

Committee: Personnel and General Committee
Date: Wednesday 29 April 2009
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Lynda Thirzie Smart (Chairman)	Councillor Rose Stratford (Vice-Chairman)	
Councillor Ken Atack	Councillor Russell Hurle	Councillor Lawrie Stratford
Councillor Norman Bolster	Councillor G A Reynolds	Councillor Barry Wood
Councillor Timothy Hallchurch MBE	Councillor Chris Smithson	Councillor David Hughes

Substitutes Any member from the relevant political group

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 1 - 4)

To confirm as a correct record the Minutes of the meeting of the Committee held on 10 December 2008.

6. **Update to Council Change Policies** (Pages 5 - 7)

Report of the Head of Human Resources

Summary

This report seeks early views from the Committee for a number of amendments to the Change Management Policies and some interim approaches to support staff affected by recent Executive decisions to reduce and/or outsource services.

These changes are proposed to ensure that the Council is able to manage change efficiently, fairly and provide maximum protection for permanent staff who are affected by changes in service delivery whilst achieving the savings required to balance the Council's budget.

Recommendations

The Committee is **RECOMMENDED** to resolve to:

- 1) Note/comment on the proposed measures outlined in 5.7
- 2) Comment on the proposed changes outlined in 5.8
- 3) Endorse the classification of 'exceptional circumstances' in relation to external recruitment outlined in 5.9

7. **Investors in People** (Pages 8 - 44)

Report of the Head of Human Resources

Summary

This report provides an update on the Council's Investors in People status following the external assessment in January 2009.

Recommendations

The Committee is **RECOMMENDED** to resolve to note the return to standard and the comments in the assessors report.

8. **Update on Job Evaluation Project** (Pages 45 - 50)

Report of the Head of Human Resources

Summary

The purpose of this report is to provide an update on the current Job Evaluation project.

Recommendations

The Committee is **RECOMMENDED** to resolve to take note of the progress of the project and the issues that have been raised.

9. **Employment Statistics QTRS 3 & 4 2008-09** (Pages 51 - 54)

Report of the Head of Human Resources

Summary

This report details employment statistics, by Directorate, for information and monitoring purposes.

Recommendations

The Committee is **RECOMMENDED** to resolve to note the contents of this report.

10. Updated Right to Request Flexible Working Policy (Pages 55 - 77)

Report of the Head of Human Resources

Summary

The purpose of this report is to seek approval for the attached updated Right to Request Flexible Working policy.

Recommendations

The Committee is **RECOMMENDED** to resolve to approve

The attached updated Right to Request Flexible Working policy for implementation.

11. Exclusion of Public and Press

The following items of business 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
- 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 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 and 4 of Schedule 12A of that Act.”

12. Business Services (Pages 78 - 82)

Report of the Strategic Director of Customer Services and Resources and the Head of Human Resources

13. Finance Team (Pages 83 - 85)

Report of the Strategic Director Customer Service and Resources

** Please note Appendices 1 & 2 are to follow**

14. Waste Services Manual Staff - Terms and Conditions of Employment (Pages 86 - 120)

Report of Head of Human Resources and Head of Environmental Services

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to James Doble Legal and Democratic Services james.doble@cherwell-dc.gov.uk (01295) 221554 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. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

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.

Queries Regarding this Agenda

Please contact James Doble Legal and Democratic Services james.doble@cherwell-dc.gov.uk (01295) 221554

Mary Harpley
Chief Executive

Published on Tuesday 21 April 2009

Agenda Item 5

Cherwell District Council

Personnel and General Committee

Minutes of a meeting of the Personnel and General Committee held in at Bodicote House, Bodicote, Banbury, OX15 4AA, on 10 December 2008 at 6.30 pm

Present: Councillor Lynda Thirzie Smart (Chairman)

Councillor Rose Stratford
Councillor Norman Bolster
Councillor Timothy Hallchurch MBE
Councillor Russell Hurle
Councillor Lawrie Stratford
Councillor Barry Wood

Apologies for absence: Councillor Ken Atack
Councillor G A Reynolds
Councillor Chris Smithson

Officers: AnneMarie Scott, Head of Human Resources
Sarah McCluskey, HR Manager
Grahame Helm, Head of Safer Communities & Community Development
Alexa Coates, Senior Democratic and Scrutiny Officer

38 **Declarations of Interest**

There were none.

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

There were none.

40 **Urgent Business**

There was no urgent business.

41 **Minutes**

The Committee discussed the minutes of the meeting held on 17 September 2008 and were updated on minute No.PG28 Service Head Recruitment – Finance and minute No.PG26 Council Offices Opening Hours and Flexible Working Hours. In relation to minute No.PG28 members of the committee were advised that the recruitment of the Head of Finance had been suspended as a suitable candidate had not been identified.

In relation to minute No.PG26 members of the Committee were advised that late opening of Bodicote House offices was not required at this time. It was planned to continue to open the area offices late (no later than 10am) once a week in order for

Customer Service staff to access training and communications from the main Council offices at Bodicote House.

The Minutes of the meeting of the Committee held on 17 September 2008 were approved as a correct record and signed by the Chairman.

42 Code of Conduct for Local Authority Members and Employees

The Committee considered a report of the Head of Human Resources inviting comments on the Department for Communities and Local Government consultation paper on changes to the code of conduct. The Committee considered the proposal to introduce a mandatory code of conduct for local authority employees.

Members of the Committee discussed how a code of conduct for employees would relate to current contracts and terms of conditions of employment. The Head of Human Resources advised the Committee that the conduct of employees is adequately covered by contracts of employment and that a mandatory code of conduct was not required. The Committee particularly noted the response to Question 13 and whether a code of conduct was required, the Committee supported the answer that it was not required.

Resolved

That the report and response to the consultation paper be noted.

43 Employment Statistics Qtr 2, 2008-9

The Committee considered a report of the Head of Human Resources setting out details of staff employment numbers for information and monitoring purposes for the period July to September 2008.

The Committee expressed their thanks to officers for supplying statistical data and identified that a report showing 18 months of data would be useful to view trends for the year.

Resolved

That the report be noted.

44 Pensions Policy Statements

The Committee considered a report of the Head of Human Resources seeking approval of new discretions under Local Government Pensions Scheme regulations in order to update the Pensions Policy Statements.

Resolved

(1) That the use of Regulation 13 – the discretion to award additional pension up to £5000 be agreed using the same criteria as already agreed for awarding additional pensionable membership (up to 10 years) to ensure a consistent approach.

(2) That the updated Pension Policy Statements be approved.

45 Revised Sickness Absence Policy

The Committee considered a report of the Head of Human Resources which sought approval for a revised Sickness Absence Policy. The Committee were advised that

the Council performed well in this area and had relatively low levels of absence due to sickness. Levels had worsened slightly in the last year and it was hoped the revised policy would reduce the level of sickness absence taken by members of staff.

The Committee were advised that the revised sickness and absence policy set out more robust monitoring and action against sickness absence. Line Managers were undertaking training in order to conduct 'return to work' interviews. The revised policy gave a greater emphasis to supporting staff who were absent from work and identifying any issues which prevented staff from attending work.

Resolved

- (1) That the revised sickness absence policy, including ill health retirement process, be approved for implementation in April 2009.
- (2) That comparative figures on sickness absence levels in other local authorities be provided at the next meeting.

46

Capability Policy

The Committee considered a report of the Head of Human Resources seeking approval of a Capability Policy which was developed to address situations where employees were not meeting required standards of performance in their jobs. The Committee were advised that the performance of staff against specific targets was reviewed through appraisals. The capability policy provided managers with a mechanism of dealing with capability issues identified in staff appraisals.

The Committee were advised that the new policy provided a distinction between capability and disciplinary issues. Where disciplinary issues are usually addressed through the imposition of certain sanctions against members of staff the capability issues would be addressed through training and support. Which it was hoped would help members of staff who were underperforming meet the desired requirements of their job.

Resolved

That the capability policy be approved from implementation from 1 January 2009.

47

Exclusion of the Public and Press

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

EXEMPT

48 **REVIEW OF PUBLIC PROTECTION TEAM STRUCTURE**

The Committee considered an exempt report of the Head of Safer Communities and Community Development to review the public protection team structure.

Resolved

That the following be approved:

- (1) The new structure for the Public Protection team
- (2) the promotion of the existing Technical Assistant to a new Technical Officer post at Local Grade 14 with effect from 1 April 2009 and subject to the award of the Higher Certificate in Food Hygiene Inspection
- (3) the creation of a new post of Technical Assistant at Local Grade 8 following promotion of the existing postholder
- (4) the re-designation of the existing Environmental Health Practitioner post to Environmental Health Officer at Local Grade 16/17 following qualification (Environmental Health Officers Registration Board Certificate) of the existing postholder (post no. CC0058) with progression to LG17 subject to one year's satisfactory post-qualification experience
- (5) the replacement of the Environmental Health Officer (Job Share) post to that of Environmental Health Officer (Part-Time) on 14.8 hours per week, thereby deleting post no. CC0052
- (6) the deletion from establishment of the post of Business Support Officer (post no. CC0057)

49 **REDUNDANCY OF POST (EX0070) EXCHEQUER**

The Committee considered a report of the Head of Human Resources relating to the redundancy of Post No. (EX0070)

Resolved

- (1) The redundancy of post EX0070 on 31 March 2009 be approved.
- (2) The payment of redundancy and PRP be approved

The meeting ended at 7.37 pm

Chairman:

Date:

CHERWELL DISTRICT COUNCIL

PERSONNEL AND GENERAL COMMITTEE 29th April 2009

REPORT OF THE HEAD OF HUMAN RESOURCES

UPDATE TO COUNCIL CHANGE POLICIES

1 Introduction and Purpose of Report

- 1.1 This report seeks early views from the Committee for a number of amendments to the Change Management Policies and some interim approaches to support staff affected by recent Executive decisions to reduce and/or outsource services.

These changes are proposed to ensure that the Council is able to manage change efficiently, fairly and provide maximum protection for permanent staff who are affected by changes in service delivery whilst achieving the savings required to balance the Council's budget.

2 Wards Affected

None.

3 Effect on Policy

- 3.1 Following consultation the changes will require some policy amendments.

4 Contact Officers

- 4.1 Anne-Marie Scott, Head of Human Resources, extn 1731

5 Background

- 5.1 Before the restructure in 2007 the Council introduced a new set of policies covering structural change, redeployment, retirement and redundancy. These policies were designed to support the change required within the organisation to ensure appropriate capacity was aligned with corporate priorities.
- 5.2 At the time the policy framework was designed to afford maximum protection to staff whilst the organisational objective of maximising capacity and aligning services behind corporate objectives was pursued.
- 5.3 Changes to the economic climate during the last 6-12 months have left the Council with a large budget gap and the priority now is therefore to maximise efficiency in service delivery and staffing resource to ensure a balanced budget in 2010-11.
- 5.4 One of the key decisions already taken is to seek to externalise the transactional elements of the revenues and benefits service. This decision has the potential to leave staff at risk of redundancy by the new provider. Other immediate changes involve staff working in Health and Recreation where service provision will be at a lower level in the future.
- 5.6 In making these decisions, the Executive made a firm commitment to take all possible steps

to protect the affected staff. In doing so the Council must be mindful of relevant legislation (primarily TUPE) and current Council policy.

- 5.7 Early discussions with Trade Unions and staff have explored a number of areas in which support and alternative opportunities may be made available to staff. These include:
- Freezing external recruitment and seeking to fill all vacancies internally (the only exception to this rule being refuse collectors)
 - Offering career counselling and re-training to those wishing to move to other parts of the organisation
 - Providing targeted training in preparation of cvs/job applications and presenting at interview
 - Seeking agreements with other organisation to offer staff potentially at risk vacancies ahead of external recruitment
 - Reducing the use of agency/fixed-term staff to maximise the number of vacancies available to current permanent staff
 - Identifying affordable access to pension opportunities to staff in relevant areas
 - More actively considering request to work flexibly from staff across the organisation to create further opportunities
 - Individual and group support via counselling/coaching
 - Subscription to the County Council's redeployment service to ensure staff have access to vacancies in other local authorities
- 5.8 In order to meet the financial targets associated with the changes the Council will also need to consider changes to the current suite of change policies and consultation is underway on changes to the following areas:
- Redeployment – reducing the timescales to ensure that the redeployment/redundancy is achieved earlier
 - Redundancy – reviewing payment levels to encourage early voluntary redundancy from more senior posts where greater efficiency can be gained
 - Flexible deployment – developing more generic skills/posts with a requirement for flexibility in work area
- 5.9 Implementation of the steps in 5.7 and consultation on the areas outlined in 5.8 will continue and revised policies brought to the committee for approval at the next meeting. Interim measures are within current the current policy framework although Members should note that the Council's Corporate Equality and Diversity Policy states that "The Council as an employer.....will advertise all vacancies externally (except in exceptional circumstances to be agreed by the Head of Human Resources). CMT have considered current processes and concluded that the current economic climate means the 'exceptional circumstances' rule is applied to all posts in the first instance in an attempt to protect permanent staff from redundancy.

6 Risk Assessment, Financial Effects and Contribution to Efficiency Savings

6.1 The following details have been approved by Karen Curtin.

6.2 Risk Assessment

The risk associated with not approving the recommendations contained in this report is that the Council is unable to fulfil its commitment to afford all possible protection to staff affected by service cuts.

6.3 **Financial Effects**

There are no immediate financial effects contained within this report although the change in policies could create additional costs in the short term in order to achieve longer term savings. These will be calculated and monitored on a case by case basis.

6.4 **Efficiency/Savings**

There are no efficiency savings arising directly from this report.

7 **Recommendations**

7.1 The Committee is **RECOMMENDED** to resolve to:

- (1) Note/comment on the proposed measures outlined in 5.7
- (2) Comment on the proposed changes outlined in 5.8
- (3) Endorse the classification of 'exceptional circumstances' in relation to external recruitment outlined in 5.9

Agenda Item 7

CHERWELL DISTRICT COUNCIL

PERSONNEL AND GENERAL COMMITTEE 29th April 2009

REPORT OF THE HEAD OF HUMAN RESOURCES

INVESTORS IN PEOPLE

1 Introduction and Purpose of Report

- 1.1 This report provides and update on the Council's Investors in People status following the external assessment in January 2009.

2 Wards Affected

None

3 Effect on Policy

- 3.1 None

4 Contact Officers

- 4.1 Anne-Marie Scott, Head of Human Resources, extn 1731

5 Background

- 5.1 In June 2008 the Council underwent an inspection against the Investors in People standard which was carried out by the regional external assessor.
- 5.2 The assessor concluded that the Council had not demonstrated sufficient evidence against 2 of the indicators for full accreditation to be awarded and the Council were therefore given retained recognition status.
- 5.3 As part of the retained recognition process the Council were required to produce an action plan to return to standard within 12 months. This was considered by the Personnel and General Committee in September 2008.
- 5.4 On advice from the external assessor the Council brought forward the re-inspection from June 2009 to January 2009.
- 5.6 Following a 1-day process with supporting documentation the assessor was able to recommend that the Council be returned to full standard and this was endorsed by the awarding body. The assessor's final report confirms accreditation and outlines areas for continuous improvement which are being progressed. The report is attached for information.

6 Risk Assessment, Financial Effects and Contribution to Efficiency Savings

- 6.1 The following details have been approved by Rosemary Watts and Denise Westlake

6.2 Risk Assessment

There are no risks associated with this report.

6.3 **Financial Effects**

There are no financial implications to this report.

6.4 **Efficiency/Savings**

There are no efficiency savings arising from this report.

7 Recommendations

- 7.1 The Committee is **RECOMMENDED** to resolve to note the return to standard and the comments in the assessors report.

Background Papers: Retained Recognition Review Report

COMMERCIAL IN CONFIDENCE



INVESTORS IN PEOPLE

**RETAINED RECOGNITION REVIEW
REPORT**

**for
Cherwell District Council
20 January 2009**

**Prepared by
Irene Banham**

Investors in People Assessor

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APPENDIX A: Summary of findings against each Principle and Indicator of the Investor in People Standard.

APPENDIX B: Copy of Retaining Recognition Review Plan – June 2008 approved by Panel and actioned by the Council

1. Introduction

During 2006-07, the Council underwent a period of significant change due to a combination of internal and external factors resulting in a root and branch re-structure of service areas.

One outcome of the re-structuring was the creation of a new Extended Management Team. This comprised the Chief Executive, Strategic Directors and Service Heads supported by a new structure of Service Managers.

The above changes and resulting turmoil impacted on the 2008 Post Recognition Review leaving two areas of further improvement needed prior to confirmation of Recognition.

Areas to be addressed linked to added rigour being brought to feelings of value and recognition at times of change and uncertainty. Coupled with this, the Assessor was seeking additional evidence that actions being taken by the Extended Management Team were encouraging increased ownership and input to the key decision-making process.

The evidence that follows incorporates evidence to demonstrate that actions taken by the Council during the six month interim period have resulted in the improvements sought by their Investor in People Assessor.

At Appendix B of this report is a copy of the Council's Retaining Recognition Plan together with their planned actions. This has been included as the Assessor understands that a new Investor in People Recognition Panel will review this recommendation as the panel that approved the original Plan is not currently available.

2. Strengths

Sound evidence of an organisation poised for 'best in class' service delivery. The perception of the wider community is of a modern, forward-looking team, one that has thrown off the previous mantle of an organisation steeped in procedure and tradition...***"that could simply not see the wood for the trees."***

The Review found a highly professional wider management team demonstrating a mix of styles and traits found in other high performing organisations.

Strategic planning is forward looking with improved collaboration resulting in the creation of an increasing 'line of sight' between the priorities of the Council, teams within it and individuals.

Notable is the focus placed on ensuring that the reviewed and refreshed Human Resources Strategy is aligned fully with the needs of the Council. Adding rigour and thus resource is the recruitment of a highly experienced Learning and Development Manager who joined the Council one week

before commencement of the Post Recognition Review.

Sound evidence was found of high standards for service delivery and for how leaders, managers and staff should act and behave in the refreshed and forward-looking environment.

Commendable amounts of learning and development continue to take place, much of which has been aligned with the many job role changes that have taken place in the Council.

Despite feeling bruised and uncertain, staff in the Council demonstrated true commitment to ensuring that the Council is successful, that it meets its aims and aspirations and that it achieves the 'Outstanding' status it seeks. ***“There’s certainly light at the end of the tunnel now.”***

Significant levels of support were found in the Leader of the Council in terms of providing support, encouragement and guidance when needed to the Chief Executive who in turn is building a team with significant business acumen. ***“Change is always hard but this Council needed to change and change is bringing opportunity for many staff.”***

3. Areas for continuous improvement

All Indicators refer:

It is suggested that the process of communication be monitored over the coming year. Many enhancements have been made all of which are raising morale in the Council. Ideas of improvement that have helped other organisations include:-

- Encouraging Strategic Directors to host monthly informal lunch sessions with groups of staff from their Service Area. To ensure equity, date of joining the Council or alphabetical initial of surname could be used. Groups selected on the above basis could rotate over the year and could join their Strategic Director in an informal 'getting to know' you session; this way every member of staff, would over a 12 or 18 month period, have the chance to meet with their Head of Service.
- Encouraging Strategic Directors to – as a matter of form – timetable in their attendance at a Service Team meeting on a quarterly or six monthly basis.
- Ensuring that the 'Core Values' being currently designed include a two-way contract in terms of communication; e.g. 'What You Can Expect of Your Manager in terms of Communication' and 'What Your Manager can Expect of You in terms of Communication'. To make this effective, bring measures of this two-way contract in to the Appraisal process, which is currently under review.

Indicators 4 and 5 refer:

Work is currently under way in the Council linked to the creation of a set of 'Core Values' This is being created on the back of the Leadership and Management Training Programme which has operated over the past 18 months.

The value of this work cannot be sufficiently stressed, as this is the way in which the consistency in terms of how managers manage will be found.

The theme of the next steps approach to leadership and management is Performance Management and whilst the Council has, for many years, operated an Appraisal process, added value will be found from the creation of a process that looks at the core values. This process should include ensuring a clear line of sight between what the Council requires of its managers and the objectives they have set for themselves. The process can then be used to monitor and evaluate the impact that effective leadership/management is having on performance of the Service Delivery.

Organisations seeking to measure the effectiveness of leaders/managers include creating a set of measures similar to those shown below:-

- ◇ **Stakeholder Measures**
- ◇ **Efficiency Measures**
- ◇ **Effectiveness Measures**
- ◇ **Financial Measures**
- ◇ **Environment Measures**
- ◇ **Control & Compliance Measures**

Customer Impressions

- ◇ Customer Satisfaction Questionnaires (ideally using comparative analysis).
- ◇ Satisfaction Cards and Comments Books (Tell Us).
- ◇ Service Improvement interviews (critical exploration of issues and opportunities).
- ◇ Increase in business from existing customers.
- ◇ New business referrals.

Customer Service

- ◇ Customer access times.
- ◇ Ease of contact and response levels.
- ◇ Reduced delivery or waiting times.
- ◇ Availability (e.g. percentage of customers on-line).
- ◇ Choice & range.

Employees

- ◇ Staff turnover.
- ◇ Average length of service.
- ◇ Sickness days.
- ◇ Cost of sickness (actual and opportunity cost).
- ◇ People survey results.
- ◇ Cost of recruitment.
- ◇ Cost of training (e.g. relative to turnover).
- ◇ Training expenditure per person.
- ◇ Number and percentage of qualified people.

Suppliers/External Contractors

- ◇ Supplier appraisal (for new suppliers)
- ◇ Vendor rating (existing suppliers)
- ◇ Levels of training.
- ◇ Possession of quality standards.
- ◇ Top supplier awards and achievements.

To ensure this process is totally effective, agreed measures should be brought into the revamped Appraisal process which ideally could be re-named the Performance Management System.

Areas of Improvement of a General Nature

It could be helpful to use **liP Interactive**. This is a free, online business support tool that is designed to help identify strengths and development areas against the Investors in People Standard, and has links to free information and resources including a library with many guides, examples and templates that can be downloaded and customised. This includes advice on areas such as Strategic Planning, Effective Management, Developing People, Culture and Communication, and Managing Performance, which link directly to the Investors in People Standard. Visit www.investorsinpeople.co.uk/interactive to register and use this service.

It could be helpful to visit Quality South East's website on a regular basis to maintain a view of the developments around the Investors in People Standard and for details of **workshops and events** across the region. Visit www.qse.org.uk for more information.

Check if any of the **Health & Safety** information available on the HSE website could be useful in maintaining both compliance and staff awareness. The Cherwell District Council Health & Safety Representative might consider if there are any issues that should be addressed. Visit www.hse.gov.uk for more information.

Useful sources for defining **Leadership and Management** capabilities include the Institute of Leadership and Management. Visit www.management-standards.org and www.businesslink.gov.uk for general business information and links to the DTI Inspirational Leadership Index.

Perhaps consider interactive training packages to continue to develop the **IT skills and knowledge** of your staff. Try www.learnndirect.co.uk for ideas: a good number of these courses are either free or reasonably priced.

6. Conclusion

Following the Post Retaining Recognition visit, the Assessor is pleased to confirm that evidence provided by the Council demonstrates that it meets the principles and indicators of the Investor in People Standard.

As a result, the Assessor suggested to the Investor in Recognition Panel that it considers the evidence contained in this report, noting the significant change through which the Council continues to go and endorses the recommendation that Cherwell District Council meets the Investor in People Standard and thus retains its Recognition status.

Feedback from the Chair of the Recognition Panel included sending congratulations to all those involved in successfully re-gaining the Investor in People Standard and all good wishes for moving forward.

Thanks are sent to the Learning and Development Manager for his help in planning the visit and to all concerned for their politeness and professionalism.

The Council should be commended on its determination to continuously improve.

Signed: *Irene Banham*

Investors in People Assessor

Date: 20 January 2009

APPENDIX: Summary of findings against each Principle and Indicator of the Investor in People Standard

Developing strategies to improve the performance of the organisation.

An Investor in People develops effective strategies to improve the performance of the organisation through its people.

1. A strategy for improving the performance of the organisation is clearly defined and understood.

The Cherwell District Council's Strategic Planning Framework is comprehensive and incorporates the key themes of the Local Development Framework Core Strategy with a linked Community Plan taking the longer-term vision for Cherwell. This then leads onto a Corporate Plan indicating medium term strategies and priorities, which ultimately lead to the creation of annual Service Plans setting the scene in terms of objectives, key actions and targets for each of the Service Areas, which via an Annual Performance Review system, captures individual staff objectives.

Clear and concise measures are included as part of the Strategic Planning Process. For example:-

- Increase satisfaction levels with the local area as a place to live.
- Reduce levels of crime by 5% as shown guided by the Home Office crime indicators and achieve a perception of feeling safe in Cherwell by 80% of residents.
- Adopting a Customer Access Strategy setting out how services can be delivered to all sectors of the Cherwell population.

The Council has retained a series of BVIs (Best Value Indicators) for 2008/09. These were extensive and publicly displayed and include:-

X% of new homes on previously developed land

X% tonnage of waste recycled

X% of invoices paid on time

X% of appeals against refusals upheld

“We are working towards being in the upper quartile of all local authorities on the overall customer satisfaction with the Council.”

“The Chief Executive delivers regular Power Point updates on how the Council is progressing and issues linked to accommodation changes

and the re-structuring that has taken place.”

“These lead to a cascade process where Council-wide messages are added to at Service Area level.”

“CMT meetings last for half a day, twice a year and there’s good business done at these. We work to clear terms of reference and a joint agenda.”

The Council recognises various Trade Unions. Interviewees commented on the low membership that exists noting that other avenues are available to encourage people to be involved in some element of shaping the future of the Council. Formal and informal TU/Management meetings take place, these are minuted, actioned and shared with all staff irrespective of whether they are members of a Trade Union or not.

Managers and staff commented on how relationships between themselves and the representatives of Trade Unions were working well noting that one particular area in which Representatives were heavily involved was moving away from Performance Related Pay. ***“This could have been very difficult but we worked together to get a solution that best suited the Council and members.”***

“As Representatives we are fully aware of the pending Job Evaluation exercise that is coming up and in some way we worked with the Council to get a bit of an extension before embarking on this process to avoid too much change too quickly for staff.”

“We all know that the Council has been through a period of rapid and fundamental change that has transformed the way we do business and the results are a dramatic improvement.”

The Executive Management Team meets monthly with staff from across the Council being invited to attend to provide updates on projects they are involved in.

What makes strategic planning a strength is the amount of involvement and collaboration that takes place in that:-

- The Chief Executive and her team of Directors hold regular full-staff briefing sessions on issues facing the Council. Notable and commendable is that these are held at various locations within the Council giving staff every opportunity to attend and not necessarily in their own area. ***“We issue the dates so that people can dip into the one that best suits.”***

- Heads of Service involve their direct reports in terms of setting and agreeing high-level priorities for their Area using monthly Service Performance Reviews to highlight areas in need of improvement. ***“We also use annual Away Days to carry out SWOTs to ensure real ownership exists.”***
- Members of the wider management team engage their teams in reflecting on Service Plans before they are issued to gain buy in and this leads to a clear line of sight between priorities for the Council, Service Areas and those for individuals.

As a result, members of staff could easily explain the objectives of their team and the organisation at a level that is appropriate to their role, placing their objectives and thus contribution into perspective including:-

“I deal with the Choice Based Lettings System so work to timescales by ensuring that I get properties onto the website. This helps the Council meet its KPIs in this area.”

“Patrolling the streets which is all part of making Cherwell a safer place to live.”

“Dealing with customers face to face and wrapping up enquiries within an agreed timescale.”

2. Learning and development is planned to achieve the organisation’s objectives.

The Post Recognition Review identified that the Council has adopted a top down and bottom up blended approach to learning and development. Council-wide priorities included Leadership and Management Development acknowledging that managers are crucial to the continued success of the Council.

“The super One Stop Shop at Bodicote House (Head Office) lends itself to delivering high quality customer service. It’s been a big investment and our Customer Services Team are really meeting expectations. A priority for us was Customer Care and Equality Training for this team.”

Other examples of learning and development priorities linked to aims of the Council include:-

Aim: To provide a framework of national and local governance.

Learning and Development Priorities to include: Induction, The Role of the Councillor, Code of Conduct, Local Government Finance and Local and

National Frameworks.

Aim: Customer Care and Equalities:

Learning and Development Priorities: Enhancing the Customer Experience, Conflict Management, Call Handling, Influencing Skills and Equality and Diversity.

Linking to Indicator 8 below, learning and development is well planned and is effective and could be seen to link to the strategic needs of the Council.

Heads of Service and their direct reports who in turn line manage others provided sound examples of planned learning and development for their teams citing:-

- **Human Resources** team which exists 'to help enable the full and competitive delivery of the Council's services through the development and delivery of a clear HR Strategy that ensures workforce alignment with strategic priorities'. Learning and development priorities included re-aligning the team's approach to how HR Managers work in partnership with Heads of Service through **widening their understanding of business and commercial issues** faced by each service through a culture of sharing and learning. ***"We give advice and guidance to Service areas which includes updates on key legislation. Maintaining this level of awareness for them is crucial."***
- The Customer Service and IT team which exists 'to explore ways to deliver improved Council-wide services at reduced costs' ensure learning and development includes **broadening their understanding in mobile telephony and maximising the investment in new technology by developing and implementing a corporate GIS Strategy and Action Plan.**

Notable within the Council, is the sharing of knowledge and skills within and, increasingly across, each of the Service Areas. This is commendable.

As can be seen from Areas for Continuous Development, there remains room for improvement in terms of evaluating the Council's investment in all aspects of learning and development. Currently, evaluation methodologies include:-

- Using the Annual (and interim) Appraisal Performance Process.
- Using the Service Performance Reviews to note performance improvement including review of KPIs and BVIs.
- Observation and shadowing to test out new knowledge.
- Using one-to-one feedback sessions between the trainee and their line manager and evaluation forms immediately following the development

activity.

Whilst plans are in place to centralise the Council's Training Budget, currently Training Budgets are devolved to Service Areas as each Head of Service is required to manage all aspects of their Area.

Staff within the Council have access to at least an annual and recently improved Performance Appraisal and this is the main mechanism used to encourage staff to reflect on their development needs prior to their confidential discussion with their line manager.

“We also discuss training at Team Performance Reviews and even Team Meetings.”

“Training opportunities are frequently discussed around the desk on a daily basis.”

Many examples were provided to demonstrate planned learning and development including:-

- Using the training packages that accompany the various new systems introduced across the Council. ***“This is tailored training as we learn it at our desk so work on our own data rather than hypothetical data in a classroom.”***
- Being part of the broader management development lunch time sessions on key issues such as Recruitment and Selection, Sickness Absence and Performance Appraisals. ***“When you are first promoted, these sessions give you not only the skills but also the templates and tools. HR put a lot of templates and guides on the Intranet.”***

“We do our own NVQs in Benefits, these are called Acorn and they are run jointly with another authority plus they lead to a BTEC in Homelessness.”

“Self development for me linked to managing change and dealing with difficult people. HR helped with this.”

“The Corporate Induction Programme gives people an immediate feel for the complexity of working for a District Council.”

3. Strategies for managing people are designed to promote equality of opportunity in the development of the organisation's people.

Members of the Senior Team described strategies they have put in place to create an environment where everyone is encouraged to contribute ideas to improve their own and other people's performance. ***“Recognising our staff features in our Improvement Strategy as we realise they are the only asset we really have.”***

Strategies include every member of staff having access to:-

- Two-way communication.
- Feedback on their performance via the annual Performance Appraisal process.
- Monthly, quarterly – certainly regular – one-to-one bilateral sessions with their line manager.
- Flexible working hours.
- Learning and development linked to job role and career aspirations.

CDC takes into account the different needs of staff in terms of the support indicating that the emerging culture of the Council focuses on inclusiveness for the Community it serves and also its people.

“Equality and diversity is meaningful in the Council. We try to be user friendly and family friendly in terms of being flexible and supportive.”

Equality of access emerged as a strength in that not only were no issues of inequality found but this was supplemented by a range of examples provided by Heads of Service and the wider management team in terms of how they remained flexible in order to support their team. They commented on how:-

- They encouraged flexible start and finish times for all, noting that as long as adequate cover was provided at all times; staff were trusted in terms of arrival and departure times.
- They actively encouraged and supported requests for part time working demonstrating high levels of trust when team members had a need to leave the office to deal with a personal issue.
- They made sure innovation came into discussions looking at how best an individual development need could be met.

There is a high-level belief that managers are genuinely committed to making sure staff have appropriate and fair access to the support they need and there is equality of opportunity for them to learn and develop which will improve their performance. ***“We have a mature Equal Opportunities in Employment Policy which demonstrates our commitment to treating all staff in a fair and equal manner.”***

Managers commented on how their staff are encouraged to make use of a range of opportunities for them to develop including using e-learning at their desk when working through ECDL rather than attend evening classes. In addition, they commented on being guided to choose between following an NVQ approach to learning or using guided distance learning as their preference.

The Review identified how a blend of opportunities are provided designed to meet the time constraints, commitments and learning styles of individuals including putting all customer service staff through the same basic training module and then tailoring follow up sessions based on the needs of individuals.

“At the Service Depot we’ve introduced NVQs in Waste Management so at last we can gain a qualification.”

“Cherwell also has an Age Discrimination Policy and if you want to, you can work beyond retirement. It applies to anyone.”

“If I miss a meeting, the notes will always come my way.”

Increasingly the environment in the Council is one of encouraging staff to take ownership for their role and their performance. Staff confidence has been shaken during the turmoil of change through which the Council has gone.

However, interviewees commented on how they are encouraged to reflect on how best they can adapt processes and systems and indeed introduce a new process to help them to perform more effectively in their job role.

“I re-designed our database, broadening the fields so that we could put more key information into each field. The entire team benefited from this.”

“Our systems were too inflexible so we changed our approach and now people are telling us our approach is more pragmatic.”

“We brought two teams together and gave the group the task of picking out the best practice in each team for sharing.”

4. The capabilities managers need to lead, manage and develop people effectively are clearly defined and understood.

CDC has for some time used a Management Competency Framework, which over the past year has been used to underpin the Leadership for Excellence Training through which the Extended Management Team has progressed. Notably this is an area of focus for the Council as it evolves a set of Core Values.

The CDC Competency Framework currently includes:-

- Delivering results.
- Delivering customer satisfaction.
- **Delivering with others** e.g. people with diverse talents work together to achieve a shared goal.
- **Leading people** e.g. people have a clear sense of direction and feel valued.
- Delivering personally.
- **Communicating and Influencing** e.g. messages are clear, persuasive and consistent.

“CMT and Heads of Service have recently completed their development programme and now the next tier is going through a similar – but not the same – development programme.”

As part of the Post Recognition Review, the Assessor attended a variety of ‘live’ meetings including one session of the ILM accredited Management Development Programme where some five Team Leaders were attending a crucial session on ‘Dealing with Change’ and understanding the process through which themselves and their staff would go.

Managers described what was expected of them including supporting their staff and helping them to perform to their potential; providing constructive feedback at least annually to each member of their team and bringing learning and development opportunities to the attention of their team and helping make them happen.

“It’s my role as a Team Leader to manage the performance of my team; their success is my success.”

When asking members of staff what they could expect from their Managers they quoted:-

- Being treated with respect.
- Being treated in a fair and equitable manner.
- Being encouraged to grow in their job role.
- Being listened to.
- Being supported on training courses.
- Being part of an open and transparent communication process.

- Being in receipt of regular and constructive feedback on their performance.

The Assessor found pockets of exceedingly good practice, including the Council's approach to the Excellence in Leadership programme. However, interviewees at all levels commented on how there appeared to be a plethora of management development sessions taking place but that they lacked coherence.

Taking action to improve the performance of the organisation.
An Investor in People takes effective action to improve the performance of the organisation through its people.

5. Managers are effective in leading, managing and developing people.

Despite the need for increased clarification in terms of defining the knowledge, skills and behaviours required of managers, management effectiveness is considered to be a strength. The added rigour suggested will bring managers in the Council into line with those noted as 'best in class' within the business community.

Leaders and those with line management responsibility described how they:-

- Bring staff into the planning process in terms of setting priorities for the Service to which they belong.
- Show an interest in their staff noting them as individuals and "certainly not" as job holders or just being members of their team.
- Arrange a schedule of team meetings well in advance so that staff have every chance of attending despite being part time or having other demands on their time.
- Adopt an open style of communication designed to maximise the opportunity for staff to give their input.
- Conduct meaningful one-to-one sessions leading to a comprehensive end of year Performance Review.
- Bring learning and development to the attention of their staff noting their preferred style and taking note of their working patterns.
- Encourage staff to shadow each other and colleagues in different teams as part of broadening the scope of people's knowledge and understanding.

Being effective in terms of leading and managing staff, managers commented on how they ensured that every member of staff had some access to regular feedback on their performance and how they personally made sure that they used the Performance Review process to the full. This included noting high performers and rewarding this accordingly and never ducking performance judged to be below par.

As mentioned elsewhere in this report, there was a strong belief from staff that they would receive the support they needed.

The performance feedback process requires that everyone has at least a formal, Annual Review with his or her line manager. However, interviewees added that this process was supplemented with monthly/quarterly one-to-one sessions. Interviewees also commented on how both success and under-performance was noted.

Notable is that managers do not duck issues linked to under performance commenting that as the Council strives to raise its standards even higher everyone's contribution needs to be of a high standard.

“We deliberately take time out as a team to discuss issues trying to avert problems.”

“I’ve given one of my team an external coach to help her step up to the challenge of promotion.”

Interviewees commented on the effectiveness of their line manager adding that they:-

- Encourage them to take calculated risks knowing they will get the support they need if they make a poor judgement call.
- Demonstrate a broad range of knowledge and willingly share this with them.
- Keep them well informed so that they operate with confidence when dealing with a member of the public.
- Listen and encourage them to challenge the status quo to see where improvements can be made.

They confirmed the rigour that accompanied the Annual Performance Appraisal process, how they are given time to prepare, how they are encouraged to collect a wide range of evidence to demonstrate their past performance and to come up with meaningful and realistic targets for the coming year.

“I’ve never enjoyed my job so much.”

“X is a brilliant manager.”

“Approachable and yet will show the big stick if need be. We know we are safe with her.”

“X tries to keep us engaged and interested and she knows when we perform best.”

6. People's contribution to the organisation is recognised and valued.

It is acknowledged that the Council's success depends largely on the time and effort and ideas that people put into helping it achieve its objectives. Furthermore, there is a concerted effort demonstrated by the Extended Management Team in terms of helping people to feel valued and appreciated for their contribution.

This is an area that has seen significant improvement over the past six months. Good practice improvements included:-

- The operation of a 'Back to the Floor' programme which notably is about to be re-run and will provide members of staff with the chance to spend time shadowing members of the Corporate Management Team. ***"I shadowed a member of staff in Environmental Health. It opened my eyes to the skills held by staff as an incident arose which was professionally tackled and handled on the spot." "One of the Directors ended up making the tea and serving this to staff."***
- Weekly messages from the Chief Executive which provide user friendly updates on issues facing the Council... ***"These let me know our CE is human and carries a tremendous amount on her shoulders."***
- A Management Conference which brought members of the Corporate Management Team and the Extended Management Team together for brainstorming/networking sessions.... ***"These were designed to engage managers across the business who were feeling uncertain after so much change." "I was able to go back to my team and give them a realistic update on what the Council is planning now. This included such things as reflecting on the impact of Job Evaluation which the Council goes through in the next few months."***
- An annual luncheon to celebrate achievements throughout the year.

Managers explained that recognition is formal and informal with verbal and written (email) thanks, together with opportunities for people to join in with social activities and be part of high level projects which cut across the Council. ***"The Christmas message from the Chief Executive and the Leader of the Council meant a lot to me and my team."***

"The CE and Leader of the Council have a programme of visiting the various sites. This has raised both their profiles. The Leader of the Council has a terrific sense of humour and people warmed to him."

They also commented on how they themselves receive thanks from members of the CMT linked to achievement of their own objectives and how they then ensure that their staff know how they personally have contributed to these achievements.

Clarity of job roles combined with the skills needed for the job enabled

interviewees to describe the contribution they make and how they know they make a positive difference.

“We now have easier access to the CMT. The CE said she was disappointed that no one has responded to her weekly emails, so now I write regularly.”

“The ‘Changing Places’ (some called it Changing Rooms) newsletter gave us regular updates in terms of office moves, desk layout and how this would impact on staff. Most of us are now in an open planned environment. At first it was distracting but now I see people walking through and it’s good.”

“It used to be like a hotel. You could arrive in the morning, go along your corridor and not see anybody. It’s not like that now.”

“We’ve been offered NVQs in Waste Management. Now that’s good.”

7. People are encouraged to take ownership and responsibility by being involved in decision-making.

Discussions with the middle and junior management team identified how they promoted a sense of ownership and responsibility by encouraging people to be involved in decision-making.

This is the second area of improvement that has taken place during the past six months. At the time of the June 2008 Post Recognition Review, the Council was poised to enhance ways in which it engaged with members of the wider management team noting that.... ***“The result of the June Review gave us the impetus to bring these changes forward.”***

Enhancements to encourage staff at all levels to take ownership and responsibility by being involved in the decision-making process included involving managers in the design of a ‘next steps’ leadership/management programme with focus being placed on the softer skills needed in order to be effective as managers.

In addition, an ongoing revamp is taking place of the Appraisal process. This will include quarterly bilateral sessions between individuals and their line manager, clarification of a line of sight between objectives for the Council, those for each Service Area arriving at desk level giving staff the full picture so that they can become more engaged in making decisions in terms of how they can improve their performance.

“Detailed feedback is being presented on staff survey responses to show that we are being listened to.”

“The Chairman’s tour has been re-started giving staff at almost every site the chance to ask direct, strategic questions and make suggestions to the Chairman and CE; they came armed with boxes of chocolates to share with us too.”

Managers commented on how being part of a Trade Union was encouraged and that whilst TU membership was relatively low but meaningful, there were in theory many other opportunities to be part of the decision-making process.

“As TU Reps we’re involved in the accommodation project and planning how to get involved in the Job Evaluation project coming up in September.”

“I (TU representative) have a real feeling of inclusion.”

Staff commented on how they were feeling more involved noting suggestions such as:-

- Being part of the decision-making process in terms of the ‘next steps’ leadership/management programme. ***“We have been brought into the strategic thinking process with HR.”***
- Attending the Management Conference with fellow managers and using syndicate sessions to highlight the softer skills they believed they needed in order to fully support their staff during the coming Job Evaluation process.

“The new Learning & Development Manager has had an impact on us as managers. He works with us to facilitate cross-department training which is breaking down barriers that previously had been there for years.”

“Training is now more focused. It ticks all the boxes for me and my team yet gives us a choice and we decide which will be best.”

“Our manager gave us responsibility for deciding on a workable annual leave rota. We have to provide 24/7 cover but its noted that we also have a life. He trusts us to make it work without adversely affecting service delivery.”

“I took the decision to apply to become a Buddy to new staff in our area. This was taken on board and I was given training on this.”

8. People learn and develop effectively.

As mentioned elsewhere and despite the need to tighten up on the evaluation of learning and development, training is effective in the Council and there is considerable evidence of staff being promoted as a result of increased knowledge and ability.

Managers described how they make sure people's learning and development needs are met including making full use of the annual Performance Appraisal Process and supplementing this with regular one-to-one sessions used to monitor performance and the ways in which staff training is helping with this.

They added that Service Performance Reviews and team meetings are used to meet development needs through shared events, e.g. updates on the new Housing Act Legislation.

“At the back of each Appraisal there is a Personal Development Plan, we note these and then send the back page off to HR who takes a collective view and arranges corporate style development sessions.”

Discussions with staff demonstrated a significant amount of meaningful learning and development taking place. They described how their learning and development needs had been met, what they had learnt and how they had applied this to their role.

Examples included:-

- A wide range of staff who are working through ECDL all of whom commented on how they now know how to manage their email folders; create Council-style letters and forms and use spreadsheets extensively.
- Fire Safety Course – ***“Did the 999 course. I feel more prepared for an emergency.”***
- Dealing with Difficult Situations – ***“Customers can get agitated and upset so you have to know how to calm them down and then you can help them.”***
- Attendance on a formal Contract Management Course which was so good that the Council is now bringing the trainer in house to deliver to a group of staff.

People who were new to the Council, and those new to a role, described how their induction had helped them to perform effectively. The Review included a focus group with new staff and also meetings with several staff who had been promoted or had changed roles. Examples to demonstrate the effectiveness of this process included:-

- A highly energising Corporate Induction.
- A tailored Service Area Induction.
- A programme of observations and meetings with key players.
- Meetings with external agencies.
- Excellent line management support.
- Visits to various sites including a tour around the Council.
- Structured learning and development linked to the needs of the job.
- A process that led from Probation naturally into performance review.

“A really very good Induction. Quickly got the shape of the Council and understood some of the politics that come with working in local government.”

“Genuinely good boss who keeps me informed.”

“I’m as happy as Larry in my new job.”

Staff who had changed role also commented on how they had an Induction to their new role and where possible a handover took place. The key element that every member of staff mentioned was the on tap support irrespective of role and how Induction seemed to just phase out to be replaced by an Appraisal process.

Evaluating the impact on the performance of the organisation.

An Investor in People can demonstrate the impact of its investment in people on the performance of the organisation.

9. Investment in people improves the performance of the organisation.

CDC makes a significant investment in learning and development; it invests heavily in all forms of resources and notes the direct costs which is in the region of £X000 per Service Area and also takes note of the subsistence costs.

As can be seen from the areas of development covered in the Executive Summary of this report, this is an area that will benefit from improvement.

Resources include making use of:-

- Courses offered across the Council by the in-house training team.
- IT courses offered by the IT team.
- External experts either brought in to deliver in-house training or through external training events.
- Conferences/Seminars offered by a range of Professional Bodies.

Linking to Indicator 2 above, each Head of Service holds a Training Budget which they monitor in line with all other expenditure. As such, there was a good awareness of the cost of training in all areas and the benefits including Customer Services training using the One Stop Concept showed true value for money as on its busiest day, the Customer Service Unit answered X% of calls within the targeted timeframe. Additionally, the investment in the EMT Management Development Programme has resulted in an empowered team who are making their own high level decisions. A team whose negotiation skills have seen significant improvement resulting in considerable cross-service working where previously, Service Areas were noted as ‘silos’ and a team who are seeing increased vfm (value for money) reviews.

Gradually, CDC is using the evaluation of its investment to develop and improve its strategy with examples being provided by a wide range of staff including changes in removing the separate Planning Reception, which created the need for members of the CSU team to gain the basics of planning so that they could deal with initial queries. The resources used included the Planning Management Team who are going through strategies in terms of the flow of the Planning Process followed by short bite sized sessions delivered by Planning Officers using a Planning Screen.

Notable within the Council is how the senior and also wider management team seek to ensure that they use their evaluation process to develop their strategy for improving the overall performance of the Council. Examples were many and includes a comprehensive review of the Performance Appraisal process which, linking to the Management and Leadership Development Programme (below), has for the senior team included 360 degree feedback and reflection. They also include the design and creation of a Management and Leadership Development Programme to provide managers with the knowledge and skills they needed to meet the improvement agenda set by the Council.

“We’ve improved our approach to cascading objectives too and look to see a Golden Thread running through the Council.”

Examples of organisation, team and individual performance improvements as a result of support for learning and development included:-

Activity	Improvement to Individual Performance	Improvement to Team Performance	Improvement to Council Performance
Leadership and Management Development Programme	<i>“For me it was all about developing some shared values and understanding my peers.”</i>	<i>“As a senior team we are gelling as a team; people say they see less conflict and this is having a positive cascade effect on our direct reports.”</i>	<i>“Empowered to make Council-wide decisions; increased awareness of performance and performance issues and how as a team we can tackle them, all of which have increased our vfm scoring.”</i>
Customer Friendly Writing Course	<i>“Being able to write succinct and yet user friendly reports and letters.”</i>	Established the use of ‘plain English’ writing in the Customer Services Team.	Establishing standardisation of reports/letters across the Council resulting in the avoidance

			of complaints and mis-understandings.
Diversity Works across the Council	<i>“Understanding the Best Value Performance Indicators and how to avoid using the wrong language or taking inappropriate action.”</i>	<i>“Similar language used within teams coupled with greater understanding of linked legislation means that we feel we operate on firmer ground in terms of Equality and Diversity.”</i>	The Council is reducing its risk of being seen as discriminatory and is thus reducing its risk of liability.

See Indicator 10 below for further examples of improvements.

10. Improvements are continually made to the way people are managed and developed.

As mentioned above, the Council seeks to continuously improve knowing that it cannot stand still if it wants to remain in the upper quartile of high performers.

In the past two years the Council has been through significant turmoil and change; indeed change was viewed as endemic in all areas of the Council. Notable is that the Change Management Programme, through which the Council has gone, has been focused on turning the performance of the Council around so that all aspects of service delivery could see performance improvement.

“Cherwell’s One Stop Shop approach to customer service is being hailed as a model of good practice.”

Members of the senior and wider management team commented on how they have introduced, reviewed and or refreshed all of the Council’s strategies for managing and developing people resulting in:-

- An organisation structure that now operates with clarity with a new Extended Management Team made up of the Chief Executive, Strategic Directors and Service Heads. This includes some 22 people and is supported by a new Service Management Team. ***“Truly delegating operational aspects to the drivers of continuous improvement.”***

- A cascade communication process showing a golden thread linking the needs of the Council to Service Areas moving down to individual desk level.
- A development culture that is notably moving away from a 'Training Course' Culture to one of 'ongoing development'. ***“A learning environment is how we want our staff to view Cherwell.”***
- A competency framework linked to enhanced service delivery.
- A process of Individual Performance Management as a result of the enhanced Appraisal system which encourages full ownership.

The above are but a few of the many improvements that have been introduced in the Council.

Examples of improvements cited by staff included:-

- Introducing structured one-to-one sessions to supplement the annual Performance Appraisal process.
- Making extensive use of internal and external mentors for newcomers or those changing roles.
- Introducing weekly email updates on performance improvements in the Council.
- Increased focus placed on discussing training and development at team meetings.
- Introducing a full and structured competency framework.
- Adding a three-month follow up on learning and development in some areas of the Council.
- Benchmarking with other Authorities and arranging shared learning sessions.

COMMERCIAL IN CONFIDENCE

Cherwell District Council

INVESTORS IN PEOPLE ACTION PLAN

June 2008

Cherwell District Council

INVESTORS IN PEOPLE ACTION PLAN

June 2008

Our Investors in People Review took place during week commencing 16 June 2008.

Due to an extended period of significant change in the run up to our 2008 Post Recognition Review, our Investors in People Assessor found that not all parts of the Standard continue to be met. Two Indicators of the Investor in People Standard were not fully met and these linked to the culture of the Council which had not fully been able to embrace the amount and speed of change required.

This action plan has been put together in response to those findings, and demonstrates the full commitment of the organisation to return to the Standard. It details the actions to be taken for each indicator 'not met' to bring us back to the requirements of the Standard.

We understand that our ability to retain our recognition status while working through the action plan is at the discretion of the Quality South East Investors in People Recognition Panel, and that the Panel will only grant 'Retaining Recognition' status if it is satisfied that we remain fully committed to achieving the Standard once more, subject to a time-bound and robust action plan as detailed below.

We understand that we have a maximum of two years from the date of our last review to return to the Standard, but we should aim to return to the Standard more quickly if possible. Our Assessor has indicated that she firmly believes that the Council will be fully back to Standard within one year and we have agreed that she should return on 13 November 2008 for an interim check and then in June 2009 to conclude the process.

We do understand that as a condition of granting 'Retaining Recognition' status, the Panel may require the Assessor to return at an earlier date to monitor our progress and give a report to the Panel.

We submit this action plan to the Recognition Panel for its consideration.

A handwritten signature in black ink, appearing to read 'Mary Harpley'. The signature is written in a cursive style with a large, sweeping flourish at the bottom.

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Mary Harpley
Chief Executive
July 2008

Indicator 6: People contribution to the organisation is recognised and valued:**Requirement for this indicator:**

An organisation's success largely depends on the time, effort and ideas that its people put into helping it to achieve its objectives. To make that kind of effort, people need to feel that what they do make a difference and are appreciated by their manager.

The assessor is looking to see that there is a culture of measuring individual performance so managers are able to understand the contribution people make. Secondly, there must be evidence that managers let people know how much they value their input to the organisation. Because of this, people will feel valued for making a positive difference and be able to give examples of how they personally feel valued and that they make a difference.

Current situation – as found by the assessor:

Relevant Evidence Requirement	As found by the Assessor	Action to be Taken and person responsible for ensuring that the action takes place	Planned Completion Date	Expected outcome (How we will know the action has been successful)
6.1 Managers can give examples of how they recognise and value people's individual contribution to the organisation.	Managers commented on how the Performance Appraisal process is used to acknowledge the jobs that people do. However, due to uncertainty still felt by many members of the middle and wider management team themselves comments like "We are all in the same boat and feel uncertain in terms of feeling fully part of the new structure" and "The CMT and even EMT seem to be out of touch with us" demonstrate that a culture of valuing is not yet consistent	Develop a recognition strategy to include: <ul style="list-style-type: none"> ▪ An annual celebrating success event such as a lunch hosted by the Chief Executive [HR] ▪ Develop policy and budget for 'players player' or similar, determined by DMTs [CSM] ▪ Encourage participation in national awards and events such as the LGC Challenge and PFA [Service Heads] ▪ Develop a programme of 	Spring 2009 Oct 2008 On-going April 2009	Consistency will exist in terms of how managers acknowledge the contributions of their staff. Clarity will exist in terms of what is expected of managers in the Council in respect of valuing staff and letting them know their contribution is acknowledged. Managers will be actively involved in raising the profile of the Council in terms of participation in National Events. They (managers) will be able to see the difference they make and will

	across the Council.	soft skills development for line managers at all levels, to complement the Leading for Excellence programme [L&D Manager]		realise that effective management and valued staff is crucial to the success of the Council. Managers will be demonstrating the softer skills aligned with the sharper skills required of them.
6.2 People can describe how they contribute to the organisation's success and believe they make a positive difference to its performance.	Job roles were clear and people confirmed how the Appraisal process is being consistently used to note roles and responsibility. However, morale remains at a low ebb in several areas of the Council, particularly in the HO areas. There is a view that CMT and EMT are not fully listening to their concerns.	<ul style="list-style-type: none"> ▪ Review appraisal process to ensure we clearly define what meets and what exceeds expectations [L&D Manager] ▪ Run an annual management conference to include all members of EMT and SMT to work on, and cascade, corporate issues [HR] ▪ Run 'back to the floor' days to provide opportunity for CMT to work with front-line staff ▪ Run Inside Cherwell campaign to raise the profile of new management groups and respective responsibilities [Comms] ▪ Use staff consultation group for policy review and involvement in decision 	<p>April 2009</p> <p>Oct 2009</p> <p>Oct 2009</p> <p>Sept 2009 onwards</p> <p>Underway and on-going (monthly)</p> <p>Sept 2009</p>	<p>Staff will be aware that their performance is being truly monitored and acknowledged as part of the Council's Performance Management system.</p> <p>Because Managers will come together on an annual basis to share good practice, people will be assured of consistency in terms of recognising and rewarding good performance.</p> <p>People will have easy access to the CMT and will be in a position to receive acknowledgement directly from CMT.</p> <p>Staff will have more of a voice as Representatives will be in a stronger position to raise issues of concern knowing that they (Representatives) have direct</p>

		<p>making [HR]</p> <ul style="list-style-type: none"> ▪ Develop more formal recognition approach through new HR Strategy [HR] ▪ Extend the Internal Review team and programme of Internal Reviews to support and help embed changes. 	<p>Sept and on-going (training scheduled for October)</p>	<p>access to senior managers.</p> <p>The number of staff who are trained as Internal Reviewers will mean that more staff will be actively involved in supporting the Council in terms of using the Investor in People framework for continuous improvement.</p>
<p>6.3 People can describe how their contribution to the organisation is recognised and valued.</p>	<p>Primarily this was through being able to describe their role. There remains uncertainty as changes and improved support mechanisms are not being felt by staff in a consistent way.</p>			<p>.As above</p>

Indicator 7. People are encouraged to take ownership and responsibility by being involved in decision-making.

Requirement for this indicator:

Common characteristics of high performance organisations are effective employee involvement and empowerment that enables them to have a greater role in the decision-making process.

Managers need to explain how they encourage people to be involved in the decision-making process, on an individual basis or through representative groups. They also need to demonstrate how they encourage people to take ownership and responsibility for decisions

made. People need to be able to describe how they are involved in decision-making at a level appropriate to their role, and how they are encouraged to take ownership and responsibility for decisions that affect the performance of the organisation.

Current situation – as found by the assessor:

Relevant Evidence Requirement		Actions to be Taken and person responsible for ensuring that the action takes place	Planned Completion Date	Expected outcome (How we will know the action has been successful)
<p>7.1 Managers can describe how they promote a sense of ownership and responsibility by encouraging people to be involved in decision-making, both individually and through representative groups if they exist.</p>	<p>Discussions with the wider management team described how they promoted a sense of ownership and responsibility by encouraging people to be involved in decision-making, both individually and through representative groups, where they exist.</p> <p>They described how being part of a Trade Union was encouraged but that TU membership was relatively low but meaningful as the Representatives were helpful and kept their members fully informed. <i>“As TU Reps we’re involved in the accommodation project and planning how to get involved in the Job Evaluation project</i></p>	<ul style="list-style-type: none"> ▪ Build in structured staff involvement opportunities to the service and financial planning processes [IT] ▪ CMT to regularly attend team meetings, cascade etc. [CMT] ▪ Ensure time is made available for meetings, training, involvement in team and corporate planning [HR] ▪ Expand use and role of staff consultation group (above) ▪ TU membership and role to be supported and developed [HR/TU] ▪ Ensure detailed feedback on all questions/comments to demonstrate listening/response on all 	<p>Underway and on-going</p> <p>Underway and on-going October 2009</p> <p>Underway and on-going April 2009</p>	<p>Managers in the Council will be actively involved in strategic planning for the Council and their Service.</p> <p>As a result, they will be better informed and will be in a position to engage their team members in issues of a strategic nature.</p> <p>As members of CMT will ‘guest’ at their meetings, managers will be seen to be the decision-makers by their staff and will note the support they are receiving from CMT.</p> <p>Increased ownership and thus confidence will be felt across the Council and managers and Representatives will receive comprehensive responses to questions they raise.</p>

	<i>coming up in September.”</i>	issues [EMT]		
7.2 People can describe how they are encouraged to be involved in decision-making that affects the performance of individuals, teams and the organisation at a level that is appropriate to their role.	Interviewees commented on feeling uncertain in some respects as they are not yet being able to fully commit to the way forward. <i>“I so want to move on but there seems to be some unrest amongst the more junior managers as many say they are in the same boat as us.”</i>	<ul style="list-style-type: none"> ▪ Extend soft skills development programme below SMT [L&D] ▪ Develop corporate values and commitments statements [HR] ▪ Service and financial planning involvement (above) ▪ Continue to develop the role of SMT as part of the leadership of the organisation through management conference and L&D programme 	<p>April 2009</p> <p>April 2009</p> <p>October 2008 and on-going</p>	<p>People will be in a position to take ownership; their managers will feel confident, informed and involved and thus they too will be more aware.</p> <p>People will see and note the values of the Council, which will include ‘delegation’; ‘empowerment’ and ‘involvement’.</p>
7.3 People can describe how they are encouraged to take ownership and responsibility for decisions	As above.			<p>The Performance Management process, team meetings and easy access to CMT will encourage people to put ideas forward for change, which will improve their performance.</p> <p>A culture of openness, involvement and encouragement will mean they feel confident.</p>

that affect the performance of themselves, teams and the organisation at a level that is appropriate to their role.				
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CHERWELL DISTRICT COUNCIL

PERSONNEL AND GENERAL COMMITTEE 29 APRIL 2009

REPORT OF THE HEAD OF HUMAN RESOURCES

UPDATE ON JOB EVALUATION PROJECT

1 Introduction and Purpose of Report

- 1.1 The purpose of this report is to provide an update on the current Job Evaluation project.

2 Wards Affected

None.

3 Effect on Policy

- 3.1 None.

4 Contact Officers

- 4.1 Anne-Marie Scott, Head of Human Resources (extension 1731)

5 Background

- 5.1 The Council commenced job evaluation in September 2008, following a requirement under the 1997 Single Status Agreement and 2004 National Agreement to do so. With target dates of September 2009 for completion of the job evaluation project agreed and an implementation date of 1 April 2010, the project has been making good progress, and is currently on time and within budget.

Any pay and grading review, including job evaluation, requires the inclusion at all stages of local Unison. However final sign off can only be made by the National Unison office before implementation can take place. At present the process from time of sending the proposal to the National Office and reaching final agreement is taking approximately six months. Therefore in order to try and ensure the implementation date can be achieved, final proposals need to be ready by September 09 with job evaluation be completed by no later than July 09.

Once the project is completed and a new pay and grading structure agreed the Council will have an equality proofed pay and grading structure in place that will ensure the Council is able to mitigate the risk of equal pay claims. This is especially important at present as both 'no win, no fee' solicitors and regional Unison offices are encouraging staff and Unison members to lodge equal pay claims, although there is currently little evidence to support any such issues within Cherwell. Without completion of the project this cannot be ruled out completely. Completion of the project will also support any future organisational outsourcing or shared services negotiations on the basis that the Council will be able to clearly state there would be no equal pay issues, and therefore no claims for any new organisation to contend with.

The project is being run in accordance with Prince 2 principles and consists of a Project Team and Project Board. The job evaluation project team consists of a Project Manager (from HR), a Staff Liaison Coordinator (seconded from a Community Safety post until 31

March 2010), three job analysts (temporary until August 09), and a part time Admin Assistant (temporary until August 09).

The Project Board consists of Cllr Wood, Mary Harpley (project sponsor), John Hoad (Strategic Director PHE), Jo Smith (Communications Manager), Anne Marie Scott (Head of HR), Karen Curtin (Interim Head of Finance), Geoff Bell (Staff Liaison Coordinator), Paula Goodwin (Project Manager) and a Regional Unison representative (Liza Nicklin).

5.2 The Greater London Provincial Council JE Scheme and Process

The Council has selected the GLPC job evaluation scheme (Greater London Provincial Councils) following a selection process involving the local Unison Branch Executive and the staff consultation group. The decision was based on best fit to the posts Cherwell needs to evaluate along with an ease of understanding of the scheme.

As a result of the decision to use GLPC the Council has agreed a contract with Northgate Arinso to provide consultancy along with training for the project together with the purchase of evaluation software called EVALUATE.

The GLPC scheme is based on evaluation of 11 factors consisting of the following:

- 1. Supervision & Management of People**
- 2. Creativity & Innovation**
- 3. Contacts & Relationships**
- 4. Decisions – Discretion**
- 5. Decisions - Consequences**
- 6. Resources**
- 7. Work Demands**
- 8. Physical Demands**
- 9. Working Conditions**
- 10. Work Context**
- 11. Skills & Knowledge**

In order to be able to evaluate posts up to Head of Service level, the Project Board have agreed the following process. This meets the requirements of the scheme and also those of Unison.

- Staff Briefings
- Completion of job related questionnaire (JDQ), and update of person specification and job description.
- Agreed questionnaire, person spec and job description as signed off by postholder, line manager and Head of Service.
- Discussion with postholder (s), line manager and job analyst.
- Post evaluated using information provided, and the EVALUATE software.
- Post moderated (consistency checked by a panel of four project staff)
- Outcomes agreed and staff informed (when all posts evaluated and proposed pay and grading structure agreed – Sept 09 at earliest)
- Appeals process available.

5.3 Benchmarking

The first phase of job evaluation was to complete a benchmarking process. This process is used during job evaluation to ensure the chosen scheme is 'fit for purpose' and also is used to be able to improve the documentation to support the process. In order to

undertake benchmarking a cross section of posts were selected using agreed criteria.

These included:

Manual/Office Based Roles

Full/Part Time

Roles within Groupings

Career Graded

Male/Female Dominated Roles.

Senior/Management Roles

Heads of Service/Project Managers to find a ceiling for evaluation.

45 posts were selected across the Council with approximately two posts being selected in each service area. The benchmark phase was completed on the 28 February 2009 with a week of moderation (consistency checking) with the consultant from Northgate Arinso to ensure the scheme was working as expected.

There were no concerns about use of the GLPC scheme for job evaluation purposes within the Council at the benchmark phase end. The project now continues with evaluation of the remaining posts within the Council.

5.4 Job Evaluation of Remaining Posts

Job analysts are currently booking appointments with managers and postholders for discussions about posts to take place. These are nearly all booked in and will take place between April and July 09.

Consistency checks will take place every Thursday between April and July 09, consisting of four panel members made up of HR, staff consultation members and Unison representatives. A week of final checks will take place once all jobs have been evaluated.

5.5 Pay Modelling

As posts are evaluated the information provided will be used to undertake pay modeling to develop a draft pay and grading structure along with a review of any related pay policies that currently exist such as car allowances, overtime and weekend working rates and standby. Once proposals are approved by Project Board, local Unison will need to consult with their members in order to agree a recommendation that can go forward to the National and Regional Unison offices. Implementation would be difficult without such agreement, but it is hoped this can be achieved for the planned 1st April 2010 implementation date.

5.6 Appeals Policy

An Appeals Policy is currently being drafted to cover any appeals in relation to job evaluation. Once agreed it is likely that this process will not commence until staff have been informed of the outcomes of job evaluation and the proposals for the new pay and grading structures. It is hard to ascertain how many staff may appeal against the decisions relating to job evaluation although this is generally estimated at 40%. Any appeals process is likely to include those Unison representatives and HR staff who have not been involved in the evaluation process to date, and is likely to take between half a day and one day per appeal for all those included in the process.

5.7 **Equality Impact Assessments**

This will need to happen once job evaluation is completed, and will be undertaken by Northgate Arinso who estimate three days for completion. This is required before any final submission can be made to National Unison for signing off the scheme to ensure there are no equality issues that need to be addressed.

5.8 **Project Considerations**

5.8.1 **Organisational Capacity**

There are currently approximately 275 posts within the Council that require evaluation using the new GLPC scheme by the end of July 2009. Although evaluations will continue to take beyond this date as roles change and the organisation either redefines roles or creates new ones, and once the scheme is agreed by National Unison will be used in the future for all posts up to Head of Service level.

In order to complete the evaluation of these posts in the timescales prescribed there has to be differing levels of input from line managers and postholders in order to complete (JDQ's) questionnaires, to update person specs and job descriptions and to participate in job analyst discussions. The following is an estimate of time required to complete this process by those involved:

Collation of data by postholder(s) to complete (JDQ) questionnaire – 2 hours

Completion of (JDQ) questionnaire – 1 day

Review and checking of questionnaire by line manager – 1 to 2.5 hours

Job analyst discussions (includes postholder, job analyst, and line manager) – up to 1.5 hours

(Note: where there is more than one postholder in an identical posts no more than three staff are required to participate at a discussion, although all are asked to contribute to the completion of the posts questionnaire – one questionnaire per post.).

It is therefore estimated that each post requires approximately 2 days of input from managers and postholders to be able to evaluate the post fully. This has shown to be a true reflection of the input required as the Council has already evaluated 45 posts as a requirement of the process during the benchmark phase of the project. Those included in this part of the process were asked for feedback in order to be able to ascertain what staff input was required along with ways to improve the process.

5.8.2 **Unison**

In order to complete and implement job evaluation and a new pay and grading structure, the Council is required to work with local and regional Unison offices to ensure the process is being undertaken in a way that meets the requirements of equal pay and single status legislation and agreements. Geoff Bell, Staff Liaison Coordinator, is working as part of the Project Team 3 days per week as both the Unison and staff representative on the project but also as the link between the local branch of Unison and the Regional Officer, Liza Nicklin. The local Unison branch and the project team have therefore been working well together, however there is currently some friction with the Regional Unison office who have recently issued a letter to all Unison members of Councils within the South East area who have yet to complete and agree new pay and grading structures. This included Unison members working at Cherwell, who were encouraged to place equal pay claims now, even prior to the completion of the project, and without the support of the local

Unison branch.

It is also understood from the consultant at Northgate Arinso that getting agreement nationally by Unison for new pay and grading proposals along with the job evaluation scheme is very often problematic due to National and Regional Unison offices wishing to protect themselves from any potential claims made by their members for not protecting members rights adequately.

The project team will continue to work with local members to ensure all that can be done through consultation to reach an agreed outcome, however this may provide to be more problematic when required to reach final agreement with the National Unison office.

5.8.3 **Speed of Internet Connection and Security of Data**

In order to evaluate the posts to complete job evaluation the Council is using the Northgate Arinso GLPC EVALUATE software. The software is web based and therefore access is through the Council's internet connection. Due to the speed of the connection, and this can vary throughout the day, this has impacted on the speed of the evaluation process linked to the speed of the software through the connection. Evaluation should take approximately 1 hour using the system however this has regularly been seen to take over two hours. ICT are currently trying to find an alternative solution to ensure the project can be completed in the prescribed timescales, but it would appear there are limited options.

ICT are also looking at ways to ensure that job evaluation and pay modelling data remain secure and confidential to those members of the project team that require access. Should information either be lost or accessed by staff prior to the completion of the project this could be detrimental to the whole project.

5.8.4 **Accommodation**

Due to recent accommodation changes there are less available confidential rooms for staff and analysts to be able to discuss posts as well as private and quiet space to be able to complete questionnaires within work time. As the space is needed for dedicated short period of time (April to July 09) the job evaluation team have been using the large and small ICT rooms as well as a HR meeting room to ensure this accommodation is made available to be able to complete the project on time, but also to support staff through the process as best as possible. This does however mean that these rooms cannot be utilised for any other purpose until job evaluation is complete.

6 **Risk Assessment, Financial Effects and Contribution to Efficiency Savings**

6.1 The following details have been approved by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566 and Karen Curtin, Interim Head of Finance, 01295 221551.

6.2 **Risk Assessment**

The risk associated with not completing the pay and grading review project is the potential for equal pay claims from staff and legal claims from other organisations as a result of TUPE transferred staff.

The risks to completion of the project include organisational capacity, which is already under pressure due to the financial situation and gaining agreement from the national Unison office. The project board are regularly appraised of the risks which may be escalated further during the final stages of the project.

6.3 **Financial Effects**

The financial effects of the process and implementation have been assessed and agreed separately by the Executive.

6.4 **Efficiency/Savings**

None.

7 Recommendations

7.1 The Committee is **RECOMMENDED** to resolve to take note of the progress of the project and the issues that have been raised.

CHERWELL DISTRICT COUNCIL

PERSONNEL AND GENERAL COMMITTEE

29 APRIL 2009

REPORT OF THE HEAD OF HUMAN RESOURCES

EMPLOYMENT STATISTICS QTRS 3 & 4, 2008-09

1 Introduction and Purpose of Report

1.1 This report details employment statistics, by Directorate, for information and monitoring purposes.

2 Wards Affected

2.1 Not applicable

3 Effect on Policy

3.1 None

4 Contact Officer

4.1 Anne-Marie Scott – Head of Human Resources (extension 1731)

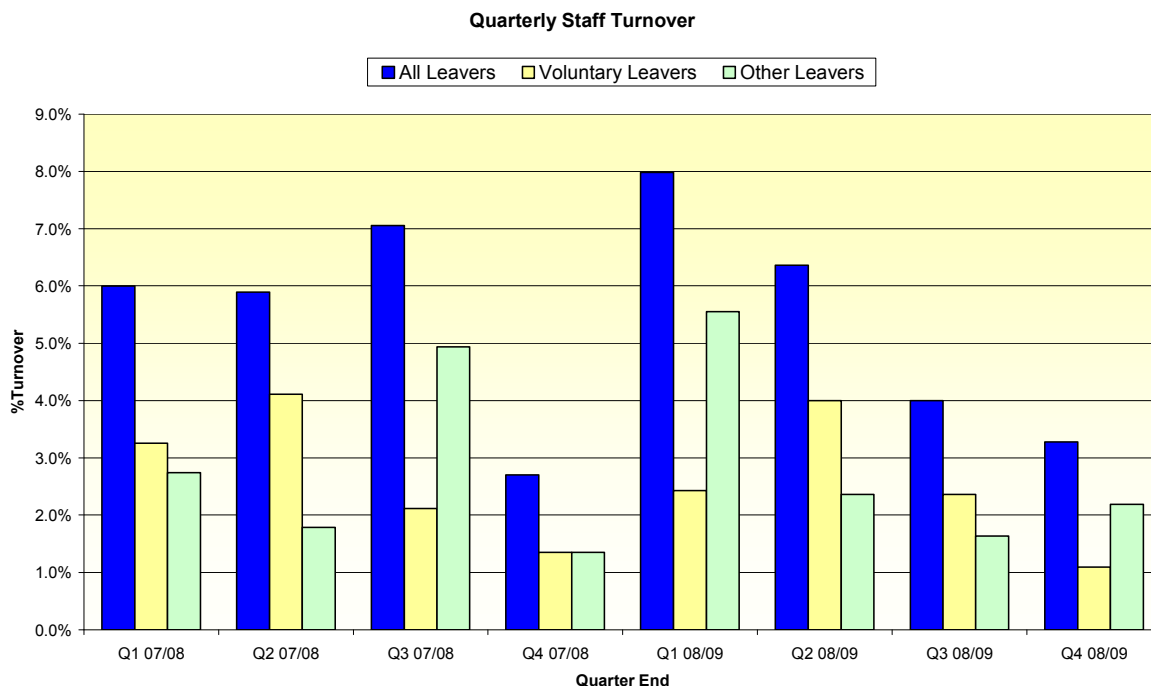
**5 Employment Statistics:
October to December 2008 and January to March 2009**

5.1 During the above period, the following quarterly changes took place in respect of individual employments. Staff transferred to other employers under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) are excluded from the statistics shown in this report.

	Oct-Dec 2008	Jan-Mar 2009
Permanent – Starters (incl. Internal Transfers)	17	16
Permanent – All Leavers	22	18
Permanent – Voluntary Leavers (Leaving CDC)*	13	6
Temporary and Casual – Starters	8	12
Temporary and Casual – Leavers	26	18

* excludes internal transfers, age retirements, early retirements and redundancies, ill-health dismissals and retirements, other dismissals and TUPE transfers.

5.2 The turnover rates for permanent and fixed term staff for these quarters and the previous year, are illustrated below.



*Voluntary Leavers excludes internal transfers, age retirements, early retirements and redundancies, ill-health dismissals and retirements, other dismissals and TUPE transfers.

5.3 The tables attached at Annex 1 and 2 contain details of numbers of permanent and fixed term employees at Cherwell District Council as at 31 December 2008 and 31 March 2009 respectively, by Directorate and Service area, and detail staff movement and corporate capacity for the quarter.

6 Risk Assessment, Financial Effects and Contribution to Efficiency Savings

6.1 The following details have been approved by Denise Westlake (extension 1559).

6.2 There are no risks associated with the contents of this report.

6.3 All financial effects of changes can be contained within existing approved budgets.

6.4 There are no efficiency savings arising from this report.

7 Recommendation

7.1 The Committee is **RECOMMENDED** to resolve to note the contents of this report.

Background Papers: None

Directorate	Service	Established		Filled		Vacant		All Including Internal Transfers				Leaving CDC		Voluntary Leavers		Staff in post at End of Q2	
		Posts	FTE	Posts	FTE	Posts	FTE	Starters	Leavers	Turnover	Corp Cap	Leavers	Turnover	Leavers	Turnover	Posts	FTE
Chief Executives	Chief Executive's Office	4	4.00	4	4.00	0	0.00	0	0	0.00	100.00	0	0.00	0	0.00	4	4.00
	Communications	5	5.00	4	4.00	1	1.00	0	1	20.00	80.00	1	20.00	1	20.00	5	5.00
	Community Planning	3	3.00	3	3.00	0	0.00	0	0	0.00	100.00	0	0.00	0	0.00	3	2.00
	Human Resources	18	17.14	17	15.90	1	1.24	0	0	0.00	94.44	0	0.00	0	0.00	17	15.90
	Totals	30	29.14	28	26.9	2	2.24	0	1	3.45	93.33	1	3.45	1	3.45	29	26.90
Improvement	Improvement	5	5.00	4	4.00	1	1.00	0	0	0.00	80.00	0	0.00	0	0.00	4	4.00
	Totals	5	5.00	4	4.00	1	1.00	0	0	0.00	80.00	0	0.00	0	0.00	4	4.00
Planning, Housing and Economy	Building Control & Tech Svs	14	14.00	12	12.00	2	2.00	1	0	0.00	85.71	0	0.00	0	0.00	11	11.00
	Development Control & MD	24	24.00	21	19.40	3	4.60	0	0	0.00	87.50	0	0.00	0	0.00	21	19.40
	Economic Development	8	7.54	7	6.54	1	1.00	0	0	0.00	87.50	0	0.00	0	0.00	6	5.54
	Planning & Affordable Housing	14	14.00	13	12.34	1	1.66	0	0	0.00	92.86	0	0.00	0	0.00	13	12.34
	Housing Services	35	34.57	29	28.27	6	6.30	1	3	9.68	82.86	3	9.68	3	9.68	31	30.30
	PHE Admin Inc Mgmt	26	23.34	26	23.12	0	0.22	2	1	4.00	100.00	1	4.00	1	4.00	25	21.66
	Totals	121	117.45	108	101.67	13	15.78	4	4	3.74	89.26	4	3.74	4	3.74	107	100.24
Environment & Community	Safer Communities & CD	30	29.00	28	27.40	2	1.60	2	3	10.34	93.33	1	3.45	1	3.45	29	28.00
	ENC Admin Inc Mgmt	12	11.00	12	10.95	0	0.05	0	0	0.00	100.00	0	0.00	0	0.00	11	9.94
	Environmental Services	117	115.05	108	107.40	9	7.65	1	1	0.93	92.31	1	0.93	0	0.00	108	107.40
	Recreation & Health	48	32.95	40	28.78	8	4.17	4	5	12.50	83.33	4	10.00	4	10.00	40	26.96
	Urban and Rural	30	28.00	28	26.06	2	1.94	2	1	3.45	93.33	1	3.45	0	0.00	29	27.06
	Totals	237	216.00	216	200.59	21	15.41	9	10	4.61	91.14	7	3.23	5	2.30	217	199.36
Customer Service & Resources	Business Services	47	33.18	46	31.57	1	1.61	0	2	4.44	97.87	2	4.44	2	4.44	45	32.30
	Customer Services& Info Sys	58	53.44	56	50.39	2	3.06	2	2	3.64	96.55	1	1.82	1	1.82	55	49.39
	CSR Admin Inc Mgmt	10	9.47	10	9.47	0	0.00	0	0	0.00	100.00	0	0.00	0	0.00	10	9.47
	Finance	21	21.00	19	17.62	2	3.38	1	0	0.00	90.48	0	0.00	0	0.00	18	16.95
	Exchequer Services	53	44.28	45	37.54	8	6.74	0	0	0.00	84.91	0	0.00	0	0.00	45	37.54
	Legal & Democratic	24	22.13	18	17.32	6	4.81	1	3	14.29	75.00	2	9.52	0	0.00	21	19.20
	Totals	213	183.50	194	163.91	19	19.60	4	7	3.61	91.08	5	2.58	3	1.55	194	164.85
TOTAL	Chief Executive	30	29.14	28	26.90	2	2.24	0	1	3.45	93.33	1	3.45	1	3.45	29	26.9
	Improvement	5	5.00	4	4.00	1	1.00	0	0	0.00	80.00	0	0.00	0	0.00	4	4.00
	Planning Housing & Economy	121	117.45	108	101.67	13	15.78	4	4	3.74	89.26	4	3.74	4	3.74	107	100.24
	Environment & Community	237	216.00	216	200.59	21	15.41	9	10	4.61	91.14	7	3.23	5	2.30	217	199.36
	Customer Service & Resources	213	183.50	194	163.91	19	19.60	4	7	3.61	91.08	5	2.58	3	1.55	194	164.85
	Totals	606	551.09	550	497.07	56	54.03	17	22	3.99	90.76	17	3.09	13	2.36	551	495.35

NB: Turnover is calculated on numbers of leavers as a percentage of staff in post as at end of previous quarter

Directorate	Service	Established		Filled		Vacant		All Including Internal Transfers				Leaving CDC		Voluntary Leavers		Staff in post at End of Q3	
		Posts	FTE	Posts	FTE	Posts	FTE	Starters	Leavers	Turnover	Corp Cap	Leavers	Turnover	Leavers	Turnover	Posts	FTE
Chief Executives	Chief Executive's Office	4	4.00	4	4.00	0	0.00	0	2	50.00	100.00	1	25.00	1	25.00	4	4.00
	Communications	5	5.00	4	4.00	1	1.00	0	0	0.00	80.00	0	0.00	0	0.00	4	4.00
	Community Planning	3	3.00	3	3.00	0	0.00	0	0	0.00	100.00	0	0.00	0	0.00	3	3.00
	Human Resources	18	17.14	15	14.36	3	2.78	0	0	0.00	83.33	0	0.00	0	0.00	17	15.90
	Totals	30	29.14	26	25.36	4	3.78	0	2	7.14	86.67	1	3.57	1	3.57	28	26.9
Improvement	Improvement	5	5.00	4	4.00	1	1.00	0	0	0.00	80.00	0	0.00	0	0.00	4	4.00
	Totals	5	5.00	4	4.00	1	1.00	0	0	0.00	80.00	0	0.00	0	0.00	4	4.00
	Filled																
Planning, Housing and Economy	Building Control & Tech Svs	14	14.00	11	11.00	3	3.00	0	1	8.33	78.57	1	8.33	1	8.33	12	12.00
	Development Control & MD	24	24.00	22	19.97	2	4.03	1	0	0.00	91.67	0	0.00	0	0.00	21	19.40
	Economic Development	8	7.54	8	7.54	0	0.00	1	0	0.00	100.00	0	0.00	0	0.00	7	6.54
	Planning & Affordable Housing	14	14.00	13	12.34	1	1.66	1	1	7.69	92.86	1	7.69	1	7.69	13	12.34
	Housing Services	35	34.64	32	31.35	3	3.29	2	1	3.45	91.43	0	0.00	0	0.00	29	28.27
	PHE Admin Inc Mgmt	26	23.34	26	23.12	0	0.22	0	0	0.00	100.00	0	0.00	0	0.00	26	23.12
	Totals	121	117.52	112	105.32	9	12.20	5	3	2.78	92.56	2	1.85	2	1.85	108	101.67
	Filled																
Environment & Community	Safer Communities & CD	30	29.00	27	26.40	3	2.60	1	1	3.57	90.00	1	3.57	0	0.00	28	27.40
	ENC Admin Inc Mgmt	12	11.00	12	10.95	0	0.05	0	0	0.00	100.00	0	0.00	0	0.00	12	10.95
	Environmental Services	117	115.05	108	107.40	9	7.65	3	2	1.85	92.31	2	1.85	1	0.93	108	107.40
	Recreation & Health	47	32.15	41	28.47	6	3.68	2	0	0.00	87.23	0	0.00	0	0.00	40	28.78
	Urban and Rural	30	28.00	28	26.06	2	1.94	1	1	3.57	93.33	0	0.00	0	0.00	28	26.06
	Totals	236	215.20	216	199.28	20	15.92	7	4	1.85	91.53	3	1.39	1	0.46	216	200.59
	Filled																
Customer Service & Resources	Business Services	48	32.86	43	28.82	5	4.04	1	3	6.52	89.58	3	6.52	1	2.17	46	31.57
	Customer Services & Info Sys	58	53.44	56	50.39	2	3.05	1	1	1.79	96.55	1	1.79	0	0.00	56	50.39
	CSR Admin Inc Mgmt	10	9.47	10	9.47	0	0.00	0	1	10.00	100.00	0	0.00	0	0.00	10	9.47
	Finance	21	21.00	19	17.54	2	3.46	1	1	5.26	90.48	1	5.26	0	0.00	19	17.62
	Exchequer Services	53	44.28	44	36.54	9	7.74	0	3	6.67	83.02	2	4.44	1	2.22	45	37.54
	Legal & Democratic	24	22.13	20	19.32	4	2.81	1	0	0.00	83.33	0	0.00	0	0.00	18	17.32
	Totals	214	183.18	192	162.08	22	21.10	4	9	4.64	89.72	7	3.61	2	1.03	194	163.91
Filled																	
TOTAL	Directorate	606	550.04	550	496.04	56	54.00	16	18	3.27	90.76	13	2.36	6	1.09	550	497.07
	Chief Executive	30	29.14	26	25.36	4	3.78	0	2	7.14	86.67	1	3.57	1	3.57	28	26.90
	Improvement	5	5.00	4	4.00	1	1.00	0	0	0.00	80.00	0	0.00	0	0.00	4	4.00
	Planning Housing & Economy	121	117.52	112	105.32	9	12.20	5	3	2.78	92.56	2	1.85	2	1.85	108	101.67
	Environment & Community	236	215.20	216	199.28	20	15.92	7	4	1.85	91.53	3	1.39	1	0.46	216	200.59
	Customer Service & Resources	214	183.18	192	162.08	22	21.10	4	9	4.64	89.72	7	3.61	2	1.03	194	163.91
	Totals	606	550.04	550	496.04	56	54.00	16	18	3.27	90.76	13	2.36	6	1.09	550	497.07

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Note: Turnover is calculated on numbers of leavers as a percentage of staff in post as at end of previous quarter

CHERWELL DISTRICT COUNCIL

PERSONNEL AND GENERAL COMMITTEE 29 April 2009

REPORT OF THE HEAD OF HUMAN RESOURCES

UPDATED RIGHT TO REQUEST FLEXIBLE WORKING POLICY

1 Introduction and Purpose of Report

- 1.1 The purpose of this report is to seek approval for the attached updated Right to Request Flexible Working policy.

2 Wards Affected

None.

3 Effect on Policy

- 3.1 None.

4 Contact Officers

- 4.1 Anne-Marie Scott, Head of Human Resources (extension 1731)

5 Background

- 5.1 Since 2003 parents of children under the age of six or disabled children under the age of eighteen have had the legal right to apply for flexible working under the Employment Act 2002 and the Flexible Working Regulations 2002, and in 2007 this right was extended to those with caring responsibilities for adults.
- 5.2 From 6 April 2009 this statutory right was further extended to parents with children aged 16 and under.
- 5.3 The Council's Request for Flexible Working Policy has been updated to include this change in legislation, and is attached at Appendix A.
- 5.4 The policy sets out the eligibility criteria for making an application for flexible working, and follows the statutory process and timescales for considering and refusing requests.
- 5.6 Although eligible employees have the statutory right to request to work flexibly, and employers have a statutory duty to consider an employee's application seriously, there is no automatic right to flexible working. Refusal of a request must be based on acceptable business grounds as set out in the legislation.
- 5.7 It should be noted that regardless of the statutory right to request flexible working, all employees of the Council can request to work flexibly, and such requests are granted where possible if they can be accommodated without detriment to service delivery.

6 Risk Assessment, Financial Effects and Contribution to Efficiency Savings

- 6.1 The following details have been approved by Karen Curtin, Chief Accountant, 01295 221551 and Rosemary Watts, Risk Management and Insurance Officer, 01295 221551.

6.2 Risk Assessment

The risk associated with not approving the recommendations contained in this report is that the Council's Human Resources policy framework will not incorporate the latest legislative changes, increasing the risk of action being taken by employees at Industrial Tribunal.

6.3 Financial Effects

None.

6.4 **Efficiency/Savings**
None.

7 Recommendations

7.1 The Committee is **RECOMMENDED** to resolve to approve

(1) The attached updated Right to Request Flexible Working policy for implementation.

Background Papers: None

REQUEST FOR FLEXIBLE WORKING POLICY

A Guide For Employees and Managers

Updated 6 April 2009



INVESTOR IN PEOPLE



Cherwell
DISTRICT COUNCIL
North Oxfordshire

**Human Resources
Cherwell District Council
Bodicote House Bodicote Banbury
Oxon OX15 4AA
Telephone: Banbury (01295) 221585
Fax: (01295) 221529**

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1. Introduction

Certain employees have the legal right to request flexible working. Whereas there is no automatic right to work flexibly, where an employee meets the eligibility criteria, the employer has a statutory duty to consider their application seriously. This policy sets out the eligibility criteria for requesting flexible working and the procedure that will be followed at Cherwell District Council in considering such requests. Where an employee does not meet the statutory eligibility criteria they can still approach their line manager to determine whether any flexible working opportunities exist.

2. Employees' Rights

- To apply to work flexibly.
- To have the application considered properly in accordance with the procedure, and refused only where there is clear business ground for doing so.
- To have a companion when meeting their line manager to discuss the application.
- Where an application is refused to have a written explanation why.
- To appeal against the employer's decision to refuse an application.
- To take a complaint to a tribunal in certain circumstances.

3. Employees' Responsibilities And Best Practice

- To provide a carefully thought out application.
- To ensure the eligibility of their application by checking that they meet all of the required criteria and provide all of the required information.
- To ensure that the application is made well in advance of the date the employee would like the change to take effect from.
- To arrive at meetings on time and to be prepared to discuss the application in a constructive and open manner.
- If necessary, be prepared to be flexible, in order to reach an acceptable agreement with their line manager.

4. Employers' Rights

- To reject an application when the desired working pattern cannot be accommodated due to service and business needs.
- To seek the employee's agreement to extend timescales where it is appropriate to do so.
- To consider when an application is withdrawn, due to appropriate circumstances.

5. Employers' Responsibilities And Best Practice

- To consider requests properly in accordance with the procedure detailed within this policy.
- To ensure that the time limits outlined in this policy are adhered to.
- To provide the employee with appropriate support and information during the course of the application.
- To only decline a request when there is a recognised business case for doing so and to explain why this applies to the employee, in writing.
- To ensure that any variation from the procedure set out in this Policy is agreed in advance between the employee and their line manager, and recorded in writing.

6. Eligibility To Make A Request

Parents Who Can Make A Request

A parent can make a statutory flexible working request if they:-

- have a child aged 16 and under
- have a disabled child who is under 18, and who is in receipt of Disability Living Allowance (DLA)
- are either:-
 - The mother, father, adopter, guardian, special guardian, foster parent or private foster carer of the child or a person who has been granted a residence order in respect of the child; or
 - Married to or the partner or civil partner of the child's mother, father, adopter, guardian, special guardian, foster parent or private foster carer or of a person who has been granted a residence order in respect of the child
- make the application no later than two weeks before the child's 17th birthday or 18th birthday (in the case of a disabled child)

Carers Who Can Make A Request

A carer can make a statutory flexible working request if they care, or expect to be caring, for an adult who is either:-

- A spouse, partner, civil partner or relative
- Someone who lives at the carer's address

A relative is a mother, father, adopter, adoptee, guardian, special guardian, parent-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, uncle, aunt or grandparent. Step-relatives, adoptive relationships and half-blood relatives are also included.

Other eligibility criteria

To have the statutory right to make a flexible working request an employee must also:-

- have been continuously employed for 26 weeks by the Council by the date of the application
- not have made another statutory request during the past 12 months
- be an employee and not an agency worker

Under the statutory arrangements, applications cannot be made for any other reason. However, where an employee does not meet the eligibility criteria they can still approach their line manager to determine whether any flexible working opportunities exist. Any request for flexible working should be put in writing.

7. Scope Of Requests

Eligible employees can make requests that include a change to work hours, work patterns and place of work.

The initial onus is on the employee to make a considered application. They should determine in advance the preferred pattern of work, the financial impact this might have on them, the effect on their team's service delivery and work colleagues, and how these might be accommodated. This is particularly important as the employee is only allowed to make one application per year under the right (from the date of the previous application) and any agreed change will be a permanent change to the employee's terms and conditions of employment (unless an alternative arrangement is agreed).

8. How To Make An Application For Flexible Working

A Flexible Working Application Form (Appendix 1) should be completed by the employee. However, it is not mandatory to use this form, and as long as the application includes all of the information listed below then it can be made by email, fax or letter. The application should be submitted well in advance of the date when the employee would like the change to commence due to the time required to allow the procedure to be completed.

To ensure the most appropriate line manager is involved in considering the application, it should initially be submitted to the Head Of Service who will then nominate the line manager to deal with the request.

An application for flexible working must:

- state that it is being made under the statutory right to make a flexible working request;
- confirm that the employee has, or expects to have, caring responsibility for a child or adult in need of care
- confirm the relationship with the child or adult in question
- specify the flexible working pattern applied for
- explain what effect, if any, the proposed change might have on the employee's team service delivery, and how such effects might be dealt with;
- state the date on which it is proposed the change will start;
- state whether and when a previous application has been made to the Council
- be signed and dated by the employee.

9. The Procedure For Considering An Application

The Regulations place a legal duty on the Council to consider and decide whether the requested work pattern can be accommodated within the needs of the business. The statutory procedure below should be followed in order to ensure the Council has fully explored the employee's application in accordance with the Regulations. (Please see Appendix 2 for a Flowchart Process summary).

The line manager should ensure that they have all the required information before acknowledging receipt of the application by completing, copying and returning the Application For Flexible Working Form to the employee. If the application is incomplete it should be returned to the employee asking them to resubmit the form once completed. The line manager should inform the employee that they will not be able to consider the application until it has been completed and re-submitted.

A meeting should be arranged between the employee and line manager within 28 days of the request being received, to discuss the request in greater depth and explore how this might best be accommodated. However, where the line manager agrees to the application and notifies the employee in writing within 28 days of the date of the application, no meeting is required to take place.

10. The Meeting

The line manager must ensure that the meeting is held at an appropriate time and place convenient to both parties. If it is difficult to arrange a meeting within 28 days of receipt of the application, then the line manager should seek the employee's agreement to extend the period. (See Section 15). Failure to hold a meeting within the 28 day period or any extension, without the employee's agreement, will be deemed as a breach of the procedure and could result in a formal complaint to an Employment Tribunal or ACAS arbitration.

If the employee fails to attend the arranged meeting without notification, they should contact their line manager as soon as possible to explain the reason for their absence, and to allow the line manager to rearrange the meeting to another mutually convenient time. If the employee fails to attend a meeting more than once without reasonable explanation the employer can treat the application as having being withdrawn. (See Section 16)

11. The Right To Be Accompanied

The employee is entitled, if they wish, to be accompanied at the meeting (and any further meetings) by another employee (this can include a Trade Union Representative who is also an employee). The companion can address the meeting, and confer with the employee during it, but they cannot answer questions for the employee. The employee is responsible for organising the companion and ensuring that they know the date and time of the meeting. If the companion cannot attend the initial meeting, the employee must seek to rearrange the meeting for a time more convenient to all parties. This should take place within 7 days of the date initially proposed for the meeting. If this cannot be achieved, the employee should consider an alternative companion who can attend the meeting. The companion is entitled to paid time off during work hours for these duties.

12. Getting The Most From The Meeting

The following are guidance notes that can be used by both parties to ensure that they explore all options during the meeting in order to reach a decision:

Line Manager

- Make a list or draft an agenda of the issues you want to discuss at the meeting.
- Inform the employee of anyone you have asked to join the meeting. This may include other members of the team upon whom any change in hours/ways of working may have an impact and may help you reach a decision.
- Familiarise yourself with this policy and with the different types of flexible working that the Council can offer, including seeking advice from Human Resources.
- Be prepared to discuss all options as an alternative arrangement may be agreeable.

Employee

- Be prepared to expand on any points within the application.
- Prepare to be flexible. You may be asked to consider alternative flexible working patterns, start dates or a trial period.
- Make sure any companion is fully briefed beforehand, providing them with any relevant information required, and ensure that your line manager is aware that a companion will be present.
- Familiarise yourself with this policy and any flexible working options that may be open to you.

13. Reaching A Decision

Once the meeting has taken place and the request has been discussed, the line manager must notify the employee of their decision in writing within 14 days of the date of the meeting.

Acceptance Of An Application

When accepting a request for flexible working the line manager must write an Application Acceptance Letter (Appendix 3) to the employee detailing the new working pattern; the date on which the new working pattern is to take effect from and be dated. A copy should be forwarded with a Contract Amendment Form to Human Resources, who will issue an amended Contract Of Employment.

Refusal of an Application

There will be circumstances where there are clear business grounds for an application to be refused. The acceptable business grounds for refusal must be one of those listed below:

- ❖ Planned structural changes.
- ❖ Burden of additional costs.
- ❖ Detrimental impact on quality.
- ❖ Inability to recruit additional staff.
- ❖ Detrimental impact on performance.
- ❖ Inability to reorganise work among existing staff.
- ❖ Detrimental effect on ability to meet customer demand.
- ❖ Lack of work during the periods the employee proposes to work.

Where the line manager feels that they are unable to accept the request for flexible working they must write an Application Rejection Letter (Appendix 4) to the employee stating which of the business reasons apply, explaining why the business reasons apply in the circumstances and setting out the appeal procedure and date the letter.

Although the line manager is required to give an explanation as to why the business reasons for rejection of the application apply in this circumstance, a lengthy and complex explanation covering each argument in fine detail is not needed and a couple of paragraphs should be sufficient in most cases. However any facts quoted in the explanation must be correct to ensure there is no basis of a complaint by the employee to an Employment Tribunal.

Extension of the 14 Day Period

If the line manager needs more time to make a decision, especially where more information is required to make a fully informed decision, they must obtain the agreement of the employee for an extension to the 14 days in which they are required to inform them of the decision following the meeting. (See Section 15).

14. The Appeals Procedure

If it is not possible to agree to a request for flexible working due to the Council's business needs the employee can exercise their right of appeal against the line manager's decision. The employee may, for example:-

- believe their request has not been properly considered
- want to challenge a fact given to explain why the business reason applies
- present information that wasn't available when the application was rejected

The employee needs to put their appeal in writing to the line manager, within 14 days of notification of the decision, including the grounds for the appeal and date the appeal letter.

An appeal meeting should then take place within 14 days of receipt of the written appeal from the employee. The appeal will be heard by the employee's immediate line manager, an independent Head of Service who has not been previously involved, and a Human Resources representative (if requested by the employee or the Head Of Service). The employee has the right to be accompanied at the appeal meeting, as at the previous meeting to discuss the request

Should the line manager agree to the request following the letter of appeal from the employee then an appeal meeting is not required to take place. The line manager will complete an Application Acceptance Letter (Appendix 3) within the 14 days following the employee's letter of appeal detailing the contract variation agreed to and stating the date on which the contract variation will take effect. A copy should be forwarded to Human Resources so that an amended Contract Of Employment can be issued prior to the date of any change.

Where a meeting is held to discuss an appeal, the Head Of Service will provide a written, dated decision within 14 days of the appeal meeting, either stating:

- i. agreement to the contract variation, what it is and the date from which the change will take effect or;
- ii. grounds for the decision relating to the dismissal of the appeal and why it applies in these circumstances.

The Appeal Reply Letter (Appendix 5) should be used by the Head Of Service for this purpose.

Note: Where a disputed request cannot be resolved between the employee and the Council, the employee has the right to make a complaint to an Employment Tribunal.

Where the employee fails to attend the appeal meeting, this should be handled in the same way as if the employee fails to attend the previous meeting to discuss the application. (See section 10)

15. Extension Of Time Limits

There are two circumstances where time limits can be extended:

1. Where the employee or line manager both agree to an extension, for example, to ensure an application can be fully explored and discussed: or
2. Where the line manager who is required to deal with the application is absent either due to leave or sickness absence.

The line manager and employee may agree to an extension of any time limits, however this must be confirmed by the line manager in writing stating:

- i. the period of the extension
- ii. the date on which the extension ends
- iii. be dated
- iv. be sent to the employee.

The Extension Of Time Limit Form (Appendix 6) should be used for this.

Where the line manager who would consider the application is absent due to leave or sickness, when the application is made, an automatic extension applies. The period the line manager has to arrange the meeting will commence on either the day of the line manager's return or 28 days after the application is made, whichever is the sooner. The Head Of Service will still need to acknowledge the application (See Section 9) and will need to ensure the employee is aware of the extension due to the line manager's absence, and for how long the extension may be for. If the line manager is likely to be absent for longer than is acceptable to the employee, and the employee agrees to discuss their application with another manager then the process should not be further delayed.

16. Withdrawal Of An Application

There are three reasons why an application can be treated as withdrawn. In all cases a written record must be kept, for which the Notice Of Withdrawal Form (Appendix 7) should be used by both employee and line manager.

- The employee decides to withdraw the application; or
- The employee fails to attend two meetings; or
- The employee unreasonably refuses to provide the employer with the required information.

The Employee Withdraws Their Application

An employee who withdraws their application must do so in writing (See Notice Of Withdrawal Form – Appendix 7) and will not be eligible to make another application for 12 months from the date the application was made. If the line manager only receives a verbal application withdrawal they should contact the employee and ensure they confirm their intentions in writing. If written confirmation is not received the line manager should confirm the withdrawal in writing using the confirmation section of the Notice of Withdrawal Form (Appendix 7).

The Employee Fails To Attend Two Meetings

In cases where the employee misses two meetings without reasonable cause, the line manager may treat the application as withdrawn. Therefore it is important that the employee should inform the line manager of the reasons why they were unable to attend the meeting as soon as possible, if they wish their application to proceed.

The Employee Unreasonably Refuses To Provide The Line Manager With The Required Information

There may be occasions where the Council is willing to accept a request for flexible working but requires further information from the employee before making any definite decision, and the employee refuses to provide such information. The line manager can then treat the application as withdrawn.

17. Unresolved Applications

It is hoped that most applications can be concluded with a satisfactory outcome, but where this is not possible, the employee may wish to involve a third party as follows:

- Informal discussion with their line manager;
- Using the Council's Complaints Procedure;
- External mediation or conciliation e.g. ACAS official
- Employment Tribunal or the ACAS Arbitration Scheme.

In the first instance it is usually in the interests of both parties to try and resolve the application within the workplace, where this can be the most effective and timely means of resolution, especially as the problem may be a simple misunderstanding or something that is easily rectified.

If the matter still cannot be resolved, and the employee does not wish to pursue a formal approach by using an Employment Tribunal then third party mediation/conciliation can be used.

The employee can only pursue the complaint through an external body, either an Employment Tribunal or through the ACAS Arbitration Scheme if:

- The Council has failed to follow the procedure correctly; or
- The decision by the line manager to reject an application was based on incorrect facts.

The employee has no right to make a complaint where they simply disagree with the business grounds provided for declining a request.

18. Protection From Detriment And Dismissal

The employee has the right not to be subjected to any detriment or dismissal by any act or any deliberate failure to act, in exercising or seeking to exercise their rights for flexible working under this regulation, or for accompanying or seeking to accompany an employee pursuing a request for flexible working under the Regulation.

The protection against dismissal also applies if an employee is selected for redundancy on these grounds.

19. Other Family Friendly Leave Arrangements

For eligible employees, the Council has other family friendly policies that can be used either in addition to or as an alternative to this policy. These include maternity leave, paternity leave, adoption leave, parental leave, time off for dependants, compassionate leave, and special leave. For more information please contact Human Resources.

Flexible Working Application Form**GUIDANCE NOTES FOR EMPLOYEE**

You can use this form to make an application to work flexibly under the right provided in law to help eligible employees care for their children or an adult. Before completing this form, you should ensure that you meet the eligibility requirements for making a request.

You should be aware that this application may take up to 14 weeks to process, and possibly longer, and therefore you should ensure that you submit this application to your Head Of Service well in advance of the date you wish the request to take effect.

If you are thinking about making a request for flexible working during a period of maternity leave, so that you can commence this upon your return from maternity leave, it would be helpful to mention this to your Head Of Service/line manager prior to beginning maternity leave, although you are not obliged to do so.

Please provide as much information as you can about your desired work pattern. It is important that you complete all the questions to ensure your application is valid. When completing sections 3 and 4, think about what effect your change in work pattern will have both on the work you do and on your colleagues. Once you have completed the form you should forward it immediately to your Head of Service (you may want to keep a copy for your records). Your manager will have 28 days after receipt of the application to consider the request and to arrange a meeting with you to discuss the request. The manager will then write confirming the outcome of the meeting, and any further detail as required.

NOTE TO HEAD OF SERVICE/LINE MANAGER

This is a formal application made under the legal right to apply for flexible working and the duty is made upon you, as the nominated line manager, to consider this application seriously on behalf of the Council. You will have 28 days from the date of receipt of the application in which to either agree to the request or to arrange a meeting with the employee to discuss their request. You should confirm receipt of this application by signing and returning a copy of the application to the employee. Further forms have been designed to help you respond appropriately to this application but you should ensure that you have read and fully understood the policy prior to any further correspondence with the employee.

Flexible Working Application Form

1. Personal Details	
Employee Name:	
Line Manager:	
Department:	

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided under section 80F of the Employment Rights Act 1996. I confirm that I meet all of the eligibility requirements detailed below:

Either

- I have responsibility for the upbringing of either:
 - [] a child aged 16 and under or
 - [] a disabled child under 18 years of age.
- I am:
 - The mother, father, adopter, guardian, special guardian or foster parent of the child; or
 - Married to, or the partner or civil partner of, the child's mother, father, adopter, guardian, special guardian or foster parent of the child.
- I am making this request to help me care for the child
- I am making this request no later than two weeks before the child's 17th birthday (or the child's 18th birthday if the child is disabled)

Or

- I am, or expect to be, caring for an adult
- I am:
 - The spouse, partner, civil partner or relative of the adult in need of care; or
 - Not the spouse, partner, civil partner or relative of that adult, but live at the same address
- I am making this request to help me care for the adult in need of care

- I have worked continuously for the Council as an employee for 26 weeks prior to the date of this application.
- I have not made a request to work flexibly under this right during the last 12 months.

2a. Describe your current working pattern (days/hours/times worked):

2b. Describe the working pattern you would like to work in the future (days/hours/times worked):	
(please continue on a separate sheet if necessary)	
2c. I would like this working pattern to commence from:	Date:

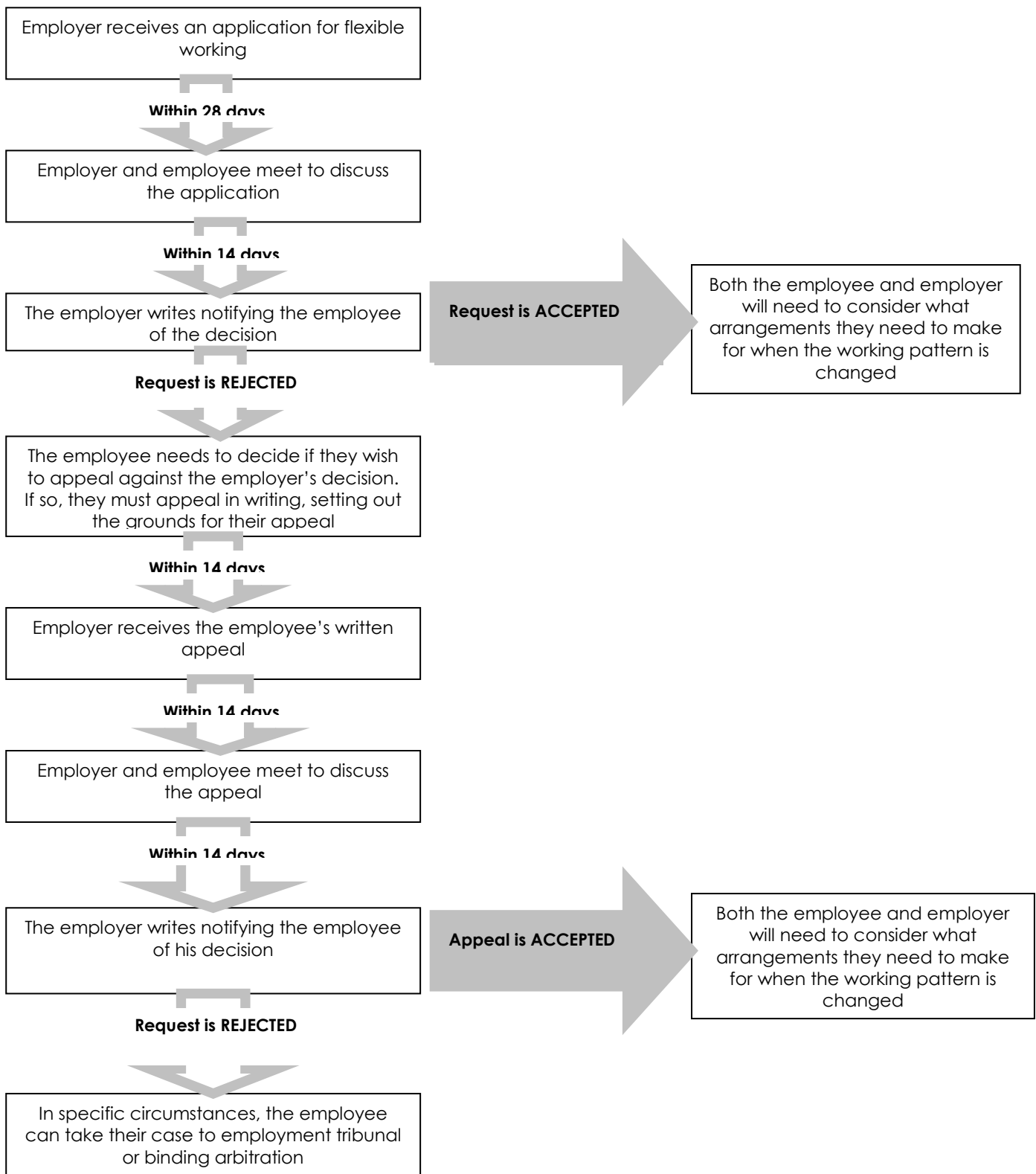
3. Impact of the new working pattern
I think this change in my working pattern will affect my employer and colleague(s) as follows:

4. Accommodating the new working pattern			
I think the effect of this new working pattern on the department and service provision can be dealt with as follows:			
Employee's Signature:		Date:	

**NOW PASS THIS APPLICATION TO YOUR HEAD OF SERVICE
(THEY WILL FORWARD THIS APPLICATION TO THE APPROPRIATE LINE MANAGER)**
LINE MANAGER: *Please sign, copy for your records and return to the employee immediately in order to confirm receipt of their application.*

Confirmation Of Receipt Of Application		
Dear:		
I confirm that I have received your request to change your work pattern on:		(Date of application receipt)
I shall be arranging a meeting to discuss your application within 28 days following this date. You might want to consider whether you would like a fellow colleague to accompany you at the meeting.		
Signed (Line Manager):		

Flexible Working Application Process and Timescales



APPLICATION ACCEPTANCE LETTER

Date

Dear **NAME**

Application For Flexible Working

Following receipt of your application and our meeting on **DATE**, I have considered your request for a new flexible working pattern and

**I am pleased to confirm that I am able to accommodate your application.*

**I am unable to accommodate your original request. However, I am able to offer the alternative work pattern which we discussed and you agreed would be suitable for you.*

Your new agreed hours of work/working pattern will be (Please give further full details).

This will commence from (**DATE**).

A copy of this letter will be forwarded to Human Resources who will issue an amended Contract of Employment to you. This will mean a permanent change to your terms and conditions of employment.

Should you have any queries regarding this matter please do not hesitate to contact me.

Yours sincerely

NAME
LINE MANAGER POSITION

c.c. Human Resources

APPLICATION REJECTION LETTER

Date

Dear **NAME**

Application For Flexible Working

Following receipt of your application and our meeting on **DATE**, I have considered your request for a new flexible working pattern and am sorry that I am unable to accommodate your request for the following business ground(s); **INSERT APPROPRIATE WORDING**

The grounds apply in these circumstances because: **INSERT APPROPRIATE WORDING**

(Note: You should explain why any of the work patterns discussed at the meeting are inappropriate).

If you are unhappy with the decision you may appeal against it. If you wish to appeal, you must write to **NAME (Head Of Service)**, setting out the grounds for your appeal, within 14 days of receiving this letter. An appeal meeting will then be held within 14 days of receipt of your appeal letter, and a decision made within a further 14 days following the appeals meeting.

You will be informed of the time, date and place of the appeal meeting by **NAME (Head Of Service)** and you should inform your companion (if required) of this. If this date and time is not suitable for your companion you should agree a new date and time, within 7 days of the original meeting, with **NAME (Head Of Service)**. Should this new date still be unsuitable for your companion you should seek an alternative companion. *(Please note that if you require a companion this should be an employee or a Trade Union Representative who is also an employee of the Council).*

Should you have any queries regarding this matter please do not hesitate to contact me.

Yours sincerely

NAME
LINE MANAGER POSITION

c.c. Human Resources

APPEAL REPLY LETTER

26 February 2003

Dear **NAME**

Application For Flexible Working

Following the meeting on **DATE**, I have considered your appeal against the decision to refuse your application to work a flexible working pattern and

*I accept your appeal against the decision and am therefore able to accommodate your original request to change your working pattern as follows: (Please give further full details).

This will commence from (**DATE**).

A copy of this letter will be forwarded to Human Resources who will issue an amended Contract of Employment to you.

* I regret that I am unable to accommodate your appeal for the following business ground(s);
INSERT APPROPRIATE WORDING

The grounds apply in these circumstances because: **INSERT APPROPRIATE WORDING**

(Note: You should explain why any of the work patterns discussed at the meeting are inappropriate).

Should you have any queries regarding this matter please do not hesitate to contact me.

Yours sincerely

NAME
LINE MANAGER POSITION

c.c. Human Resources

EXTENSION OF TIME LIMITS FORM

Note To The Line Manager
This form should be completed when confirming agreement with your employee that you wish to extend a time limit for part of the procedure, from that set out in the regulations. You may extend the time limit for any part of the process, providing the employee agrees to the extension.

Dear:				
I wish to extend the amount of time that the regulations allow me to:				
Arrange a meeting to discuss your application (28 days)				
Notify you of my decision regarding your application (14 days)				
Arrange a meeting to discuss your appeal (14 days)				
Notify you of my decision regarding your appeal (14 days)				
I wish to extend the time limit to		days. This means I will have until		(date)
to complete the necessary action. I need this time for the following reason:-				
If you agree to this extension, please complete the slip below and return to me.				
Signed (Line Manager):			Date:	

NOW PASS THE APPLICATION TO YOUR EMPLOYEE.

Note To The Employee
To allow proper consideration of your request, the Council may wish to extend the permitted time limit for any part of the process. The Council will need your agreement to any extension of the time limit. If you agree to the above request, please complete the section below, copy and return to your Line Manager/Head of Service.

Please sign, copy and return to your Line Manager/Head of Service in order to confirm acceptance of this request.

Employee's Agreement To A Time Extension			
Dear:			
I accept your request to extend the amount of time to			
Signed (Employee):			Date:

NOTICE OF WITHDRAWAL FORM.

Note To The Employee			
This form provides notification to your Line Manager that you wish to withdraw your application to work flexibly. Once you have withdrawn your application, you will not be able to make another application until 12 months from the date your original application was made.			
Dear:			
I wish to withdraw my application to work flexibly which I submitted to you on			(Date)
I understand that I will not be able to make another application until 12 months after the above date.			
Signed (Employee)		Date:	

NOW RETURN THIS FORM TO YOUR LINE MANAGER.

Note To The Line Manager	
Once your employee has completed this form and returned it to you, the application is considered as withdrawn and you are not required to give it any further consideration. You should complete the section below and return it to the employee to confirm receipt of the withdrawal notice.	

Please sign, copy and return to your Line Manager/Head of Service to confirm acceptance of this request.

Council's Confirmation Of Withdrawal (to be completed and returned to the employee)			
Dear:			
I confirm that I have received notice that you wish to withdraw your application for flexible working which you submitted to me on:-			(Date)
Under the right to apply, you will not be eligible to submit another application until 12 months after the above date.			
Signed (Line Manager):		Date:	

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

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