave of absence unless your absence would have a highly detrimental impact on service delivery in which case you may be asked to request a deferral.

2 Asking to do jury service at a later date

In some circumstances, you may be able to defer your jury service. If requesting a deferral, you must state the reason on the jury summons form. You must also state when you would be available for jury service during the next 12 months. You can only defer jury service once in the 12-month period.

3 Loss of earnings

When serving as a juror you should claim the allowance for loss of earnings to which you are entitled under the Jurors' Allowances Regulations currently in force. CDC will then arrange for you to be paid your usual salary minus the allowance claimed.

To claim your loss of earnings you will need to complete the certificate of loss of earnings which confirms your daily rate of pay. The payroll team will be able to assist with the completion of this certificate which should be handed to the Court officials on your first day of jury service.

You are also able to claim for travel and food expenses from the court. On your first day, the jury manager will explain how to claim your expenses.

4 Payment from the court

It is essential you keep a record of costs, e.g., car park receipts, and send them in with your claim. If you are unsure what should be submitted with your claim form you should contact the court. The court normally transfers your allowance claim money direct into your bank account within seven to ten working days after submitting your claim.

5 If you are called to court as a witness

If you are called to court as a witness, you will need to provide proof of this to your line manager to confirm the time you will be taking away from work. As with jury service, you are entitled to claim for loss of earnings, and you will be paid your usual salary minus this figure.

6 If you need to attend court as a defendant

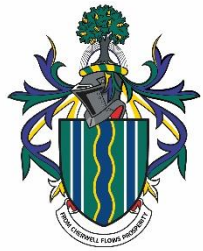
If you need to attend court as a defendant, you will need to provide proof of this to your line manager to confirm the time you will be taking away from work. You will **not** be paid for your time away from work if you are convicted of an offence.

7 Time recording

Please ensure any time absent is appropriately recorded on iTrent.

You may find that on arrival at the court you are not required on that day. In such circumstances you should be prepared to return to your usual role at CDC.

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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Employee Code of Conduct Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Employee Code of Conduct Policy
Owner	Human Resources
Version	1.0
Date of implementation	1 February 2023

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DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District

DATE FOR REVIEW

No later than 1st November 2025 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision

Contents

Standards	4
Disclosure of Information	4
Political Neutrality	4
Relationships	5
Appointment and other employment matters	5
Outside commitments	5
Personal interests	6
Equality issues	6
Separation of roles during tendering	6
Fraud and corruption	6
Gifts and hospitality	7
Sponsorship - giving and receiving	7

Appendix 1 - Acceptance of gifts and hospitality – guidance notes

This Code of Conduct forms part of the contract of employment for all employees. Failure to comply with the Code may result in disciplinary action.

If an employee is uncertain as to any action(s) that they may need to take to comply with the Code they should consult with one of the following:

- Line Manager
- Assistant Director
- Corporate Director

Employees are reminded that they are expected to familiarise themselves with and comply with all Council policies and procedures which are available on the Council's intranet, including but not limited to the Use of Social Media at Work and at Home Guidance and Data Protection Policy.

1. Standards

- 1.1 Employees of Cherwell District Council (CDC) are expected to give the highest possible standard of service to the public and where it is part of their duties to provide appropriate advice to elected members and fellow employees with impartiality. Employees are expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service and, in particular, to report to the appropriate manager any impropriety or breach of procedure. The Confidential Reporting policy gives further guidance on this.

2 Disclosure of Information

- 2.1 In the interests of open government, the law requires that certain types of information must be available to elected members, auditors, government departments, service users and the public. CDC may decide to be open about other types of information. Employees must be aware of the rules concerning the disclosure of information, and act accordingly. These rules are set out in the policy statement on public access to information.
- 2.2 Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor may they pass it on to others who might use it in such a way. Any particular information received by an employee from an elected member which is personal to that elected member and does not relate to CDC business must not be divulged by the employee without the prior approval of that elected member, except where such disclosure is required or sanctioned by the law.
- 2.3 During the course of their work, employees may come into possession of sensitive or personal information. They should not disclose this information to others except in accordance with CDC procedures. If employees are uncertain as to CDC procedures in a particular circumstance relating to sensitive or personal information, they should consult with their line manager, Assistant Director or Director (as appropriate), Information Governance Manager or the Monitoring Officer.

3 Political Neutrality

- 3.1 Employees serve the Council as a whole. It follows that they must serve all elected members and not just those of the controlling group and must ensure that the individual rights of all elected members are respected. The respective

roles of elected members and employees are set out in the CDC conventions for the management of Council business.

- 3.2 Employees may be required to advise political groups. They must do so in ways which do not compromise their political neutrality. The protocol for member / officer relations included in the conventions for the management of Council business contains guidance for advice to political groups.
- 3.3 Certain employees are classified within their contracts of employment as 'politically restricted'. Such employees must understand the limitations that this places by law on their political activity, and act accordingly. Further information regarding politically restricted posts is available on the Council's intranet.
- 3.4 Employees, whether or not politically restricted, must familiarise themselves with and comply with all CDC policies and procedures and must not allow their own personal or political opinions to interfere with their work.

4 Relationships

4.1 Elected members:

Employees are responsible to CDC through its senior managers. All employees are required to discharge the duties and responsibilities of their posts, and for some employees this includes giving advice to elected members. Mutual respect between employees and elected members is essential to good local government. Close personal familiarity between employees and individual elected members can damage the relationship and prove embarrassing. Close personal relationships such as family relationships between employees and individual elected members and between fellow employees must be declared to Legal and Democratic Services. Employees in such personal relationships must avoid any situation which could give rise to a conflict of interest as a consequence of the relationship and their work for CDC.

The respective roles of officers and elected members are set out in Constitution held on the Council's website.

4.2 The local community and service users:

Employees should ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

4.3 Contractors:

Substantial relationships of a business or private nature with external contractors or potential contractors must be declared to the Directors. Orders and contracts must be awarded on merit, in accordance with the CDC standing orders and contract procedures, and no inappropriate favour should be shown to businesses run by, for example, friends, partners or relatives.

4.4 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors must declare that relationship to the Directors.

5 Appointment and other employment matters

- 5.1 Employees involved in appointments must ensure that these are made on the basis of merit, and in accordance with CDC recruitment and selection procedures. It is unlawful for CDC to make an appointment based on anything

other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant or have a close personal relationship outside work with him or her.

- 5.2 Similarly, employees must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee to whom they are related or with whom they have a close personal relationship.

6 Outside commitments

- 6.1 Employees of Assistant Director grade and above are contractually required to devote their whole-time service to the work of the Council and must seek prior written approval before accepting any work outside of CDC. Written approval must be sought from their Director who should consult with the Monitoring Officer. Failure to seek prior written approval may be treated as a disciplinary matter. Where approval is given it will be on the basis that it will not be to the detriment of work for CDC and will not in any way conflict with the interests of CDC.
- 6.2 All other employees below Assistant Director grade must seek prior approval of their Assistant Director in writing before accepting any work outside of CDC to ensure that none of their outside activities are detrimental to the Council's interests. Failure to seek prior approval may be treated as a disciplinary matter.
- 6.3 Human Resources department will maintain a register of all approval given.
- 6.4 Where employees work part-time, off duty hours are their own concern, but their private interests must not interfere with their performance in their job, conflict with their job or conflict with the interests of CDC.
- 6.5 CDC will not prevent employees from undertaking additional work unless such work, in CDC's opinion, conflicts with or is detrimental to CDC's interests or would in any way weaken public confidence in the conduct of CDC's business.
- 6.6 Employees must follow such rules as CDC may have on the ownership of intellectual property or copyright.

7 Personal interests

- 7.1 Employees must declare to their Assistant Director or Director (as appropriate) any financial or non-financial interests that could conflict with CDC interests.
- 7.2 Employees must declare to their Assistant Director or Director (as appropriate) membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.
- 7.3 Personal interests will be recorded in a central register maintained by Legal and Democratic Services which will be made available formally to the Director HR and the Monitoring Officer.

8 Equality issues

- 8.1 All employees must ensure that CDC policies relating to equality issues are complied with, in addition to the requirements of the law. All members of the community, including customers and other employees, must be treated with fairness and equity.

9 Separation of roles during tendering

- 9.1 Employees involved in the tendering process and dealing with contractors must observe the separation of client and contractor roles within CDC. Employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 9.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 9.3 Employees who have access to, or become aware of, confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised person or organisation.
- 9.4 Employees must ensure that no inappropriate favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a relevant capacity.

10 Fraud and corruption

- 10.1 This section should be read in conjunction with the CDC anti-fraud and corruption and anti-bribery policies.
- 10.2 It is a criminal offence for employees in their official capacity corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person. This behaviour is broadly the definition of bribery.
- 10.3 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. In particular, employees must not seek to obtain financial advantage for themselves or any other person or organisation through the improper use of CDC financial resources or application of its systems or procedures. This behaviour would be deemed in breach of the Bribery Act 2010 and constitute a criminal offence. Any employee found to be involved in bribery is liable to disciplinary action, dismissal and prosecution.

11 Gifts and hospitality

- 11.1 Employees should not accept offers of gifts or hospitality except in accordance with CDC published guidance, which is attached as an appendix to this Code.

12 Sponsorship - giving and receiving

- 12.1 Where an outside organisation seeks to sponsor a CDC activity, whether by invitation, tender, negotiation or voluntarily, the CDC published guidance on the acceptance of gifts or hospitality applies. Particular care must be taken when dealing with contractors or potential contractors.
- 12.2 Where CDC wishes to sponsor an event or service, employees must declare to

the Directors any benefit that they or any partner or relative may gain from such sponsorship. Similarly, where CDC through sponsorship, grant aid, financial or other means gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest.

Appendix 1

Acceptance of gifts and hospitality – guidance notes

1 Introduction

There are occasions when CDC Officers are faced with circumstances in which they must decide whether or not to accept gifts or hospitality during the course of business activities. These guidelines are intended to provide the basis for taking decisions in such circumstances.

Referring to the CDC anti-bribery policy it is a criminal offence to:-
offer, give, receive, or solicit something of value for the purpose of influencing the action of an official in the discharge of his or her public or legal duties.

If an Officer believes that a gift, hospitality or other benefit offered is intended to make them act in a corrupt manner, they must refuse the offer and report the matter to their Assistant Director or Director (as appropriate), the Monitoring Officer and the s 151 Officer immediately.

An Officer's response when offered a gift, hospitality or other benefits in kind needs to recognise the normal courtesies of business life. At the same time, it is important to be aware of any improper influence being brought to bear, or creating an appearance of improper influence being brought to bear, or creating an appearance of improper influence. There is a judgement to be made which does not cause unnecessary offence to outside organisations, but which recognises that the public interest requires a level of behaviour which is beyond reproach. In applying this judgement, Officers are advised to err on the side of caution, and to consult their Assistant Director or Director (as appropriate), the Monitoring Officer and the s 151 Officer if in any doubt.

These guidelines are intended to apply to all CDC staff members. The guidance may be appropriate to spouses and other close relatives of staff members where there is a link between CDC and the organisation offering the gift or hospitality.

2 Gifts

The acceptance of gifts is strongly discouraged. Staff should refuse tactfully all such offers from individuals or organisations which do, or might, provide work, goods or services to the Council or who need some decision from the Council.

Exceptions from this general rule would include modest gifts of a promotional character such as calendars, diaries, articles for use in the office, etc., or a small gift on the conclusion of a courtesy visit to a factory or firm. Officers should take account of the timing and circumstances relating to the offer of a gift and be sensitive to the possibility of creating an appearance of improper influence.

Staff are to consult their Assistant Director or Director (as appropriate) if in any doubt who should then consult the Monitoring Officer and the s151 Officer

3 Hospitality

The acceptance of hospitality is a matter for careful judgement taking account of the particular circumstances. It is not intended that Officers should refuse all invitations for social involvement with persons or organisations who have, or may seek to have, business with CDC. It is recognised that contacts established at a social level can be helpful in pursuing CDC interests. The important point is to avoid any suggestion of improper influence or giving others

the opportunity reasonably to impute improper influence. This decision is considered to be best taken by the relevant Assistant Director or Director (as appropriate) in conjunction with the Monitoring Officer.

Acceptable forms of hospitality may include meals provided to allow the parties to continue to discuss business where this cannot be contained within normal office hours. Invitations to institute dinners or functions need give no cause for concern. Invitations to join other company guests for special occasions such as the opening of a new building would be acceptable. Officers should take account of the circumstances of the offer and the value of the hospitality. Any hospitality accepted must be commensurate with the occasion and no more than is reasonable.

In general terms it would usually be more acceptable to join in hospitality offered to a group than to accept something which is unique to yourself. However, when a particular person or company has a matter currently at issue with CDC, common sense will dictate a more restrictive approach.

Staff are to consult their Assistant Director or Director (as appropriate), the Monitoring Officer and the s 151 Officer if in any doubt.

4 Procedure

CDC staff are expected to exercise their judgement when responding to offers of gifts or hospitality. Where this involves gifts beyond those of a minor promotional nature, or where the Officer has any concern about the circumstances, the gift should be refused politely. Where gifts are received through the post they must be subjected to the same considerations as outlined above.

Any gift or hospitality accepted, other than modest gifts of a promotional character such as calendars, diaries, and articles for use in the office such as pens must be recorded on a central register maintained by Legal and Democratic Services.

If there is any doubt about the propriety of accepting a gift or hospitality, the Directors should be consulted. **A record should be held within each department of those matters which have been referred to the Directors for a decision, and of the action which was taken and on the central register maintained by Legal and Democratic Services.**

Assistant Director / Director should refer to the Monitoring Officer and s 151 Officer where they are in receipt of offers of gifts or hospitality of a nature which could be construed as improper influence. **A record of the decision and action taken should be retained on the central register maintained by Legal and Democratic Services.**



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Statutory Officer Disciplinary and Dismissal Policy and Procedure

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Statutory Officer Disciplinary and Dismissal Policy and Procedure
Owner	Human Resources
Version	1.0
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DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending
Personnel Committee	17 November 2022

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DATE FOR REVIEW

No later than 1st November 2025 but sooner if impacted by legislative changes.

REVISION HISTORY

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Contents

Purpose and scope	4
Key Principles - Procedures for Discipline, Redundancy and Other Dismissals	4
Contemplating Disciplinary Action & Other Forms of Resolution	5
Personnel Committee Responsibilities	5
Statutory Officer's Entitlements	6
Issues Requiring Investigation	6
Timescales	6
Suspension	7
Emergency Suspension	7
Right to be accompanied	8
Considering the Allegations or Other Issues under Investigation	8
Conducting the investigation	9
Treatment of witness evidence	9
Conflict of interest	9
Maintaining the fairness and integrity of the procedure	10
Other appropriate actions	10
Resources	10
Receipt and consideration of the investigating officers report by the PC	10
Action short of dismissal	12
Recommendation of dismissal – Independent panel	12
Executive objections procedure	12
The role of the employing authority in a recommendation to dismiss A Statutory Officer	13
Right of appeal – action short of dismissal	13
Recommendation to dismiss – Statutory Officer rights	14

1 Purpose and scope

- 1.1 These procedures have been developed taking into account the requirements of the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (the “Regulations”) to provide a fair and consistent process specifically for dealing with disciplinary action, the use of suspension, carrying out investigations, dismissals and appeals for the post-holders who hold the office of Head of Paid Service, Monitoring Officer and Section 151 Chief Finance Officer, referred to in this document as Statutory Officers.
- 1.2 For the avoidance of doubt these procedures will be used for any circumstance in which the use of suspension, disciplinary action, carrying out investigations, dismissals and appeals of these post-holders regardless of whether the issue in question relates to their substantive post or Statutory Officer role.
- 1.3 The policy shall also apply to any Deputy Statutory Officers where it is proposed to take disciplinary action (as defined by this policy) in relation to an issue or issues relating to their Statutory Officer role only. Therefore, in these procedures where reference is made to Statutory Officers, this also includes the Councils’ Deputy Statutory Officers when they are acting in this capacity.
- 1.4 Where the Head of Paid Service is the subject of the relevant action, any reference in these procedures to action to be taken by the Head of Paid Service on behalf of the Council shall be deemed to refer to the Deputy Head of Paid Service. Where the Monitoring Officer is the subject of the relevant action any reference in these procedures to action to be taken by the Monitoring Officer on behalf of the Council shall be deemed to refer to the Deputy Monitoring Officer.
- 1.5 In the event that an issue, deficiency or question arises which is not provided for in these procedures, they should be read in conjunction with the Joint Negotiating Committee (JNC) for Chief Executives Handbook (for Head of Paid Service) and Joint Negotiating Committee (JNC) for Chief Officers Handbook for other officers covered by this policy.
- 1.6 This policy does not form part of the contracts of employment of the Statutory Officers

2 Key Principles - Procedures for Discipline, Redundancy and Other Dismissals

- 2.1 Where a matter cannot be resolved informally, the Personnel Committee (PC) is required to investigate and make a determination in the event of disciplinary action being taken against a Statutory Officer on the grounds of misconduct.
- 2.2 If there is any proposal by the PC to dismiss a Statutory Officer for any reason relating to misconduct, performance (capability) or a breakdown in mutual trust and confidence this must be the subject of a recommendation

to the Full Council of the employing authority as set out below, where appropriate having taken into account any advice, views or recommendations of a panel of independent persons appointed in accordance with the Regulations.

- 2.3 For the purposes of this policy and any relevant agreements entered into for the purposes of Section 113 of Local Government Act 1972, a decision to dismiss a Statutory Officer made by the Full Council of the employing authority shall also be deemed to be a decision by the non-employing authority where the officer also holds a Statutory Officer appointment which, by virtue of section 113 of the Local Government Act 1972, places him/her at the disposal of the non-employing authority.

3 Contemplating Disciplinary Action & Other Forms of Resolution

- 3.1 Consideration should be given to whether formal disciplinary action is necessary or whether an informal or other form of resolution would be a better option. Subject to the initial filtering, this is decided by the PC based on the advice given by the Head of Paid Service, the Monitoring Officer and the Assistant Director of HR as appropriate.

4 Personnel Committee Responsibilities

- 4.1 The role and responsibilities of the PC in this context are to:
- 4.1.1 Where appropriate, deal with minor instances of unsatisfactory conduct at an early stage.
 - 4.1.2 Ensure that the Statutory Officer clearly understands the standards of conduct expected of him/her.
 - 4.1.3 Carry out, or make arrangements for, an investigation when any breach of discipline is alleged.
 - 4.1.4 Ensure that the Statutory Officer subject to investigation is kept up-to-date with progress.
 - 4.1.5 Decide, in the most serious cases whether or not to suspend the Statutory Officer. Sections 8 and 9 provide more information on suspension.
 - 4.1.6 Report to Full Council in respect of a recommendation to dismiss, having convened a Panel involving Independent Persons.
- 4.2 The Head of Paid Service or Deputy Head of Paid Service as appropriate shall inform the Statutory Officer of any decision in relation to any action to be taken or not if that is the case.

5 Statutory Officer's Entitlements

- 5.1 The Statutory Officer is entitled to the following:

- 5.1.1 To be accompanied at all stages by a trade union or other representative at their own cost. However, there may be circumstances where a trade union or other representative may not be available. In these situations, where suspension is under consideration, suspension will not be unduly delayed; see section 10.1.
- 5.1.2 To appeal against the disciplinary sanction/recommendation of a disciplinary hearing as made by the PC, where the decision of the PC is not to recommend dismissal to Full Council.
- 5.2 It is important to note that appeals *cannot* be made against decisions to dismiss made by Full Council.

6 Issues Requiring Investigation

- 6.1 Where an allegation is made relating to the conduct or capability of a Statutory Officer or there is some other substantial issue and following an initial filtering it is concluded that this requires investigation, the matter will be considered by the PC.
- 6.2 The PC, with the advice of the Head of Paid Service and Monitoring Officer (and where appropriate the Assistant Director of HR) will decide if any allegation made against a Statutory Officer can be dismissed or whether it requires more detailed investigation.
- 6.3 In those instances where the procedure has not been invoked but other action is taken/agreed the matter will be dealt with using other appropriate policies and procedures.
- 6.4 Allegations and complaints that are directed at a Statutory Officer, but are actually complaints about a particular service, will be dealt with through the Council's general complaints procedure. If the matter is a grievance from a member of staff directed against a Statutory Officer, usually, it will in the first instance be dealt with through the Council's grievance procedure.

7 Timescales

- 7.1 It is recognised that it is inappropriate to impose timescales that could in practical terms be difficult to achieve due to the combination of the requirements to follow both employment law, local government law and the principles of fairness but that the process should be conducted expeditiously but fairly.
- 7.2 The first meeting of the PC will be to consider whether there is, on the face of it, a case to be investigated. The balance of probabilities is the correct standard of proof.
- 7.3 If the decision is that there is a case to answer the Statutory Officer will then be invited to a subsequent meeting to provide an initial response to the allegations, and the PC will determine if a full investigation is required.

- 7.4 The PC will, if required, then arrange to carry out a full investigation. If as a consequence of that investigation a further meeting of the PC is held and it considers that a hearing should take place that could determine to recommend dismissal of the Statutory Officer, the hearing will be called.
- 7.5 Any recommendation to dismiss will be presented to the Full Council of the employing authority for consideration. In such circumstances the Monitoring Officer will invite and appoint Independent Persons to a Panel as required by the Officer Employment Procedure Rules (as set out in the Constitution). The panel must be appointed at least 20 working days before the Full Council meeting.
- 7.6 The Statutory Officer will be given at least 5 working days' notice at each stage of the process.

8 Suspension

- 8.1 Suspension will not always be appropriate or necessary as there may be alternative ways of managing the situation.
- 8.2 However, the PC will need to consider whether it is appropriate or necessary to suspend the Statutory Officer and to record the reason/s for the suspension. This may be necessary if an allegation is such that if proven it would amount to gross misconduct. It may also be necessary in other cases if the continuing presence at work of the Statutory Officer might compromise or prejudice the investigation or witnesses, where it involves allegations of serious financial or other impropriety, impair the efficient exercise of the Council's functions or other appropriate reasons.
- 8.3 In any case, the Statutory Officer shall be informed of the reason for the proposed suspension both orally and in writing and have the right to present information before such a decision is taken.
- 8.4 If a decision is made to suspend the Statutory Officer, he/she will be advised orally and in writing.

9 Emergency Suspensions

- 9.1 The Head of Paid Service or Monitoring Officer, in consultation with the Chairman, or in his/her absence the Vice Chairman of the PC, holds the delegated power to suspend a Statutory Officer immediately in an emergency. The Chairman of the PC and both Leaders will be advised when a Statutory Officer has been suspended on emergency grounds. An emergency suspension shall be subject to review by the PC at the earliest opportunity.
- 9.2 Suspension is not a punitive measure and will therefore always be on full pay.

10 Right to be accompanied

- 10.1 Other than in circumstances where there is an urgent requirement to suspend a Statutory Officer, he or she will be entitled to be accompanied at all stages.
- 10.2 If the Statutory Officer's representative is unavailable for any meeting dates set then the Statutory Officer may postpone the meeting for a period of up to one working week.
- 10.3 If the representative is unable to attend within that period the PC and/or Full Council will have the right to proceed with the meeting/hearing without further delay, although reasonable consideration will be given to arranging an alternative date.

11 Considering the Allegations or Other Issues under Investigation

- 11.1 The Head of Paid Service or Deputy Head of Paid Service will, as soon as is practicable, inform the Statutory Officer in writing of the allegations or other issues under investigation and provide him/her with any evidence that the PC are to consider, including the right to hear oral evidence.
- 11.2 The Statutory Officer will be invited to put forward written representations and any evidence including evidence from witnesses he/she wishes the PC to consider. The PC will also provide the opportunity for the Statutory Officer to make oral representations.
- 11.3 The PC will give careful consideration to the allegations or other issues, supporting evidence, and the case put forward by the Statutory Officer before deciding what, if any, further action is to be taken.
- 11.4 The PC shall decide whether:
- The issue requires no further formal action under this procedure; or
 - The issue should be the subject of a full investigation.
- 11.5 The PC shall inform the Statutory Officer of its decision without delay.
- 11.6 In cases where an investigation is requested, as dismissal is one possible outcome, the Monitoring Officer shall be requested to appoint independent persons to attend the meeting of PC that receives the investigation report in an observer capacity and form the independent panel that is required to consider recommendations of dismissal and provide its views to Council, such panel to meet separately if necessary following the PC meeting and at least 20 working days prior to the full council meeting.

12 Conducting the Investigation

- 12.1 Before conducting the investigation it is important that the Statutory Officer is aware of the allegations that have been made against him/her (or the issue to be addressed) and given the opportunity to respond as set out in section 11 above.

12.2 Where the PC determines the issue should be the subject of a full investigation, the PC shall be responsible for appointing an investigator who in appropriate cases will be an independent investigator, selected from the list maintained by the National Joint Secretaries (also referred to in this procedure as the Investigating Officer). Once appointed it shall be the responsibility of the investigator to investigate the issue/allegation and to prepare a report stating in their opinion whether (and, if so, the extent to which) the evidence the investigator has obtained supports any allegation of misconduct or incapability or supports a need for action under this procedure for some other substantial reason; and recommending any disciplinary action (if any is appropriate) or range of actions which appear to the investigator to be appropriate for the Council to take against the Statutory Officer.

12.3 In cases where, during the course of any investigation, the ill-health of a Statutory Officer results in their unavailability the PC may request appropriate medical advice from Occupational Health. The Statutory Officer may exercise their right not to cooperate with a referral to occupational health. In such circumstances the PC will make the best-informed decision they can, in the absence of such medical advice.

13 Treatment of Witness Evidence

13.1 Where there is witness evidence relating to an allegation, this should be provided to the Proper Officer with at least 5 working days' notice of the PC meeting, except where both the Statutory Officer and the PC waive this requirement. In exceptional cases it might be appropriate to anonymise the evidence in order to protect the identity of a witness. However, it remains important that the detail of the allegation is put to the Statutory Officer in order that he/she understands the case against him/her.

14 Conflicts of Interest

14.1 There may be occasions when being a witness presents problems of conflict of interest, for example where a member of the PC is a witness to an alleged event or is the person who makes the original complaint or allegation.

14.2 Councillors in this position should take no part in the role of the PC, although they will of course be able to give evidence, if required.

14.3 Declarations of interest are matters for individual councillors who are required to follow the Councillors Code of Conduct and can seek advice from the Monitoring Officer or Deputy Monitoring Officer or other officers, provided there is no conflict of interest.

15 Maintaining the Fairness and Integrity of the Procedure

15.1 Where there is a matter that requires investigation it is important that a fair and correct procedure is followed. Allegations against a Statutory Officer that require resolution should follow this procedure.

15.2 It is important that councillors do not undermine the fairness of the procedure by, for example, putting motions to either Full Council about the case as there is a serious risk that it could prejudice the disciplinary procedure.

15.3 Confidentiality throughout the process is essential to maintain fairness and integrity and therefore the PC should ensure that all documents, paperwork and other evidence are kept strictly confidential.

16 Other Appropriate Actions

16.1 It could be that when faced with an issue, whether it be an allegation of misconduct by the Statutory Officer, or some other substantial issue, the PC might be in a position to consider alternatives to a full investigation or alternatively to dismiss the allegation or issue.

16.2 Clearly this will depend on the facts of the matters being considered. It could be that the employing authority has another more appropriate policy or procedure to follow. Alternatively, it could be that the issue is one which might benefit from some mediation or attempts to resolve the particular issue in dispute (including the imposition of a sanction short of dismissal, such as a formal warning, which is accepted by the Statutory Officer) prior to conducting a full investigation.

17 Resources

17.1 The amount of time required to be spent on the investigation will depend on the case. The PC shall be provided with appropriate resources to appoint an investigating officer and independent advisors as they deem necessary. Due to the demands on their time, the investigating officer may need to be supported by an assistant. This should be agreed with the PC and the Statutory Officer should be informed.

18 Receipt and Consideration of the Investigating Officer's Report by the PC.

18.1 On completion of the investigation, the PC will be convened and members of the independent panel will also be requested to attend in order to receive the report of the Investigating Officer and any representations made. The PC will consider the report of the Investigating Officer which shall be provided to the Statutory Officer at the same time as it is provided to the PC. The PC shall give the Statutory Officer the opportunity to state his/her case and to question witnesses, where relevant before making a decision as follows:

- The management case will normally be presented by the person who undertook the investigation, calling witnesses as necessary.
- The Statutory Officer (and their representative, if present) will then have the opportunity to state their case, with the provision to call witnesses as necessary.

- Each side will have the opportunity to ask relevant questions of the other side, including their witnesses, and to sum up at the end of the hearing. The management representative will sum up first, followed by the Statutory Officer.
- If witnesses are called, they will attend the hearing solely to make their statement and to answer questions. They will then withdraw.
- If, during the hearing, substantial documentary evidence which has not previously been disclosed is produced by either side, the other party shall have the right to request an adjournment in order to allow sufficient time to examine the evidence. The Chair of the PC has the discretion to decide whether evidence can be submitted as time will have been previously been allowed for both parties to submit evidence, and therefore new evidence should be admitted in exceptional circumstances only.
- Other than when parties are summing up, the Committee can ask questions of either side.
- At the end of the hearing both sides will withdraw while the Committee and any advisers consider their decision.
- At the end of the decision making adjournment, the Statutory Officer (and their representative, if present) and the person presenting the management case will be re-called and given the decision, which will be confirmed in writing, normally within 5 working days.
- If the decision is to apply a disciplinary sanction other than dismissal, the Statutory Officer must also be informed of their right of appeal.
- However if the decision is to recommend the dismissal of the Statutory Officer to Full Council of the employing authority no right of appeal will apply but the procedure set out in sections 20 to 22 below shall be followed.
- In exceptional circumstances, where it is considered necessary to delay making a decision, the Statutory Officer will be informed of this decision, and advised when and how they will be notified of the decision in respect of the disciplinary hearing. This will be done as soon as possible and normally no later than 5 working days after the date of the hearing.

Having considered any other associated factors the PC may:

- Take no further action, cease suspension immediately and consider re-integration of the Statutory Officer back into the workplace.
- Recommend informal resolution or other appropriate procedures.
- Refer back to the investigating officer for further investigation and report.

- Determine a disciplinary sanction short of dismissal to be applied to the Statutory Officer.
- Determine to recommend dismissal of the Statutory Officer to the Full Council of the employing authority and consider the need to extend any period of suspension to facilitate that.

19 Action Short of Dismissal

- 19.1 Where the decision is to take action short of dismissal the PC will determine the necessary sanction.
- 19.2 There is no requirement to seek agreement of the Full Council of the employing authority for sanctions other than dismissal.

20 Recommendation of Dismissal – Independent Panel

- 20.1 Where the decision of the PC is to make a recommendation that the Statutory Officer be dismissed, the PC will inform the Head of Paid Service and Monitoring Officer that it is proposing to the Full Council of the employing authority that the Statutory Officer be dismissed and that the procedures required by rule 7 of the Officer Employment Procedure Rules (set out in the Council's Constitution) will commence.
- 20.2 A Panel with Independent Persons (see Appendix to the Officer Employment Procedure Rules in the Council's Constitution) who will have been present at the meeting of the PC will meet following the PC meeting to consider the recommendation of the PC to dismiss and to provide advice, views and recommendations to the Full Council of the employing authority.

21 Executive Objections Procedure

- 21.1 The Proper Officer will notify all members of the CDC Executive of:
- The fact that the PC is proposing a recommendation to the Full Council of the employing authority that it dismisses the Statutory Officer.
 - Any other particulars relevant to the proposed dismissal.
 - The period by which any objection to the recommendation to the Full Council is to be made to the Proper Officer.

At the end of this period the Proper Officer will either:

- Inform the Full Council that no objections to the proposed dismissal have been received from members of the Executive, or
 - Inform the Full Council that an objection or objections have been received from members of the Executive and provide details of the objections.
- 21.2 Full Council will consider any objections and satisfy itself as to whether any of the objections are both material and well founded. If they are, the Full

Council will act accordingly i.e. it will consider the impact of the Executive objections on the recommendation of the PC and commission a further investigation and report by PC if necessary/appropriate.

21.3 If Full Council is satisfied that there are no material and well-founded objections to the proposal to dismiss, they will act accordingly and consider a proposal by the PC to dismiss the Statutory Officer.

21.4 Full Council must consider:

- (a) any advice, views or recommendations of the Independent Persons' Panel;
- (b) the conclusions of any investigation into the proposed dismissal; and
- (c) any representations from the relevant Statutory Officer.

22 The Role of the Employing Authority in a Recommendation to Dismiss a Statutory Officer

22.1 It is a legal requirement that, where there is a proposal to dismiss a Statutory Officer, Full Council of the employing authority must approve the dismissal before the dismissal is confirmed.

22.2 Given the thoroughness and independence of the previous stages, in particular, the investigation of the PC, it will not be appropriate to undergo a full re-hearing of the case. Instead, consideration by the Full Council will take the form of a review of the case and the recommendation to dismiss together with consideration of the advice, views and recommendations of the Independent Persons' Panel.

22.3 The Statutory Officer will have the opportunity to be accompanied by their representative and to put forward his/her representations to Full Council before a decision is reached.

23 Right of Appeal – Action short of Dismissal

23.1 The Statutory Officer may appeal to the Appeals Committee against the decision of the PC to issue a disciplinary sanction, short of dismissal, to him/her.

23.2 The Appeals Committee will consider the report of the Investigating Officer and any other relevant information considered by the PC i.e. new information outcome of any further investigations etc. The Statutory Officer will have the opportunity to state his/her case.

23.3 The Appeals Committee will give careful consideration to these matters and conduct any further investigation it considers necessary to reach a decision.

23.4 The appeal hearing will take the form of a review of the case and the decision/recommendation that was taken by the PC.

23.5 This process should follow the Appeals Committee Procedure rules as set out in the Constitution.

24 Recommendation to Dismiss – Statutory Officer Rights

24.1 Appeals

24.2 It is a statutory requirement that the Full Council of the employing authority must approve the proposed dismissal of a Statutory Officer before dismissal (with or without notice) is confirmed to him/her. Consequently it would not be possible to offer a fair appeal, by virtue of the requirement for Full Council to approve the PC's recommendation to dismiss, as every councillor would already be familiar with the issues, and had of necessity participated in the decision to dismiss.

24.3 Before the Full Council of the employing authority takes a decision on the PC's recommendation to dismiss a Statutory Officer it will take representations from the Statutory Officer on reasons why a dismissal should not be made.

Cherwell District Council

Personnel Committee

31 January 2023

Gender Pay Gap

Report of Chief Executive

This report is public

Purpose of report

To provide the Personnel Committee (PC) with the latest Gender Pay Gap report for information.

1.0 Recommendations

The meeting is recommended:

- 1.1 to review the latest Gender Pay Gap report provided for information.

2.0 Introduction

- 2.1 Since 2017 employers with a headcount of 250 or more employees have been required to comply with the regulations on gender pay gap reporting.
- 2.2 The gender pay gap is the difference between the average (mean and median) earnings of men and women across the workforce.

3.0 Report Details

- 3.1 As a public sector body, CDC is required to provide pay data, broken down by gender for a 'snapshot date' of 31 March. The data included in the Gender Pay Gap Report at appendix 1 is from 31 March 2022.
- 3.2 The report provides a mean and median gender pay gap for this year, as well as the last 3 years, and outlines the proportion of men and women working at CDC in four quartile pay bands.
- 3.3 CDC are required to report their gender pay gap findings to central Government and publish the report at appendix 1 on the CDC website by 30 March this year.

4.0 Conclusion and Reasons for Recommendations

- 4.1 By completing the gender pay gap report and ensuring it is reported and published by the deadline of 30 March 2023, CDC are ensuring compliance with the Gender Pay Gap Regulations.

5.0 Consultation

N/A

6.0 Alternative Options and Reasons for Rejection

- 6.1 This report is for information only. Personnel Committee could opt to not be provided with this report going forward.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications directly associated with this report. This is historic information for which any costs will already have been incurred.

Comments checked by:

Leanne Lock, Strategic Finance Business Partner,
leanne.lock@cherwell-dc.gov.uk, 01295 227098

Legal Implications

- 7.2 By completing gender pay gap reporting, CDC are ensuring compliance with Gender Pay Gap Regulations.

Comments checked by:

Shiraz Sheikh, Assistant Director of Law and Governance and Monitoring Officer,
Shiraz.Sheikh@cherwell-dc.gov.uk

Risk Implications

- 7.3 There are no risks arising from this report. Any arising risks will be managed by the relevant service operational risk register and escalated to the leadership risk register as and when necessary.

Comments checked by:

Shona Ware, Assistant Director – Customer Focus, 01295 221652
shona.ware@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 The council's EDI framework includes a commitment to providing an Inclusive Work Force and by producing a Gender Pay Statement it can ensure that gender pay data continues to be monitored. Publishing a Gender Pay Statement is also a requirement of the Equality Act

Comments checked by:
Shona Ware, Assistant Director – Customer Focus, 01295 221652
shona.ware@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

N/A

Document Information

- Appendix 1 – CDC Gender Pay Gap Report – 31 March 2022

Background papers

None

Report Author and contact details

Claire Cox, Assistant Director of Human Resources

Claire.cox@cherwell-dc.gov.uk

01295 221549

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Gender Pay Gap Report 2022

Background

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 stipulate that all businesses, public sector and third sector organisations with over 250 employees must publicly report on average pay differences between their male and female employees. The Regulations require employers to publish their:

- Mean gender pay gap in hourly pay
- Median gender pay gap in hourly pay
- Mean bonus gender pay gap
- Median bonus gender pay gap
- Proportion of males and females receiving a bonus payment, and
- Proportion of males and females in each pay quartile.

As a public sector body, we are required to publish this pay gap information within 12 months, taking the “snapshot date” of 31 March 2022.

Our calculations follow the legislative requirements as set out in the Equality Act 2010 (Specific Duties & Public Authorities) Regulations 2017. All staff who were deemed to be relevant employees at 31 March 2022 are included.

This information will be published on the Cherwell District Council (CDC) website for a minimum of 3 years and published on the government website (www.gov.uk) by 31 March 2023.

Equal pay and gender pay gap

The purpose of gender pay gap reporting is to achieve greater gender equality in terms of pay across the UK and increase pay transparency. This differs from equal pay which deals with differences between men and women who carry out the same roles.

Details within this report

Using a snapshot of employees' pay as at 31 March 2022, only 3 of the 6 calculations detailed above were made due to no bonus payments being paid at CDC. The 3 calculations are as follows:

1. Mean gender pay gap
2. Median gender pay gap
3. The proportion of men and women divided into four quartile pay bands

Information required for publication

Relevant employee

An employee who was on full pay at the point of the data snapshot as at 31 March 2022.

Mean gender pay gap

The mean is defined as the average of the figures and is calculated by adding up all the figures and dividing by the number there are.

Median gender pay gap

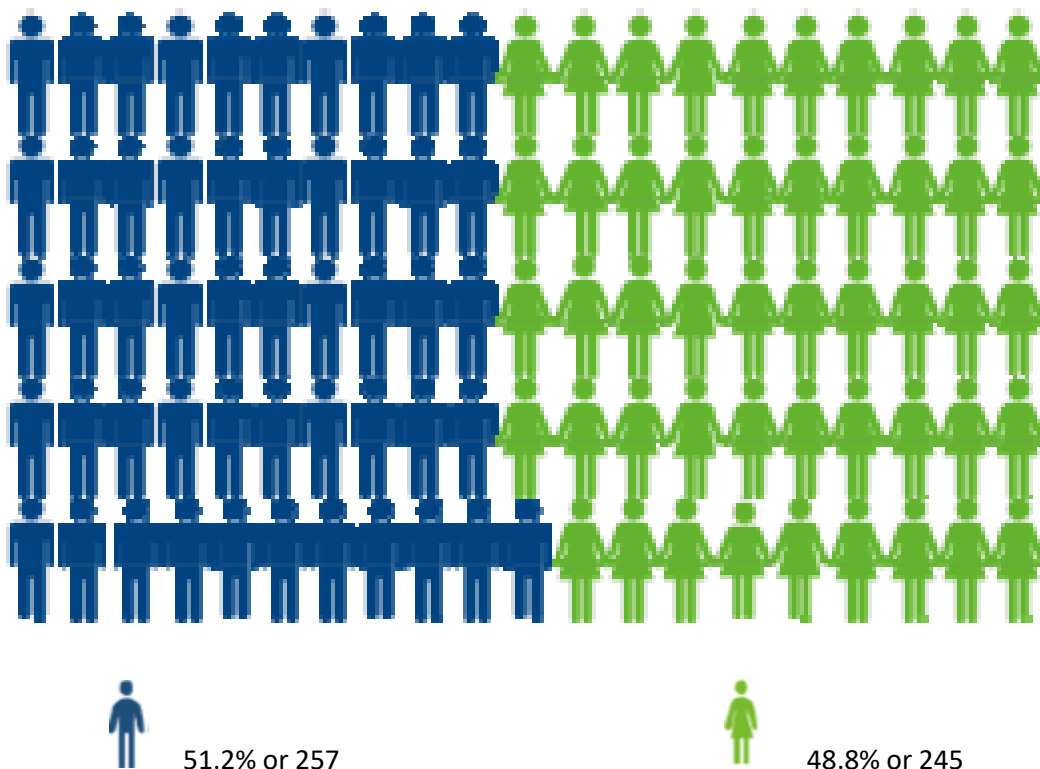
The median is defined as the salary that lies at the midpoint and is calculated by ordering all salaries from highest to lowest and the median is the central figure.

Quartile pay bands

The quartile information is calculated by listing all salaries from highest to lowest and then splitting that information into four equal quarters to determine the percentage of male/female employees in each quartile.

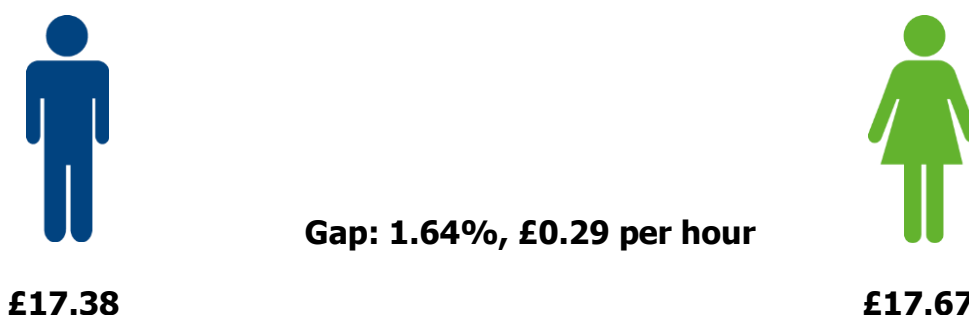
Workforce profile

On 31 March 2022, CDC had 502 relevant employees¹; of which 51.2% (257 employees) were men and 48.8% (245 employees) were women.



Gender pay gap as at 31 March 2022

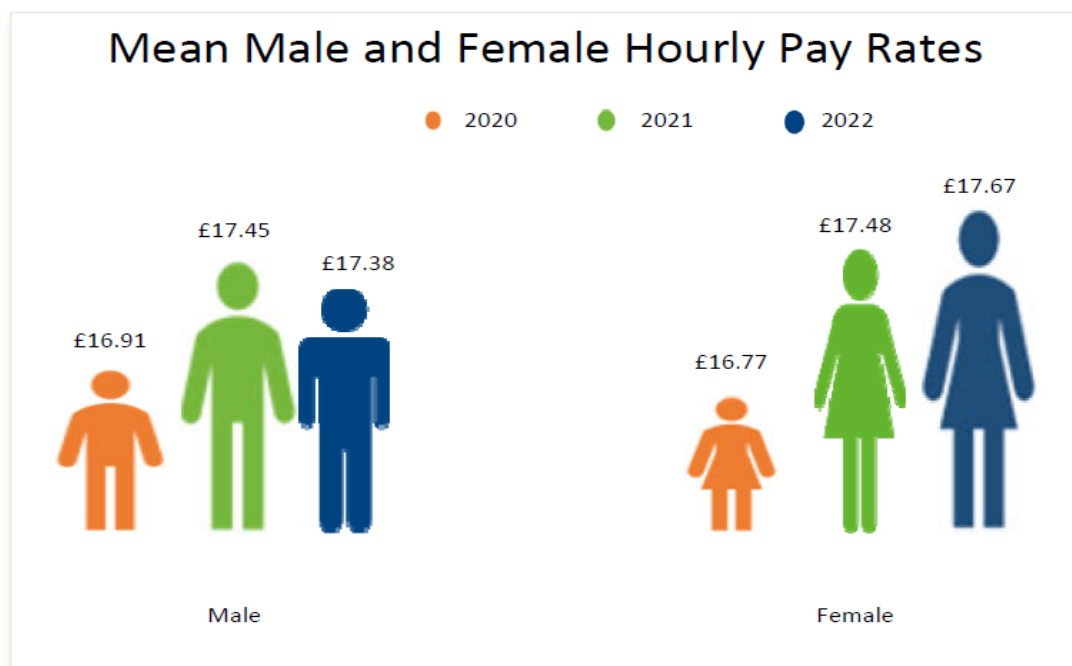
Mean: percentage difference and average hourly rate of pay



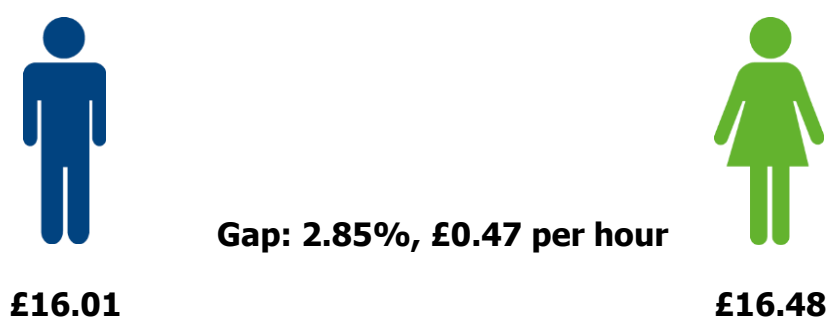
The mean difference recorded at CDC has increased from 0.17% in March 2021 (0.03p per hour) and remains considerably less than the national public sector mean pay gap which is 13.6% (Office for National Statistics – ASHE). The national gap is also in favour of men, whereas at CDC, the mean difference shows women on a higher hourly rate.

¹ A relevant employee is an employee that received full pay, not reduced to parental leave pay or sick pay, for example, as at the snapshot of data on 31 March 2022.

As at 31 March 2022 the mean hourly rate for men was £17.38 per hour and for women it was £17.67 per hour. This means that women earned an average of 29 pence per hour more than men, which equates to a mean difference of 1.64%. This is the second year running that the average hourly rate of women has been higher than men. The figures for 2020, 2021 and 2022 are as follows, showing a slightly steeper increase for females of 90p per hour over three years than the increase for males of 47p per hour.

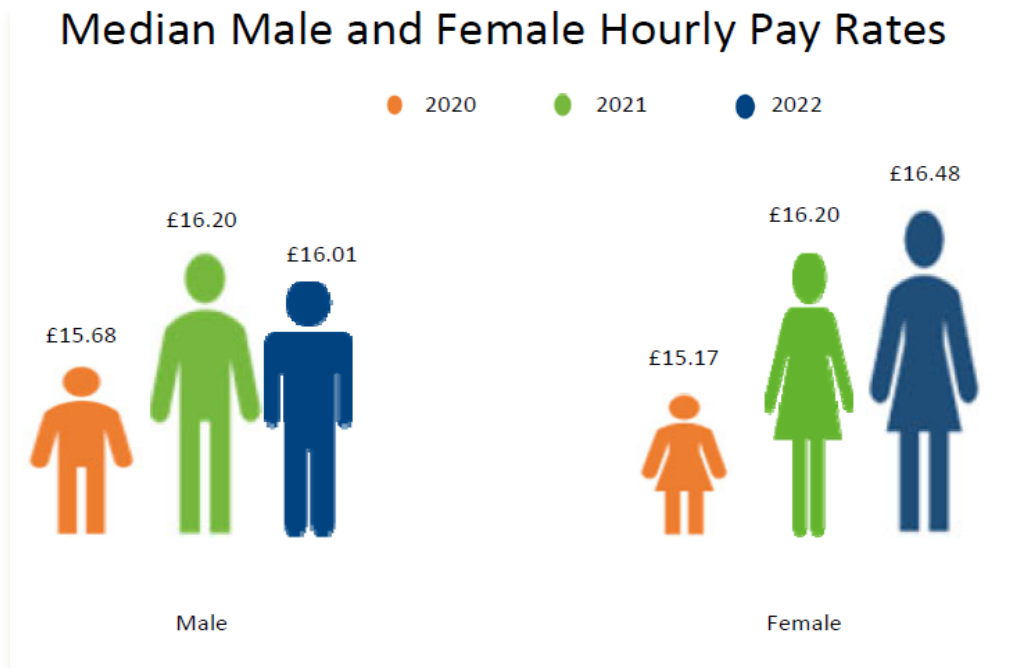


Median percentage difference and hourly rate of pay



As at 31 March 2022 the median hourly rate of pay for men was £16.01 per hour and for women it was £16.48 per hour. This means that women earned an average of 47 pence per hour more than men, which equates to a mean difference of 2.85%. This is considerably less than the national public sector median pay gap which is 15.9% (Office for National Statistics – ASHE) and the CDC gap again goes against the national gap as it shows women on higher pay, as opposed to men which has been the traditional gap. The figures for 2020, 2021 and 2022 are as follows, showing

a steeper increase for females of £1.31p per hour over three years than the increase for males of 33p per hour.



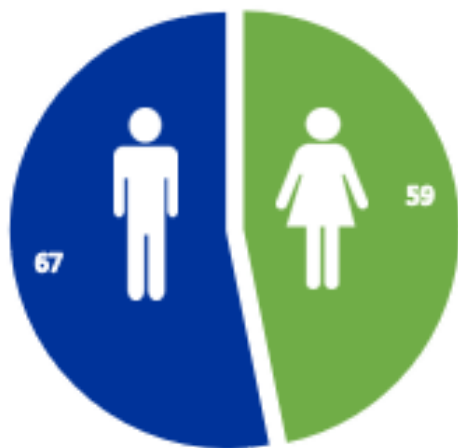
Proportion of men and women receiving bonuses

CDC does not operate any performance related pay or bonus schemes and therefore has no bonus gender pay gap.

Pay quartiles

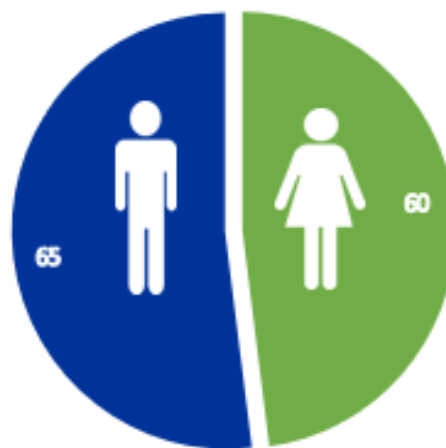
CDC employed 502 relevant employees as at 31 March 2022 which means there are 126 employees in the lower and upper middle quartiles and 125 employees in the lower middle and upper quartiles. The gender split per quartile as at 31 March 2022 is detailed below and serves as a useful benchmark to determine progression through the pay scales.

Lower Quartile



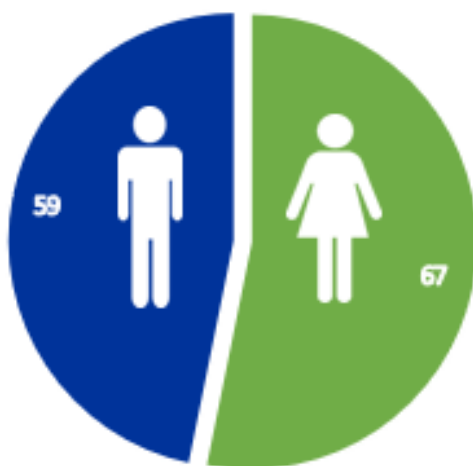
■ Women - 46.83% ■ Men - 53.17%

Lower Middle Quartile



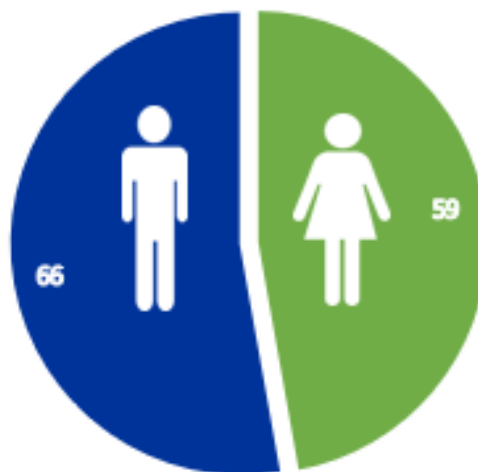
■ Women - 48% ■ Men - 52%

Upper Middle Quartile



■ Women - 53.17% ■ Men - 46.83%

Upper Quartile



■ Women - 47.20% ■ Men - 52.80%

The hourly rates that represent each quartile are as follows:

Upper - relates to the hourly rates of £19.59 and above

Upper middle - relates to the hourly rates of £16.48 – £19.58

Lower middle - relates to the hourly rates of £13.22 - £16.47

Lower - relates to the hourly rates up to £13.21

The proportion of males to females in the lower quartile and lower middle quartile are slightly different to that of the total workforce profile of 51.2% males to 48.8% females. With the proportion of males earning a higher rate of pay at the lower and lower middle quartile however, this significantly switches to females earning a higher rate of pay at the upper middle quartile, and then switches once more with males

earning higher salaries in the upper quartile. Whilst there is a difference at each quartile the margins remain very small.

In the upper quartile, 4 (40%) of the 10 Senior Management team (Assistant Director level and above), are women, which is less than the 48.8% gender split of the workforce.

Commitment

We are committed to the principles of equality, diversity, fairness and inclusion and our approach to people management should not put any group at a disadvantage. Regardless of identity or background, everyone deserves to be able to develop their skills and talents to meet their full potential, work in a safe, supportive and inclusive environment, be fairly rewarded and recognised for the work they do and have the opportunity to have their say on matters that affect them. We are also committed to achieving a diverse workforce that fully reflects our community.

We will continue to advance our inclusion initiatives, particularly where there are any barriers for women to progress into higher paid roles, or roles where they are under-represented.

Flexible and agile working and family friendly policies will assist Cherwell District Council to attract and retain staff in a competitive job market and in a geographical area with low unemployment.

Summary

It is positive that the gender pay gap within CDC is relatively small. CDC's gap is significantly less than the national average and currently goes against the tradition of men being paid more than women. We continue to be committed to learning from best practice as part of our journey. The gender pay gap data will be analysed on an annual basis, a comparison of figures will be completed year on year and the Senior Management Team will continue to review and monitor this data. We will ensure that job grades continue to be determined through objective analysis and job evaluation to maintain the integrity of the pay and grading system.

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Cherwell District Council

Personnel Committee

31 January 2023

Workforce Profile Statistics

Report of Chief Executive

This report is public

Purpose of report

To provide the Personnel Committee with an update on CDC's workforce including KPIs for measuring staff well-being and to highlight the actions officers are taking to address any issues

1.0 Recommendations

The meeting is recommended:

- 1.1 to review and note the workforce data for Quarter 3 of 2022/23 provided in Appendix one.

2.0 Introduction

- 2.1 Workforce Data for Quarter 3 of 2022/23 has been produced and is available at appendix one of this report. HR monitor workforce data on a quarterly basis to identify emerging trends in staff wellbeing and organisational development. Comparative data is included to assist CDC with benchmarking against the local government sector and, for sensitive information such as ethnicity, gender, age, against the make-up of the district.

3.0 Report Details

- 3.1 The workforce profile report provides commentary and data for quarter 3 of 2022/23. It also includes past data where this is available, some of which dates back to April 2020 – the start of the COVID-19 pandemic. Monitoring data through the pandemic helps us to understand how things have changed or are changing as the world continues to adjust to a new normal.

3.2 The report provides statistics on:

- Headcount & FTE
- Employment and role basis
- Agency usage
- Turnover
- Leavers by length of service
- Leavers by reason
- Sickness absence incidents by reason
- Sickness absence rates –all absence, short-term, long-term, stress-related
- Percentage of working time lost due to sickness absence
- Age profile
- Gender Profile
- Ethnicity Profile
- Apprenticeship information

3.3 The workforce statistics for quarter one of 2022/23, highlighted we were missing a significant amount of sensitive information on our employees. Since then, officers have been encouraging all staff to complete this information on our HR system. By quarter 2, completion rates had improved by almost 20% from 48.75% to 68.73% and in quarter 3, the completion rate now stands at 75.86%.

3.4 HR will continue to encourage all employees to provide this data, whilst stressing they don't have to disclose it, but we need to know if they'd prefer not to. This is so we can demonstrate that we have collected all the sensitive information our staff are willing to share with us, which will help inform future policies and services.

3.5 The Q1 reported also highlighted a need to improve the exit interview process as leavers were choosing not to complete the questionnaire. The data collected through this process can be very informative, in highlighting areas of dissatisfaction or that require improving to increase staff retention. Since quarter one, HR has updated the process so that leavers are asked to complete the questionnaire but also invited to a meeting with a member of the team to discuss their responses. HR implemented the new process in the last quarter and of the 15 leavers, 46.66% provided an exit questionnaire and attended a meeting with a member of the HR team. HR expect the completion rates to improve as the process is embedded further. The data gathered so far has been shared with service managers where appropriate.

4.0 Conclusion and Reasons for Recommendations

Monitoring workforce data helps CDC to compare how it's performing against the rest of the local government sector, to ensure it remains an attractive employer and retains its staff. It also helps the council to measure how well it's supporting staff's wellbeing and development so it can identify issues at the earliest opportunity to address them effectively.

5.0 Consultation

N/A

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to complete workforce statistics, this option is rejected as workforce analytics will enable CDC to address challenges and efficiencies in the workforce more efficiently.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications directly associated with this report. This is historic information for which any costs will already have been incurred.

Comments checked by:

Leanne Lock, Strategic Finance Business Partner
leanne.lock@cherwell-dc.gov.uk, 01295 227098

Legal Implications

- 7.2 Monitoring employment statistics assists the Council to understand its employment trends and this will aid compliance with employment law obligations.

Comments checked by:

Shiraz Sheikh, Assistant Director of Law and Governance and Monitoring Officer,
Shiraz.Sheikh@cherwell-dc.gov.uk

Risk Implications

- 7.3 There are no risks arising directly from this report.

Comments checked by:

Shona Ware, Assistant Director – Customer Focus, 01295 221652
shona.ware@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 There are no equalities nor inclusion implications arising directly from this report

Comments checked by:

Shona Ware, Assistant Director – Customer Focus, 01295 221652
shona.ware@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met:

N/A

Community Impact Threshold Met: N/A

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

N/A

Document Information

Appendix number and title

- Appendix 1 – Workforce Profile Data – Quarter 3 2022-23

Background papers

None

Report Author and contact details

Claire Cox, Assistant Director of HR

Claire.cox@cherwell-dc.gov.uk

01295 221549

Headcount and Full Time Equivalent (FTE) comparison and Agency usage

Chart 1 shows that the headcount (based at the end of each quarter) at Cherwell District Council (CDC) has had an increase between quarter 2 and quarter 3.

Quarter 3 has seen adjustments of 15 leavers and 44 new starters across the organisation.

Headcount has increased by 5.17% between the second two quarters of 2022/23.

Chart 1

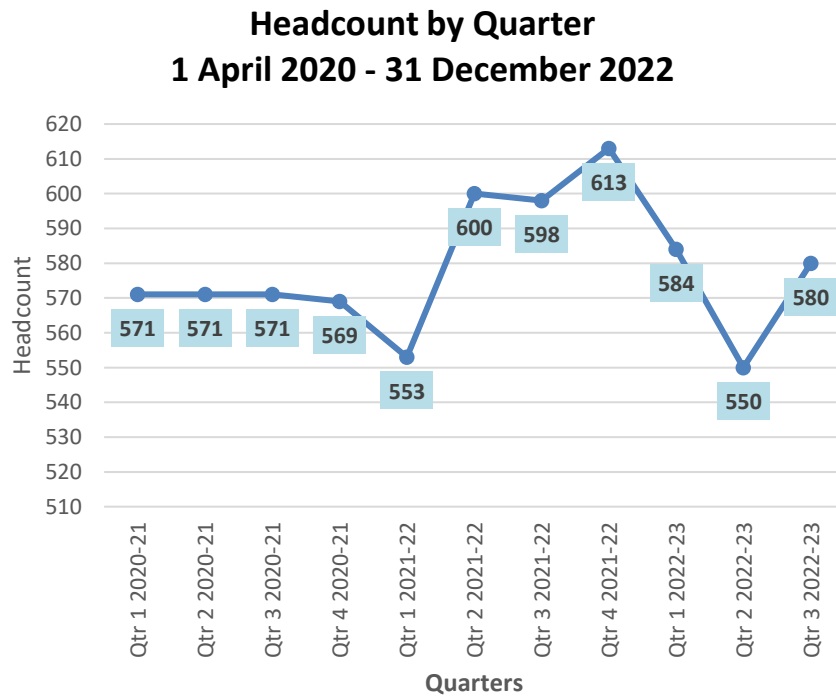


Chart 2 details the distribution of headcount across our departments and directorates as at the end of quarter 3 in 2022/23. With Wellbeing and Environmental Services continuing to show the highest headcount. A new department of Chief Executive’s Office has been introduced this quarter which incorporates executive support and employees attributed to the Pan Regional Partnership, for which CDC is the host employer. CDC are also host employer to the District Councils Network (DCN) and these employees are included in the HR OD and Payroll directorate.

Environmental Services have had 10 new starters in the last quarter and 3 leavers.

Customer Focus has had an increase of 7 employees and 2 leavers. Other departments have had minimal or no fluctuation.

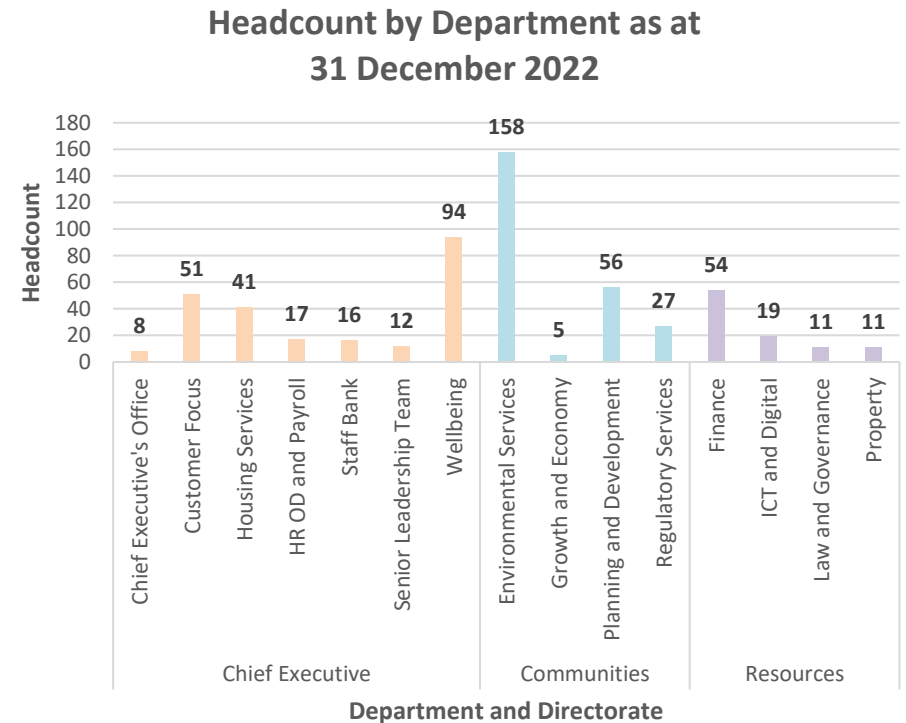


Chart 3 outlines the fluctuation of FTE which mirrors headcount for this quarter due to 44 new starters versus 15 leavers.

Chart 3

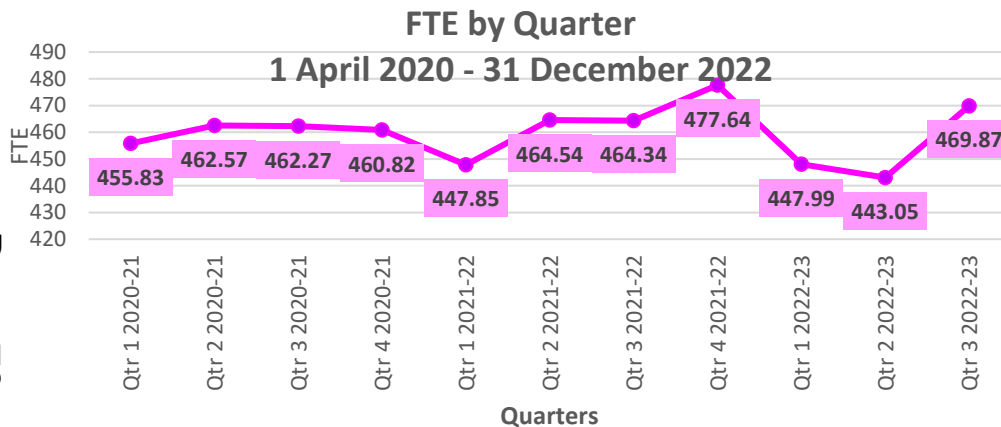


Chart 4 outlines the distribution of FTE across the departments and directorates as at the end of quarter 3 of 2022/23. An increase of 26.82 has occurred since quarter 2.

An increase of 7 FTE is recorded in Environmental Services, 3.22 FTE in Housing Services between quarters 2 and 3 of 2022/23.

Charts 5 shows the breakdown of basis of hours across our workforce as at 31 December 2022. Since quarter 2 there has been minimal change to the make-up of role-basis with our full-time workforce increasing by 0.7% and part-time reducing by 0.18%. Our casual workforce has reduced by 0.52%.

Chart 4

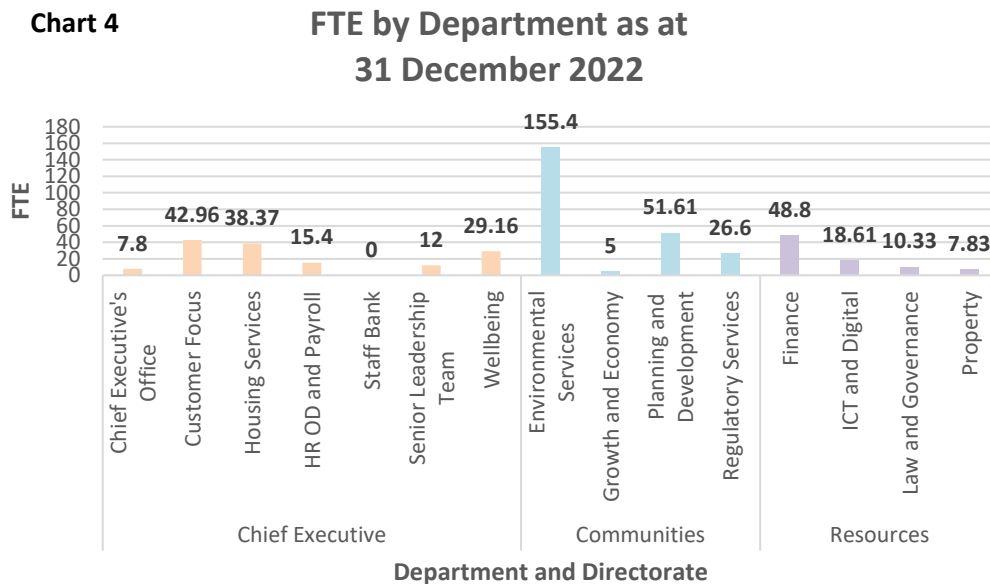


Chart 5

% Breakdown of Role Basis as at 31 December 2022

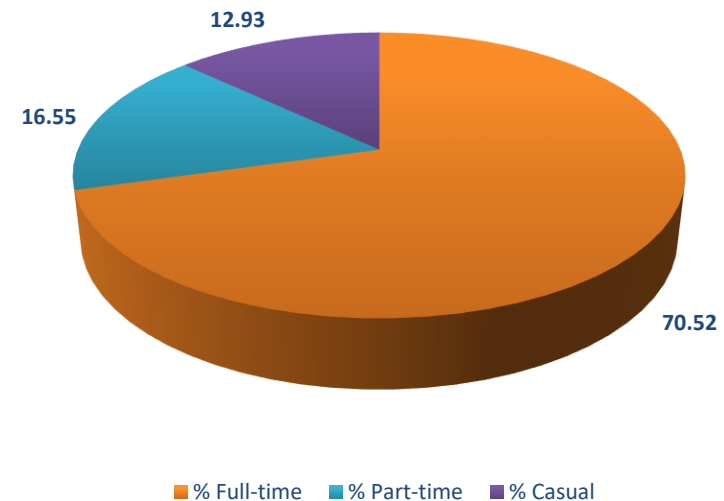
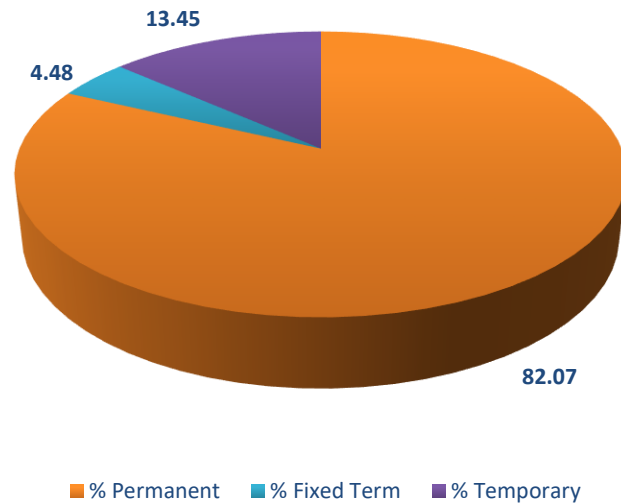


Chart 6 outlines the employment basis of those directly employed by CDC shows that 82.07% of our workforce are in permanent roles. This is an increase of 12.07% since quarter 2.

Chart 6

% Breakdown of Employment Basis as at 31 December 2022



In addition to employing staff directly, CDC also utilise Agency Workers, either for interim or short-term usage for specific posts and projects.

Chart 7 outlines agency usage as at the end of each quarter in 2022/23 to date by directorate and department.

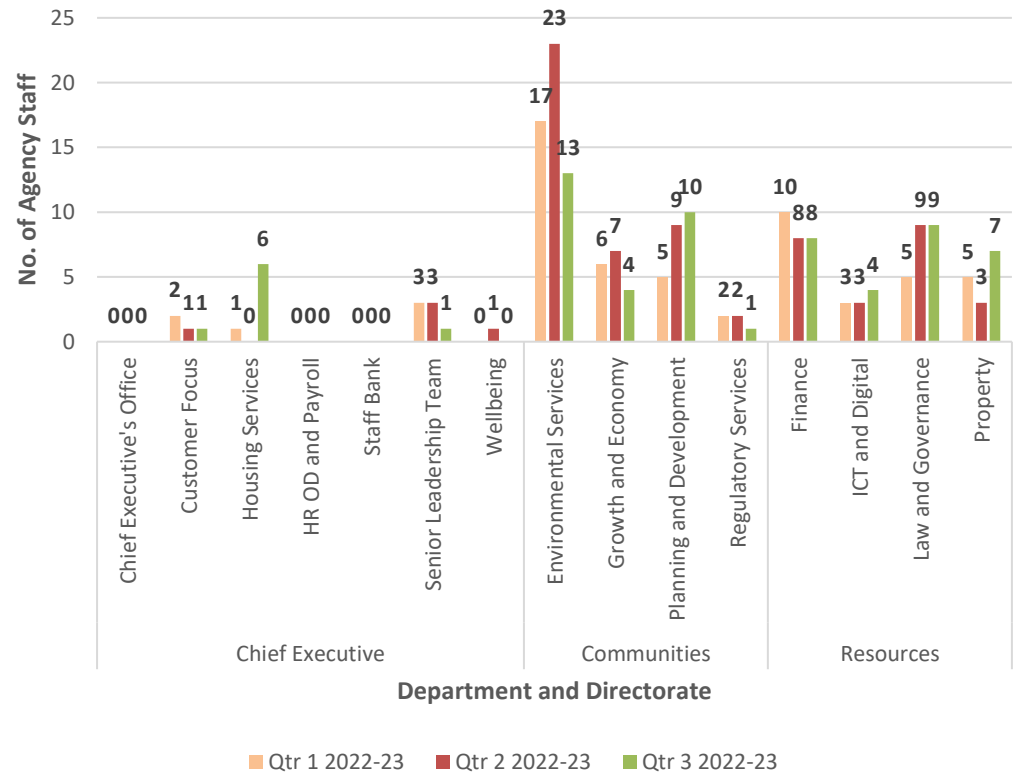
A total of 64 Agency workers were engaged with CDC at the end of quarter 3 of 2022/23. This is a reduction of 5 in the last quarter.

The highest agency usage continues to be within Environmental Services, within refuse collection and this is due to having 3-person crews on refuse collection, often utilising agency staff to cover for employee sickness and holidays.

Housing Services have utilised 6 agency staff in quarter 3. Planning and Development have had an increase of 1 agency staff member, to 10 in total and Law and Governance continue to utilise 9. These continue to be known hard to fill areas nationally at present. Property has increased agency usage by 4. Growth and Economy and have reduced agency usage by 3 and The Senior Leadership Team have reduced by 2 in the last quarter.

Chart 7

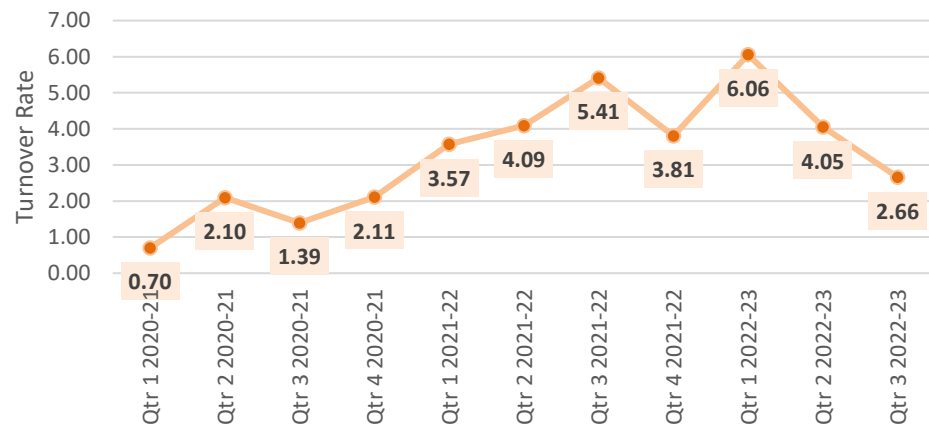
Agency Usage by Quarter for 2022-23



Turnover rates and Leaver information

Chart 8 tracks the turnover rate per quarter from April 2020 to December 2022. The turnover rate is defined by firstly calculating the average number of employees for the quarter period and dividing the number of leavers by the average number of employees.

Chart 8
Quarterly Turnover Rate
April 2020 - 31 December 2022



Page 78

The turnover for quarter 3 shows a reduction of 1.39% since quarter 2 and 3.4% since quarter 1.

CDC participate in a workforce metric benchmark exercise that is co-ordinated by the Local Government Association. Data around employee turnover is submitted on a quarterly basis by CDC and other local authorities across the country and this has been translated into a mean average across the local authorities sector.

For quarter 1 the mean turnover rate for English authorities was 4.1%. CDC had a turnover rate of 6.06%, 2,5% higher than the mean average but this was attributed to the decoupling from OCC. In quarter 2, CDC’s turnover rate was 0.25% lower than the national average for local government authorities.

LGA statistics for quarter 3 are not yet available but will be tracked and added in the next round of statistics. LGA statistics for quarter 2 have been published and Labour turnover comparative data is as follows:

Table 1

Quarter	Mean for All English authorities	CDC
Qtr 1 2022-23	4.1%	6.06%
Qtr 2 2022-23	4.3%	4.05%
Qtr 3 2022-23	Not yet known	2.66%

Chart 9 outlines leavers by reason for quarter 3 of 2022/23. Of the 15 leavers recorded in quarter 3, resignation is the highest reason for leaving; accounting for 80% of all leavers. 13.33% of leavers are due to retirement and 6.67% due to end

Chart 9

Leavers by reason
1 October to 31 December 2022

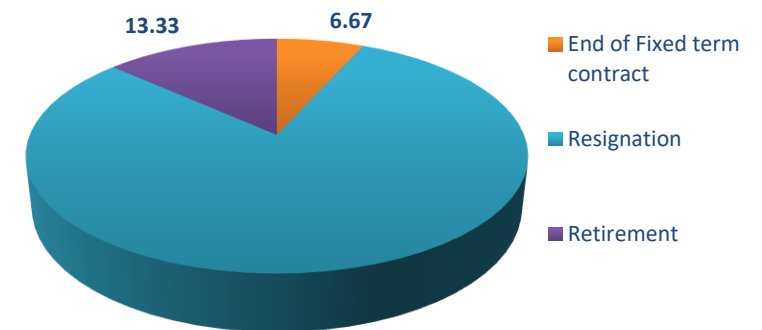
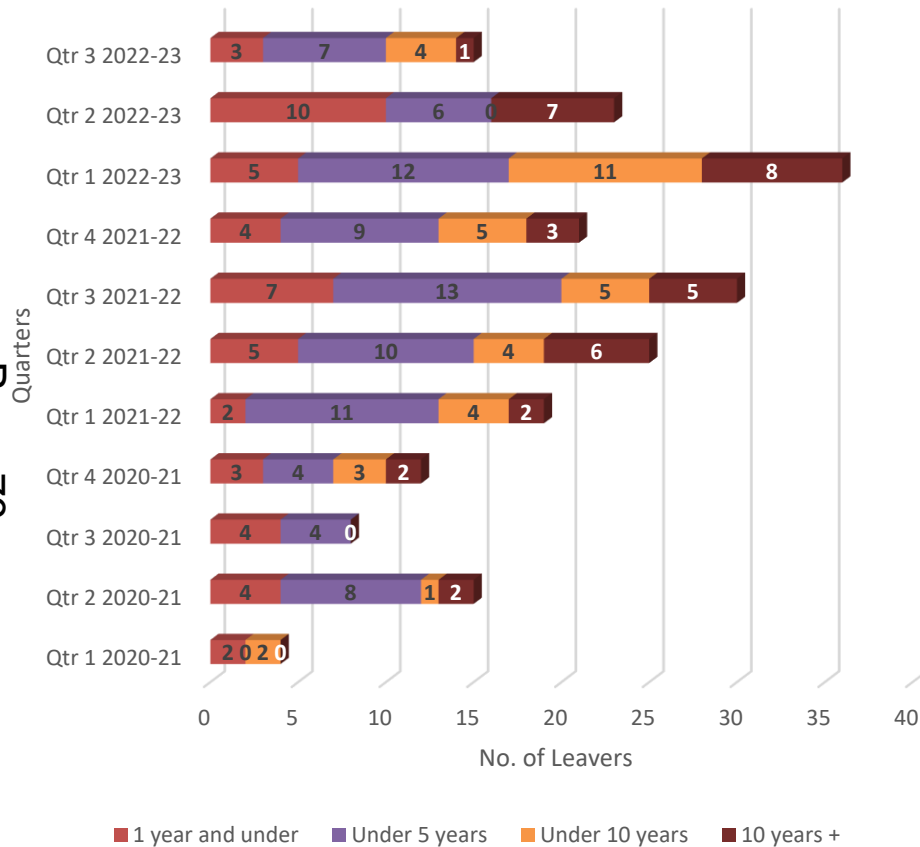


Chart 10

**Leavers by Length of Service
1 April 2020 - 31 December 2022**



When a resignation is received within HR, employees are now provided with an electronic exit questionnaire to complete via our HR/Payroll system and invited to attend a meeting with a member of the HR team to ascertain why they are leaving and whether they have any advice or comments on lessons learned or improvements that could be made.

Of the 15 leavers in quarter 3, 7 completed the exit interview questionnaire and attended meetings with a member of the HR Team. This is a 46.66% completion rate.

Data will continue to be gathered and shared with the relevant managers in a bid to work on any advice received in order to make improvements, where possible, for existing employees, thus aiding retention.

Chart 10 outlines leavers by length of service across the last 9 quarters. In the last rolling 12 months 23.16% of leavers have had less than a years' service.

During quarter 2 the process for exit interviews has been updated to ensure we gather vital data as to why employees are leaving. This data can then go towards informing how to improve retention.

Sickness Absence reasons and rates

Chart 11 shows the number of sickness absence incidents by reason over the last 7 quarters, back to April 2021. COVID-19 remains the most common absence reason overall for this time period and incidents for this reason have remained steady across the last 2 quarters.

COVID-19 has been the highest reason for sickness absence for the previous 4 quarters, although in the latest quarter, the same number of incidents occurred due to ear/nose/throat and dental issues, accounting for 10.42% of absences in quarter 3.

COVID-19 accounts for just over 19.01% of all incidents over the last 6 quarters, recording 197 cases, with 31 incidents occurring in the latest quarter.

Chest and respiratory issues account for 15.65% of incidents in the current quarter, and 10.42% over the last 6 quarters, making it the third most likely reason for sickness absence.

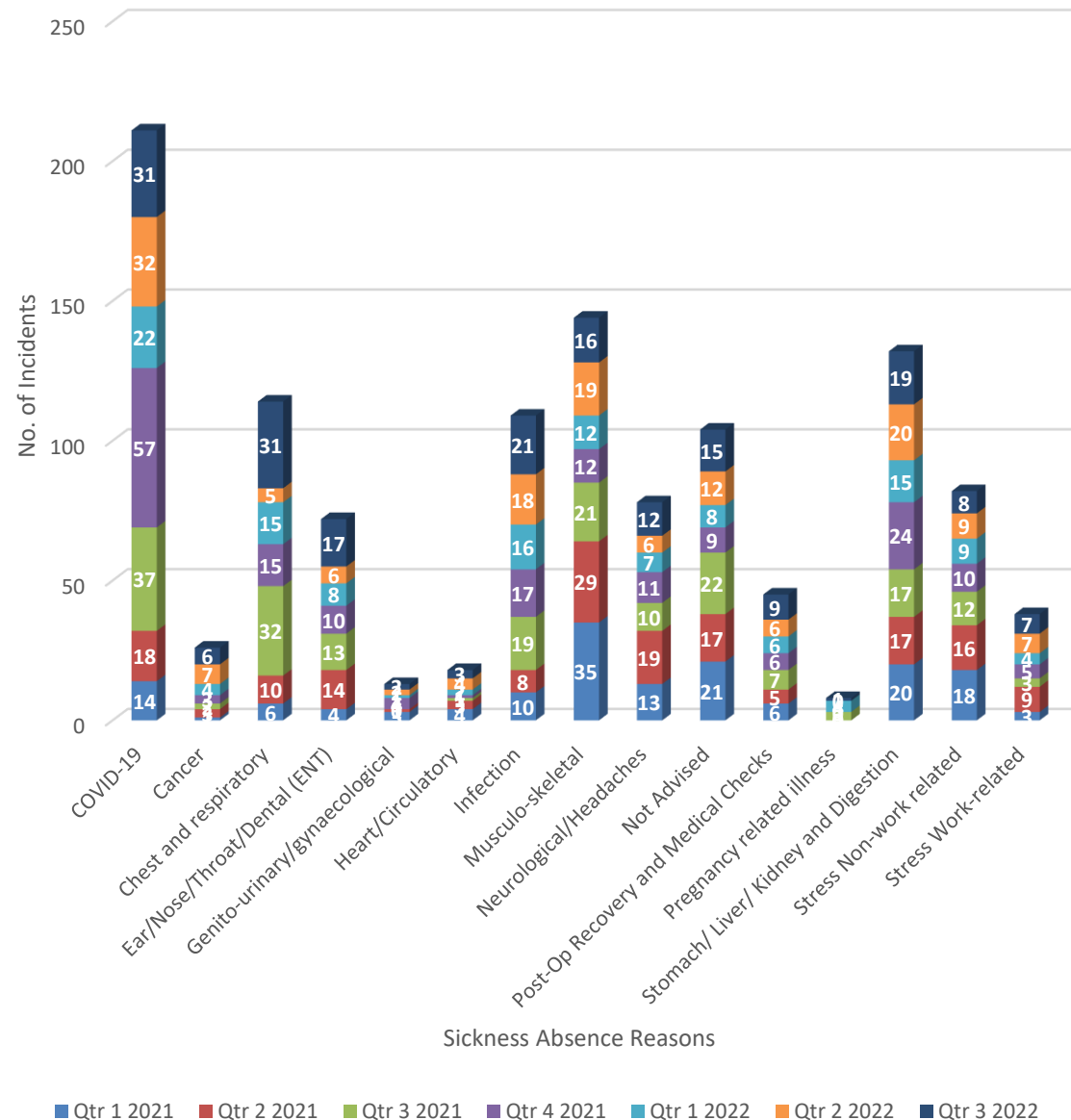
In quarter 3, infection is the third highest reason, accounting for 21 out of 198 incidents, which is 10.6% of incidents this quarter.

Stomach/Liver/Kidney and Digestion and Ear/Nose/Throat/Dental complete the top 5 reasons for absence, accounting for 36 incidents collectively in quarter 3 of 2022/23.

Musculo-skeletal continues to be the second highest reason for sickness absence across the last 6 quarters overall, accounting for 10.52% of all incidents in this timeframe.

Chart 11

**Sickness Absence Incidents by Reason
April 2021 to December 2022**



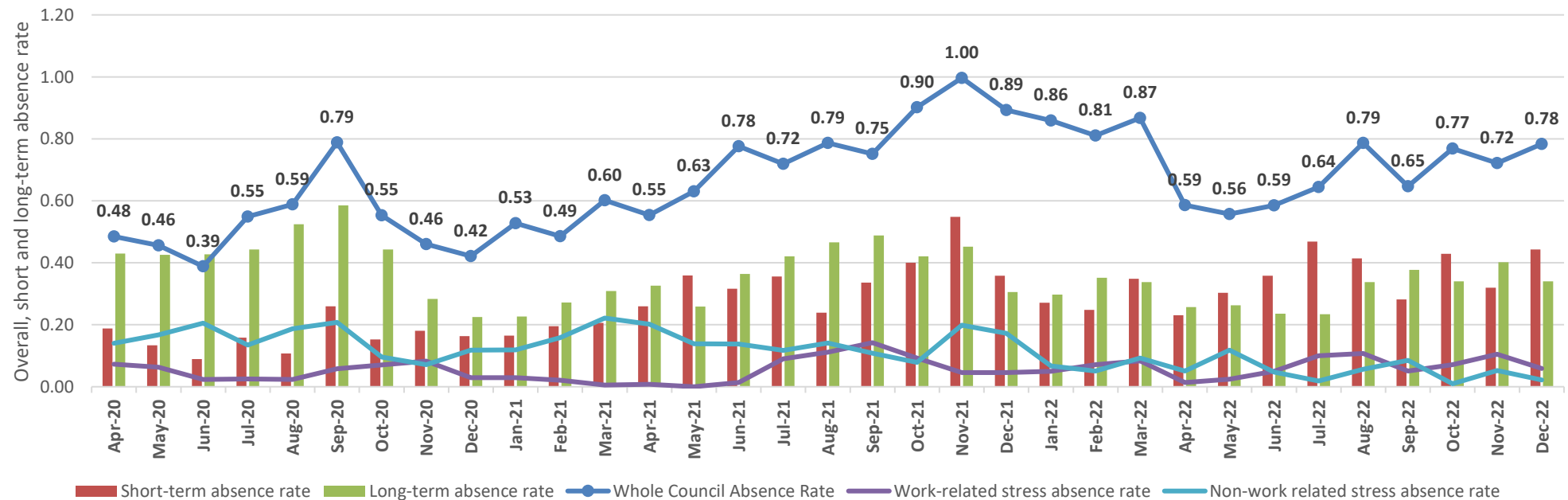
The corporate target for sickness absence is no more than 3 days per FTE in a rolling 12-month period. Long-term sickness is recorded as any absence spanning 28 days or more. HR work with managers and employees, where employees are off on long-term sick to engage with Cordell Health, CDC’s Occupational Health Provider, to ensure effective absence management.

Chart 12 tracks the absence rate per month back from April 2020 to December 2022 and shows that CDC are consistently below the maximum absence target on a rolling monthly basis. The absence rate is calculated by dividing the hours lost due to sickness absence by the FTE for the period. The highest rate of absence, recording 1 day lost per FTE; is in November 2021. Quarter 3 records a slightly higher absence rate than quarter 2 of 2022/23. 45 additional sickness absence incidents were recorded in the latest quarter compared to quarter 2.

Chart 12 also captures the absence rate of short and long-term instances. July 2022 has the highest rate of short-term absence, recording an absence rate of 0.47 days per FTE. November 2022 had the highest rate of long-term absence with a rate of 0.40 days lost per FTE.

Chart 12

Council Absence Rates by Month
Overall and broken down into short-term, long-term and stress
April 2020 to December 2022



The absence rate attributed to stress is also displayed in Chart 12 and records a slight increase in work-related stress through November 2022, with a rate of 0.10. This had reduced to 0.06 by December 2022. Work-related stress accounted for 3.53% of incidents in quarter 3 of 2022/23. This has reduced by just over 1% from quarter 2.

The highest absence rate for work-related stress currently remains September 2021; with 0.14 days lost per FTE.

The non-work related stress absence rate has reduced over the last quarter, from 0.09 in September to 0.02 by December. Non-work related stress incidents accounted for 4.04% of all incidents in quarter 3 of 2022/23. A reduction of almost 2% since the last quarter.

HR continue to ensure that Occupational Health support is accessed at the point that employee sickness is classified as long-term unless there are benefits to instigate this sooner. If an employee reports that they are absent due to stress, then an immediate referral to Occupational Health is made to ensure that support mechanisms can be put in place as soon as possible. Employees are also asked to complete a Health and Safety Executive (HSE) Stress Questionnaire as this provides information on the causes of stress which aids the organisation in supporting employees to deal with these issues where possible.

Employees also continue to have access to the Employee Assistance Programme (EAP) which is provided by Health Assured and offers access to counselling, legal and financial advice, and wellbeing resources. The service is confidential and whilst statistics on usage are reported through to CDC; details of which employees have made contact is withheld.

Charts 13 and 14 provide a breakdown of the percentage of working time lost by department for both short term and long-term sickness absence.

Comparative sector data for sickness absence rates has been sought from the Local Government Association (LGA).

Data for quarter 2 of 2022/23 is provided in table 1. Sickness data for quarter 3 is not yet available from the LGA but will be added into a later edition of these statistics. The LGA calculate the mean sickness absence rate across all English authorities as 2.3 per person in quarter 2 of 2022/23. CDC records a rate of 1.65 days in quarter 1, 2.11 days in quarter 2 and 3.27 days in quarter 3.

Chart 13

**% Working Time Lost due to Short Term Sickness Absence
1 October to 31 December 2022**

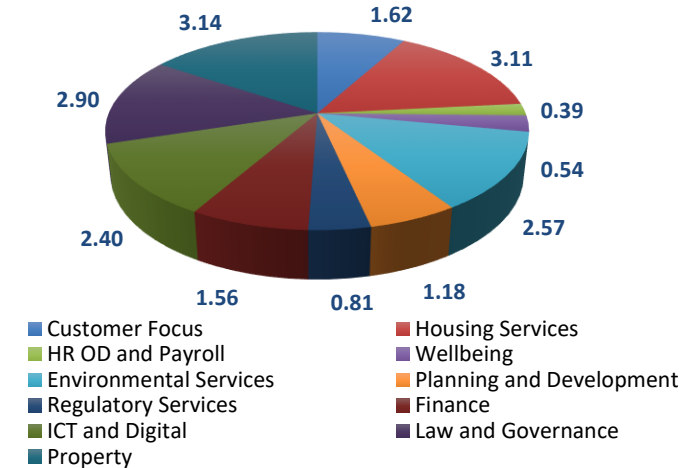
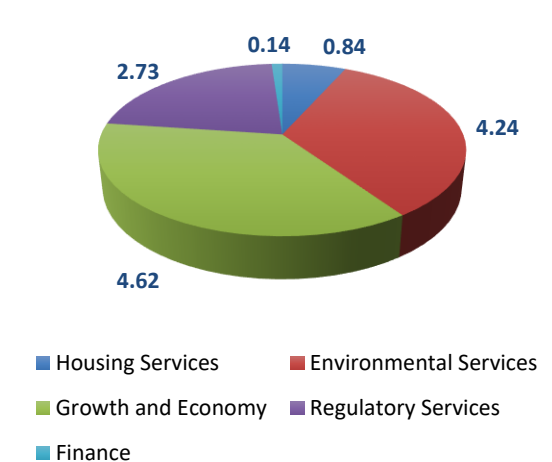


Chart 14

**% Working Time Lost due to Long Term Absence
1 October to 31 December 2022**



CDC is consistently lower than the mean average for the sickness absence rate in comparison to all local authorities. CDC remains lower on the 5 of working time lost due to short term absence but is higher than the average for days lost per FTE. CDC is lower than average for both the percentage lost due to long term sickness absence and the number of days lost per FTE for long term absence. The national data for quarter 3 will be compared to CDC once available.

Table 2

Metric Type	Value Type	QUARTER 1 Mean for All English authorities	CDC Qtr 1	QUARTER 2 Mean for All English authorities	CDC Qtr 2	CDC Qtr 3
Sickness absence rate	Days per person	2.8	1.65	2.3	2.11	2.27
Days lost through sickness, short term	%	11.6	1.37	5.5	1.79	1.19
Sickness absence, short term (FTE)	Days per FTE	1.2	0.89	0.9	1.17	1.24
Days lost through sickness, long term	%	11.1	1.16	4.2	1.46	1.08
Sickness absence, long term (FTE)	Days per FTE	1.5	0.76	1.3	0.94	1.13

Age, Gender and Ethnicity Workforce Profile as at 31 December 2022

Chart 15 shows a breakdown by age of the CDC workforce, expressed in percentage. 10% of CDC employees are over 60. 51% of CDC employees are aged between 41 and 60, a shift of 1% since quarter 2, with a further 19% aged between 31 and 40 and 20% aged under 21 to 30.

Chart 15

Age Profile Percentage as at 31 December 2022

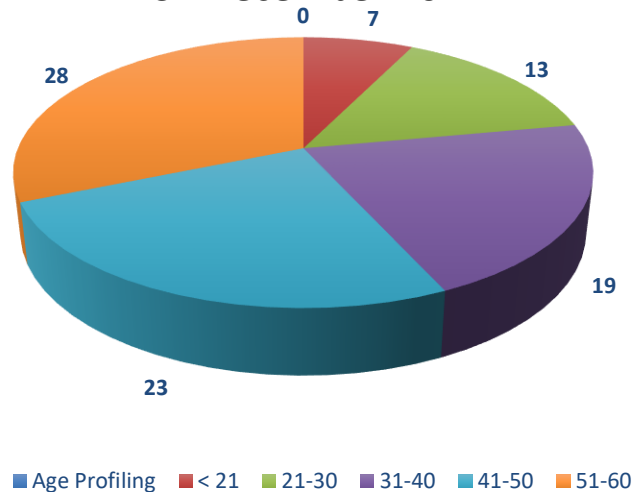


Chart 16

Gender Profile Percentage as at 31 December 2022

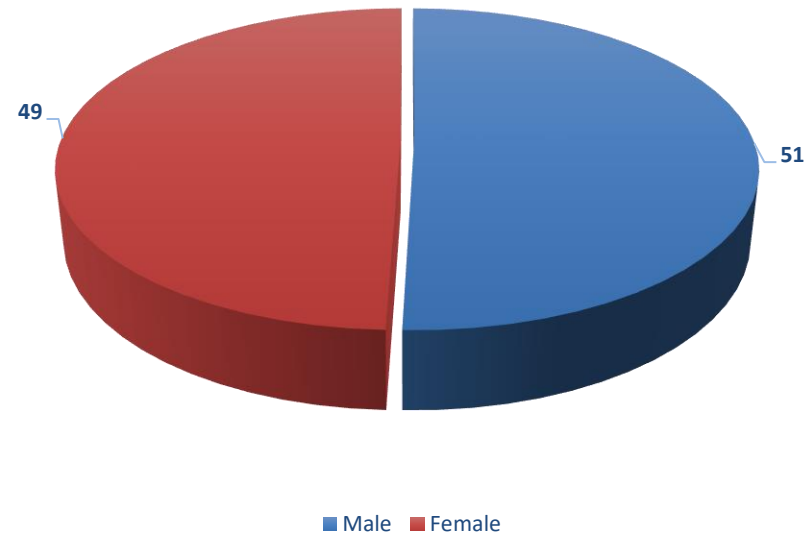


Chart 16 breaks down the gender of the CDC workforce and shows that CDC is almost a 50% split.

CDC record statistics on employees sensitive data in order to ensure that our workforce is representative of the district we support and serve. Where we are under-represented, we need to review what we can do to ensure these groups are aware of the employment opportunities we have available. Local Insight data in relation to gender and ethnicity within the Cherwell District has been used to compare against the make-up of our workforce.

Out of a population of 150,503 within the Cherwell District, 49.6% are male and 50.4% are female. At CDC, 51.52% of our workforce are male and 48.48% are female meaning it is quite representative of the district.

At the end of quarter 1 for 2022/23, it was reported that 51.25% of the workforce had not recorded their ethnic background. By quarter 3, this has reduced to 24.14%. Requests continue to be made to the workforce to ensure this data is completed in the HR/Payroll system. 75.86% of the workforce have provided this data, with 5.34% preferring not to specify.

Graph 17 shows a breakdown of ethnicity within CDC. Comparative data has been sought both nationally and from the district and is presented in Table 3.

Chart 17

Ethnicity Profile Percentage as at 31 December 2022

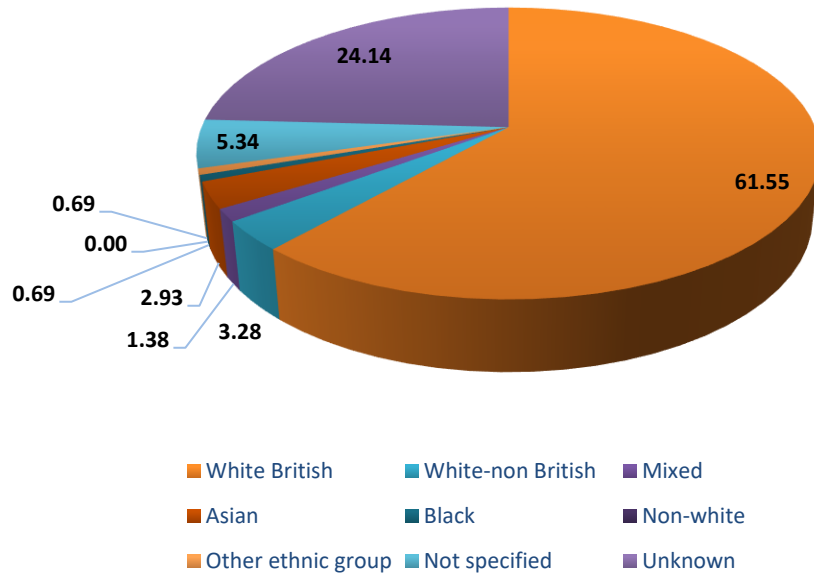


Table 3

Ethnic Group	England average (%)	Cherwell District (%)	CDC (%)
White British	79.8	86.3	61.55
White-non British	5.7	5.8	3.28
Mixed	2.3	1.8	1.38
Asian	7.8	4.3	2.93
Black	3.5	1.4	0.69
Non-white	14.6	7.8	0.00
Other ethnic group	1	0.4	0.69
Not specified	N/A	N/A	5.34
Unknown	N/A	N/A	24.14

CDC’s workforce is predominantly white British with 61.55% of the workforce that has recorded their ethnicity in this category. This category has increased by 6.1% in the last quarter.

When comparing this data to the district overall, Cherwell has a higher percentage of residents than the average across the UK that identify as White British.

White non-British are the second highest recorded category at CDC with 2.91%, followed by Asian with 2.55%. This differs from the data of the district where non-white and White non-British are the next highest categories.

The HR Team will continue to work with the organisation to gather outstanding data and will continue to update on a quarterly basis.

Apprenticeships within Cherwell District Council as at Quarter 3

Information

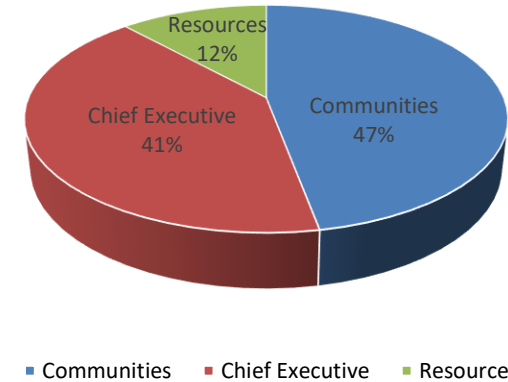
There are 17 apprenticeships currently running within the Council, of which 4 are apprentices on programme, employed specifically as apprentices; and the remaining 13 are employees undertaking an apprenticeship as CPD or career progression.

There are currently 8 apprenticeships within the Communities Directorate, 7 within the Chief Executive Directorate and 2 within the Resources Directorate – please see graph.

Details of the apprenticeships at the organisation are detailed in the table below.

The organisation is using its apprenticeship levy predominantly for upskilling existing staff.

Percentage of Apprenticeships within Directorates



Apprenticeships details below:

Apprenticeship Standard	Level of Apprenticeship	Duration of Apprenticeship	Number of employees on apprenticeship	Apprentice or Employee CPD	Team	Directorate	Cost of Apprenticeships (£)
Accounts or Finance Assistant	Level 2	1 ½ Years	1	CPD	Finance	Resources	5,400
Autocare Technician	Level 2	2 ½ Years	1	Apprentice	Fleet Management	Communities	12,000
Business Administration	Level 3	1 ½ Years	2	Apprentice	Depot	Communities	10,000
Team Leader/Supervisor	Level 3	1 ½ Years	2	CPD	Sport and Physical Activities	Chief Executive	9,000

Apprenticeship Standard	Level of Apprenticeship	Duration of Apprenticeship	Number of employees on apprenticeship	Apprentice or Employee CPD	Team	Directorate	Cost of Apprenticeships (£)
Improvement Practitioner	Level 4	1 ½ Years	3	CPD	ICT Customer Services	Resources (1) Chief Executive (2)	12,000
Operations / Departmental Manager	Level 5	1 ½ Years	1	CPD	Health Place Shaping	Chief Executive	7,000
Building Control Surveyor	Level 6	4 Years	3	CPD	Building Control	Communities	72,000
Chartered Surveyor	Level 6	5 ½ Years	1	Apprentice	Access and Grants	Communities	27,000
Chartered Town Planner	Level 7	2 ½ years	1	CPD	Planning	Communities	19,400
Senior Leader	Level 7	2 Years	1	CPD	HR	Chief Executive	14,000
Senior People Professional	Level 7	3 ½ Years	1	CPD	HR	Chief Executive	19,000
					Total apprenticeship levy committed		206,800

Future Apprenticeships

The Council has recently had adverts for two apprenticeships, one within Housing and one within the Environmental Department. Unfortunately, neither positions have been filled.

The Council have a number of employees who are interested in starting apprenticeships for CPD or Career progression in the very near future and these include:

- 1 x Level 4 Accountant or Taxation Professional – AAT – working within Finance
- 1 x Level 3 HR Support – working within HR
- 1 x Level 7 Senior People Professional – working within HR

Current amount in the Levy Account

The Council currently has £128,659 in their levy account. It is estimated that a further £76,789 will be received over the next 12 months, based on funds entering the Council's Apprenticeship service account, including the 10% top up from the government. It is estimated that the Council will spend £53,944 in the next 12 months based on the current apprenticeships within the table above.

Expired Funds

To date the Council have not had any expired funds retracted from the levy account. Based on the current apprenticeships within the dashboard it is estimated that £1,409 will expire in April 2024 (this does not take into account any new apprenticeships that will be added to the dashboard).

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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