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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Personnel Committee
Date: Wednesday 27 November 2024
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Amanda Watkins (Chairman)

Councillor Rebecca Biegel
Councillor Phil Chapman
Councillor Harry Knight
Councillor Fiona Mawson
Councillor Chris Pruden

Councillor Gemma Coton (Vice-Chairman)

Councillor Chris Brant
Councillor David Hingley
Councillor Nicholas Mawer
Councillor Lynne Parsons
Councillor Barry Wood

AGENDA

1. Apologies for Absence and Notification of Substitute Members

2. Declarations of Interest

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

3. Petitions and Requests to Address the Meeting

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

4. Urgent Business

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

5. **Minutes** (Pages 5 - 8)

To confirm as a correct record the Minutes of the meeting of the Committee held on 18 September 2024.

6. **Chairman's Announcements**

To receive communications from the Chairman.

7. **Workforce Profile Statistics - Quarter 2 of 2024-25** (Pages 9 - 36)

Report of Assistant Director Human Resources

Purpose of report

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

Recommendations

The Personnel Committee resolves:

- 1.1 to review and note the workforce data for quarter 2 of 2024/2025 provided in appendix one, devised to provide insight that will enable officers of CDC to address challenges and efficiencies in the workforce more effectively.

8. **Policy Review Updates** (Pages 37 - 104)

Report of Assistant Director Human Resources

Purpose of report

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

Recommendations

The Personnel Committee resolves:

- 1.1 To review and approve the following policies for adoption:
 - a. Organisational Change Policy
 - b. Paternity Leave Policy
 - c. Carer's Leave Policy
 - d. Drugs and Alcohol Policy

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

Information about this Meeting

Apologies for Absence

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

Declarations of Interest

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

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

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

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Queries Regarding this Agenda

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

Shiraz Sheikh
Monitoring Officer

Published on Tuesday 19 November 2024

Cherwell District Council

Personnel Committee

Minutes of a meeting of the Personnel Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 18 September 2024 at 6.30 pm

Present:

Councillor Amanda Watkins (Chairman)
Councillor Gemma Coton (Vice-Chairman)
Councillor Rebecca Biegel
Councillor Phil Chapman
Councillor David Hingley
Councillor Nicholas Mawer
Councillor Fiona Mawson
Councillor Chris Pruden
Councillor Barry Wood
Councillor Alisa Russell

Substitute Members:

Councillor Sean Woodcock (In place of Councillor Lynne Parsons)

Apologies for absence:

Councillor Chris Brant
Councillor Harry Knight
Councillor Lynne Parsons

Officers:

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

10 **Declarations of Interest**

There were no declarations of interest.

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

There were no petitions or request to address the meeting.

12 **Urgent Business**

There were no items of urgent business.

13 **Minutes**

The Minutes of the meeting of the Committee held on 9 July 2024 were agreed as a correct record and signed by the Chairman.

14 **Chairman's Announcements**

There were no Chairman's announcements.

15 **Policy Review Updates**

The Assistant Director Human Resources submitted a report to seek approval from the Personnel Committee on proposed changes to two existing HR policies: Travel and Subsistence Policy (incorporates and therefore supersedes Car User Policy); Bullying, Harassment and Discrimination Policy.

In response to Members' questions regarding the revised subsistence levels, the Assistant Director Human Resources explained that the rates were aligned with comparable councils. The levels reflected the maximum amount that would be paid, subject to submission in accordance with the policy.

Resolved

(1) That, having given due consideration, the following policies be approved for implementation:

- Travel and Subsistence Policy (incorporates and therefore supersedes Car User Policy)
- Bullying, Harassment and Discrimination Policy

16 **Workforce Profile Statistics - Quarter 1 of 2024/25**

The Assistant Director Human Resources submitted a report to update members on Cherwell District Council's workforce including measuring staff well-being and to highlight the actions officers are taking to address any issues.

Resolved

(1) That the workforce data for quarter 1 of 2024/25 (financial year dates) be noted.

17 **Equalities, Diversity and Inclusion (EDI) Working Group**

The Chairman explained that in autumn 2022, a joint Equalities Diversity and Inclusion (EDI) Working Group was established comprising members of the Personnel Committee and the Overview and Scrutiny Committee.

The Overview and Scrutiny Committee (OSC) had agreed that the EDI Working Group should continue in 2024/2025 and nominated three OSC members to sit on the EDI Working Group at its 10 September meeting. The Personnel Committee was requested to also agree the continuation of the EDI Working Group and, subject to this agreement, to nominate three Personnel Committee members to join the EDI Working Group.

Resolved

- (1) That the continuation of the Equalities Diversity and Inclusion Working Group continue in 2024/2025.
- (2) That Councillor Coton and Councillor Biegel be nominated by the Personnel Committee to join the EDI Working Group.
- (3) That it be agreed the Personnel Committee Chair would consult with the Chair of the Overview and Scrutiny and officers on the process for filling the final vacancy on the EDI Working Group.

The meeting ended at 6.55 pm

Chairman:

Date:

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This report is public	
Workforce Profile Statistics – Quarter 2 of 2024-25	
Committee	Personnel Committee
Date of Committee	27 November 2024
Portfolio Holder presenting the report	Portfolio Holder for Corporate Services Councillor Chris Brant
Date Portfolio Holder agreed report	12 November 2024
Report of	Assistant Director of Human Resources, Claire Cox

Purpose of report

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

1. Recommendations

The Personnel Committee resolves:

- 1.1 to review and note the workforce data for quarter 2 of 2024/2025 provided in appendix one, devised to provide insight that will enable officers of CDC to address challenges and efficiencies in the workforce more effectively.

2. Executive Summary

2.1 This report outlines statistical data in relation to CDC's workforce at the end of quarter 2 of 2024/25 for information.

2.2 Appendix 1 provides the following highlights in CDC's workforce statistics for quarter 2 as follows:

- 20 leavers and 25 new starters
- No increase to headcount
- FTE increase of 5.15
- Minimal shift in employment basis
- A reduction of 5 agency workers at quarter end.
- A quarterly turnover rate of 3.13%, 0.92% higher than the previous quarter
- Not known was the main reason for leavers, accounting for 40%, this is due to casual employees no longer engaging with CDC.
- 33% of leavers completed exit interviews
- 239 sickness absence incidents were recorded, 90 more than the same quarter in the previous year.

- Absence rate has increased to above 1% for the first time since November 2021.
- Minimal shift in age, gender, ethnicity and sexual orientation profile
- Recruitment data is continuing to build following its addition to the statistics since October 2023, and shows applicants are representative of the district
- 18 apprenticeships currently underway across a diverse range of subject areas

Implications & Impact Assessments

Implications	Commentary			
Finance	There are no financial implications arising from this report. The report is for information only. Joanne Kaye, Head of Finance, 28 October 2024			
Legal	There are no legal implications within this report as it is for information only. Alison Coles, Legal Services Operations Manager, 29 October 2024			
Risk Management	There are no risks arising directly from this report. Celia Prado-Teeling, Performance Team Leader, 5 November 2024			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		X		There are no direct equality implications directly related to this report. However, this report provides the council with valuable data which will help us support and promote equality, diversity and inclusion within our workforce. Celia Prado-Teeling, 5 November 2024
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		

Climate & Environmental Impact				N/A
ICT & Digital Impact				N/A
Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	N/A			
Human Resources	The workforce profile statistics provide valuable insight into the make-up of the council's workforce, which helps form policies and initiatives to suit its diversity. Claire Cox, Assistant Director of Human Resources, 30 October 2024			
Property	N/A			
Consultation & Engagement	The Corporate Leadership Team have reviewed the workforce statistics prior to submission to Personnel Committee.			

Supporting Information

3. Background

- 3.1 Workforce Data for Quarter 2 of 2024/25 has been produced and is available at appendix one of this report. HR monitor workforce data on a quarterly basis to identify emerging trends in staff wellbeing and organisational development.
- 3.2 Comparative data is included, where possible, to assist CDC with benchmarking against the local government sector and, for sensitive information such as ethnicity, gender, and age against the make-up of the district and the UK overall.

4. Details

- 4.1 The workforce profile report at appendix 1 provides commentary and data for quarter 2 of 2024/25, as well as quarterly, whole year and end-of-year comparisons.
- 4.2 The report provides statistics on:

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

- 4.3 At Personnel Committee in June 2023, it was requested that further data analysis be provided in relation to the sensitive information categories. Our collection of this data has vastly improved, and HR are continuing to encourage all employees to provide this data. CDC recognise this is not mandatory but are encouraging staff to share as widely as possible as all information helps inform future policies / programmes of support.
- 4.4 Following the implementation of the recruitment module within the HR/Payroll system, data around recruitment has also been included in the latest report. This is initially at a high level to provide details of applicants by EDI categories, in order to monitor that recruitment opportunities are reaching all communities within Cherwell, and that applicant pools are reflective of the district we serve. Initial data shows that communities are being reached and applicant pools are reflective, but this will continue to be monitored.

5. Alternative Options and Reasons for Rejection

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

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

6. Conclusions and Reasons for Recommendations

- 6.1 Monitoring workforce data helps CDC to measure how well it is supporting staff - focusing on wellbeing and personal development so it can identify issues at the earliest opportunity to address them effectively. It is also helpful for some data sets to compare how we are performing against the rest of the local government sector, to ensure it remains an attractive employer and retains its staff.

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	N/A

Document Information

Appendices	
Appendix 1	Workforce Profile Data – Quarter 2, 2024/25
Background Papers	N/A
Reference Papers	N/A
Report Author	Assistant Director of Human Resources, Claire Cox
Report Author contact details	Claire.cox@cherwell-dc.gov.uk , 01295 221549
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Stephen Hinds, Corporate Director – Resources and Transformation, 12th November 2024

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

Chart 1 shows that the headcount (based at the end of each quarter) at Cherwell District Council (CDC) has seen no change in headcount between quarter 1 and 2 of 2024/25.

Quarter 2 of 2024/25 has seen adjustments of 20 leavers and 25 new starters across the organisation.

Chart 1

**Headcount by Quarter
Quarter 3 2021-22 to Quarter 2 2024-25**

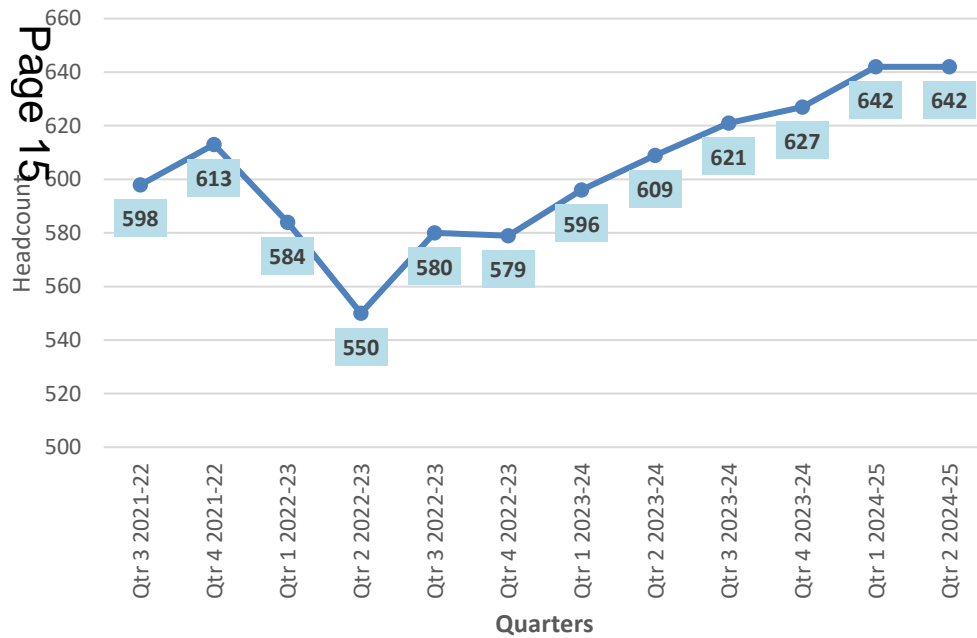


Chart 2 details the distribution of headcount across our departments and directorates as at the end of quarter 2 in 2024/25. Wellbeing and Environmental Services continue to show the highest headcount. The department of Chief Executive’s Office incorporates executive support and employees attributed to the Pan Regional Partnership, for which CDC is the accountable body. CDC are also host employer to the District Councils Network (DCN) and these employees are included in the HR, OD and Payroll directorate.

Planning and Development has had the biggest increase in headcount with 5 new since quarter 1 of 2024/25, and Housing Services has increased by 4. Wellbeing has seen a reduction of 10 since quarter 1 of 2024/25. This is due to casual workers leaving. Digital and Innovation (formerly ICT and Digital) have had a reduction of 4, this is predominantly due to a restructure.

**Chart 2
Headcount by Department as at
30 September 2024**

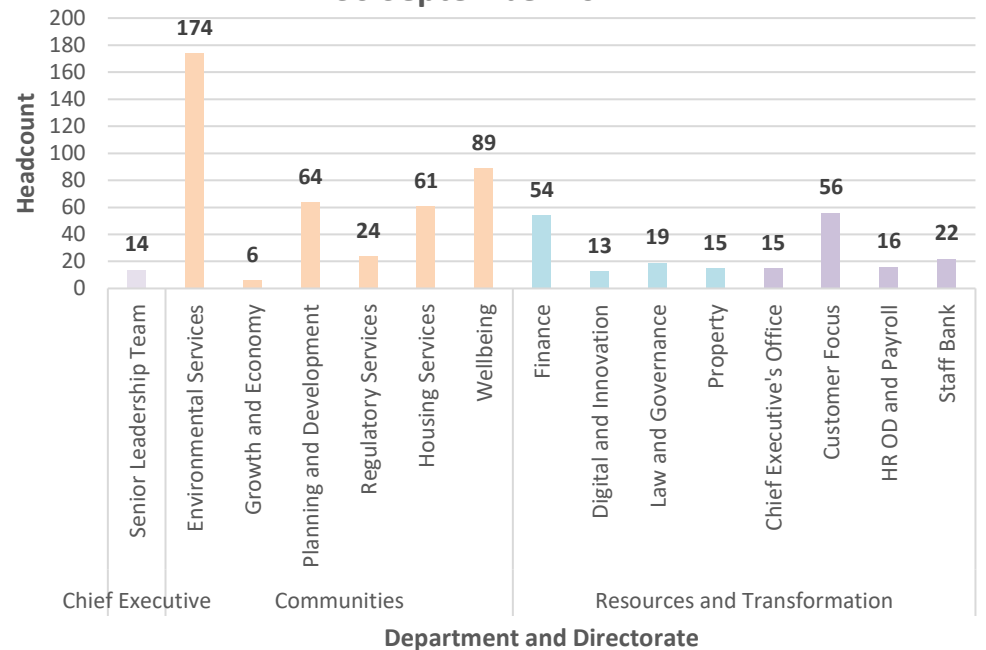


Chart 3 outlines the fluctuation of FTE which has increased by 5.15 between quarter 1 and quarter 2 of 2024/25.

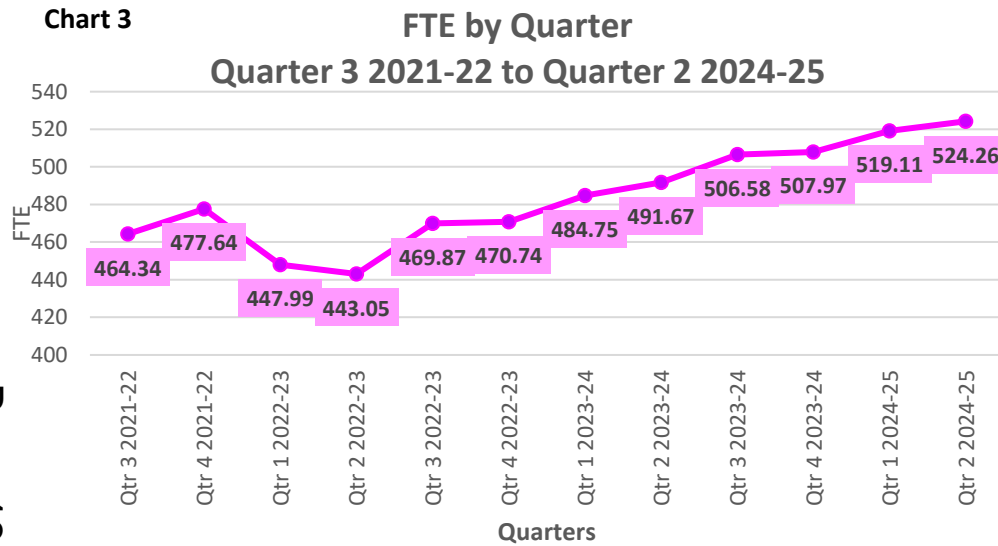


Chart 4: FTE by Department as at 30 September 2024

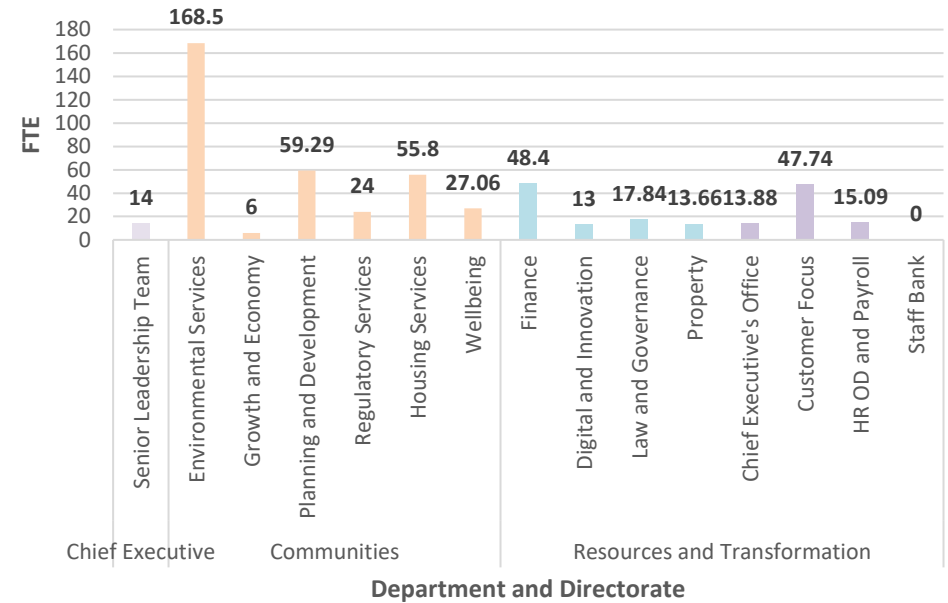


Chart 5: % Breakdown of Role Basis as at 30 September 2024

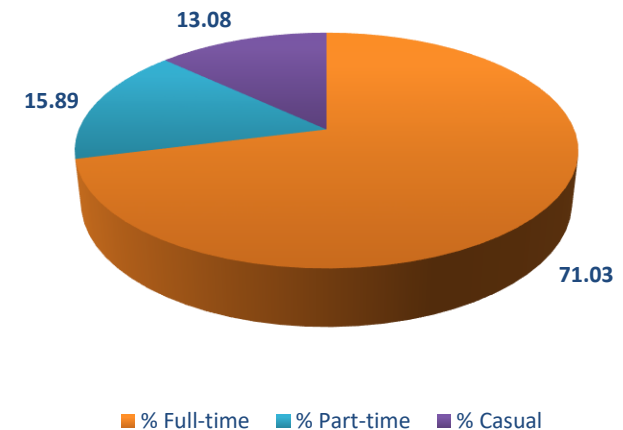


Chart 4 outlines the distribution of FTE across the departments and directorates as at the end of quarter 2 of 2024/25.

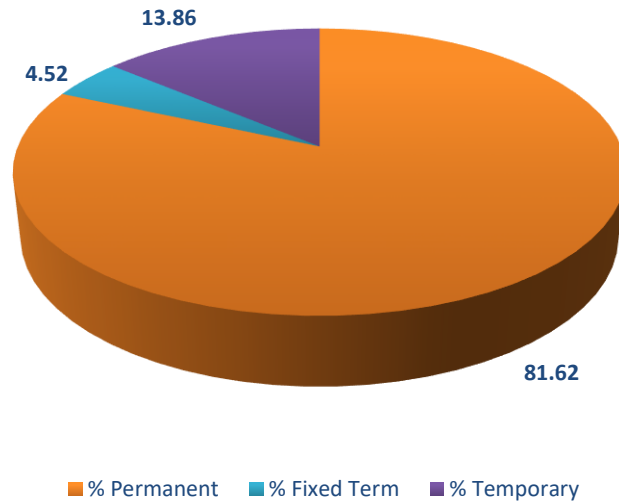
Since quarter 1 of 2024/25; Planning and Development has seen an increase of 4.85 FTE, and Housing Services has increased by 3.95.

Charts 5 shows the breakdown of basis of hours across our workforce as of 30 September 2024. Since quarter 1 of 2024/25 there has been minimal change to the make-up of role-basis with our full-time and part-time both increasing by 0.47% and our casual workforce reducing by 0.94%.

Chart 6 outlines the employment basis of those directly employed by CDC shows that 81.62% of our workforce are in permanent roles. This has slightly increased by 0.59% since Quarter 1 of 2024/25. The percentage employed on a temporary basis has reduced by 1.03% and the percentage employed on a fixed term basis has increased by 0.44%.

Chart 6

% Breakdown of Employment Basis as at 30 September 2024



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

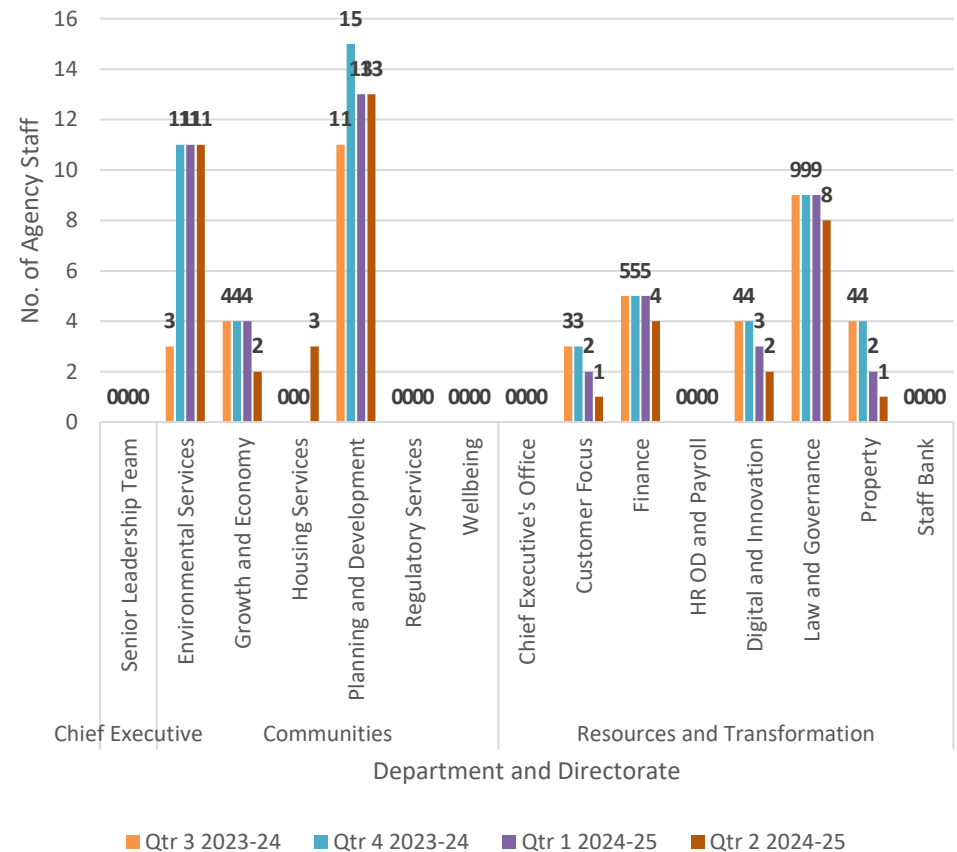
Chart 7 outlines agency usage as at the end of each quarter for the last rolling year by department. A total of 45 Agency workers were engaged with CDC at the end of quarter 2 of 2024/25. This is a reduction of 5 since the end of quarter 1 of 2024/25 and 10 since the end of 2023/24.

The highest agency usage is usually Environmental Services, within refuse collection and this is due to having 3-person crews on refuse collection, often utilising agency staff to cover for employee sickness and holidays. Usage in this area has remained at 11 for the last 3 quarters.

Growth and Economy have reduced agency usage by 2 in quarter 2. Customer Focus, Digital and Innovation, Finance, Law and Governance and Property have reduced their agency usage by 1. Housing Services has engaged 3 agency staff since quarter 1.

Chart 7

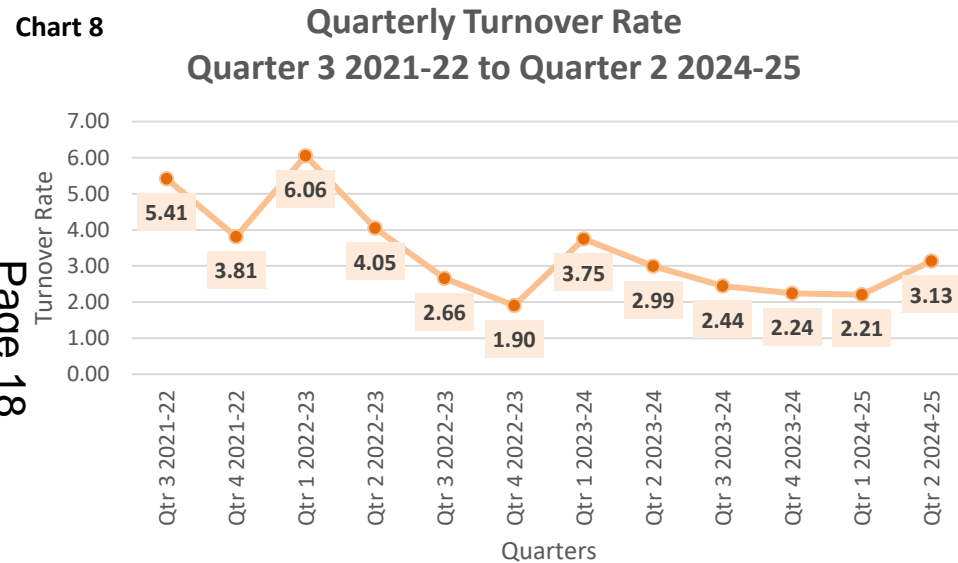
Agency Usage as at Quarter End for the last rolling 12 months



3

Turnover rates and Leaver information

Chart 8 tracks the turnover rate per quarter over a 3-year period, from October 2021 to September 2024. The turnover rate is defined by firstly calculating the average number of employees for the quarter period and then dividing the number of leavers by the average number of employees.



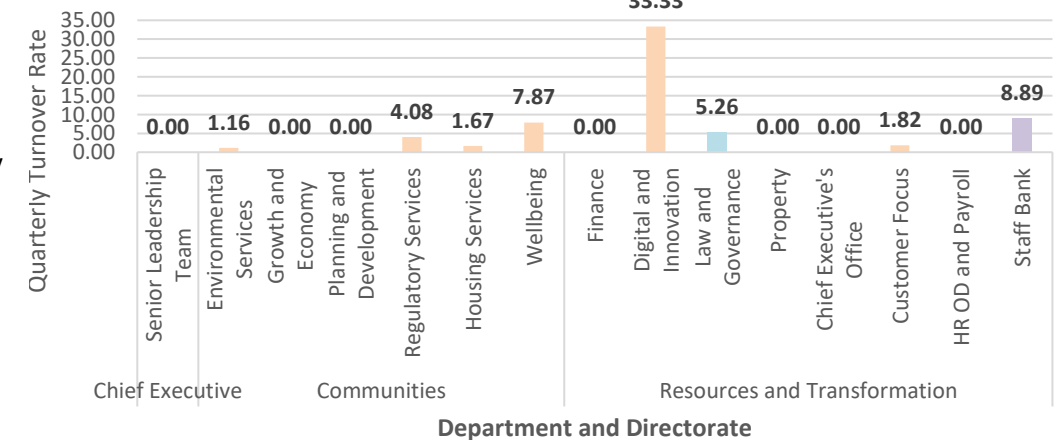
The LGA have confirmed that the quarterly benchmark club has now ceased but an annual benchmark exercise will continue to take place. CDC have fed into this exercise for 2023/24 and once results are published, this data will be provided in a future version of this report.

Table 1

Quarter	Mean for All English authorities	CDC
Qtr 2 2022-23	4.3%	4.05%
Qtr 3 2022-23	3.3%	2.66%
Qtr 4 2022-23	3.5%	1.90%
Qtr 1 2023-24	Not published	3.75%
Qtr 2 2023-24	Not published	2.99%
Qtr 3 2023-24	3.0%	2.44%
Qtr 4 2023-24	Not published	2.24%
Qtr 1 2024-25	Not published	2.21%
Qtr 2 2024-25	Not published	3.13%

Chart 9 provides further insight into this quarter’s turnover by department.

Chart 9
Quarterly Turnover Rate by Department
as at
30 September 2024



The turnover for quarter 2 shows an increase of 0.94 since quarter 1 of 2024/25.

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

Table 1 provides comparison of the turnover rate for all local authorities across the UK and CDC. Quarter 4 of 2022/23 is showing CDC as 1.6% below the mean. Statistics for Quarter 3 of 2023/24 have now been included in table 1 and show that CDC is 0.56% below the mean. These are all that is available for comparison.

Chart 10 outlines leavers by reason for quarter 2 of 2024/25. Of the 20 leavers recorded in quarter 2, Not known is the highest reason for leaving, accounting for 40% of all leavers. This is due to casual workers no longer engaging with us. 35% of leavers are due to retirement, 20% are due to redundancy and 5% due to early retirement.

Chart 10
% of Leavers by reason
1 July to 30 September 2024

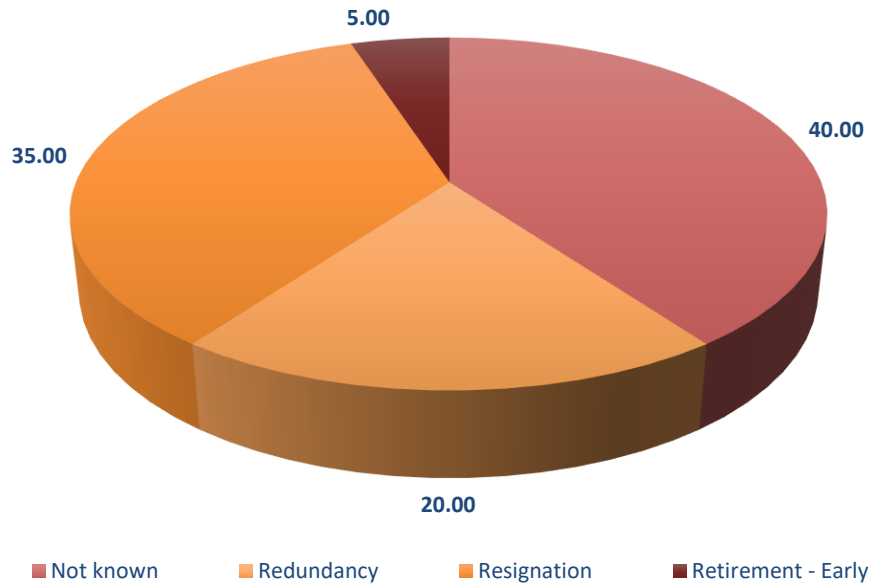
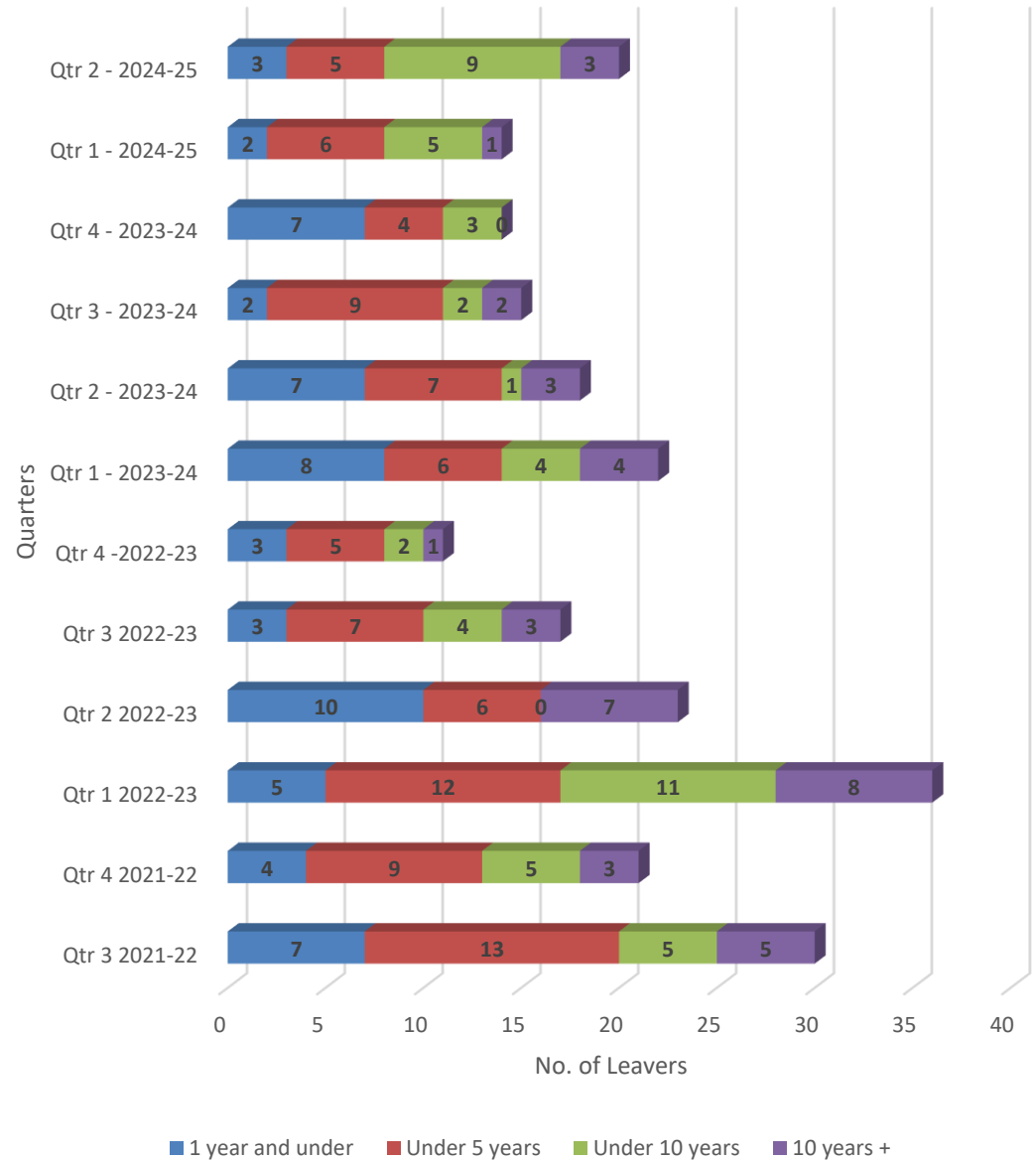


Chart 11 outlines leavers by length of service across the last 12 quarters. In quarter 2 of 2024/25, 3 leavers had less than a year's service, 5 had under 5 years' service and 9 had less than 10 years and 3 had over 12 years.

Chart 11

Leavers by Length of Service
1 October 2021- 30 September 2024



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

Of the 20 leavers in quarter 2, 8 were casual workers who opted to no longer engage with CDC. Excluding these, 7 completed the exit interview questionnaire and attended meetings with a member of the HR Team. This is a 58% completion rate, which is an increase of 15% from the last quarter. We cannot force employees to provide this data to us or attend a meeting with HR, but we will continue to encourage engagement in this process in order to embed this.

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Comments received within the interviews that took place were mixed, with some positive comments about colleagues and praise for the variety of work available. Other comments included disappointment at a permanent opportunity not arising, work not being at the right level for the role, opting to follow ambition in a variation to the field of work not offered by the Council.

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

Sickness Absence reasons and rates

Chart 12 shows the number of sickness absence incidents by reason over the last 8 quarters, back to October 2022. Stomach/Liver/Kidney and Digestion and Musculoskeletal has seen the most incidents, with 142 per reason across the period.

A new reason of Cold/Flu symptoms has been introduced as it was felt by the Corporate Leadership Team, that other reasons did not lend themselves to such symptoms being recorded.

For Quarter 2 of 2024/25, Musculo-skeletal was the highest recorded reason for sickness absence, accounting for 18% of all incidents in the last quarter. This is closely followed by Infections, which accounts for 15% of all incidents in the last quarter. Stomach/Liver/Kidney and Digestion accounted for 14%.

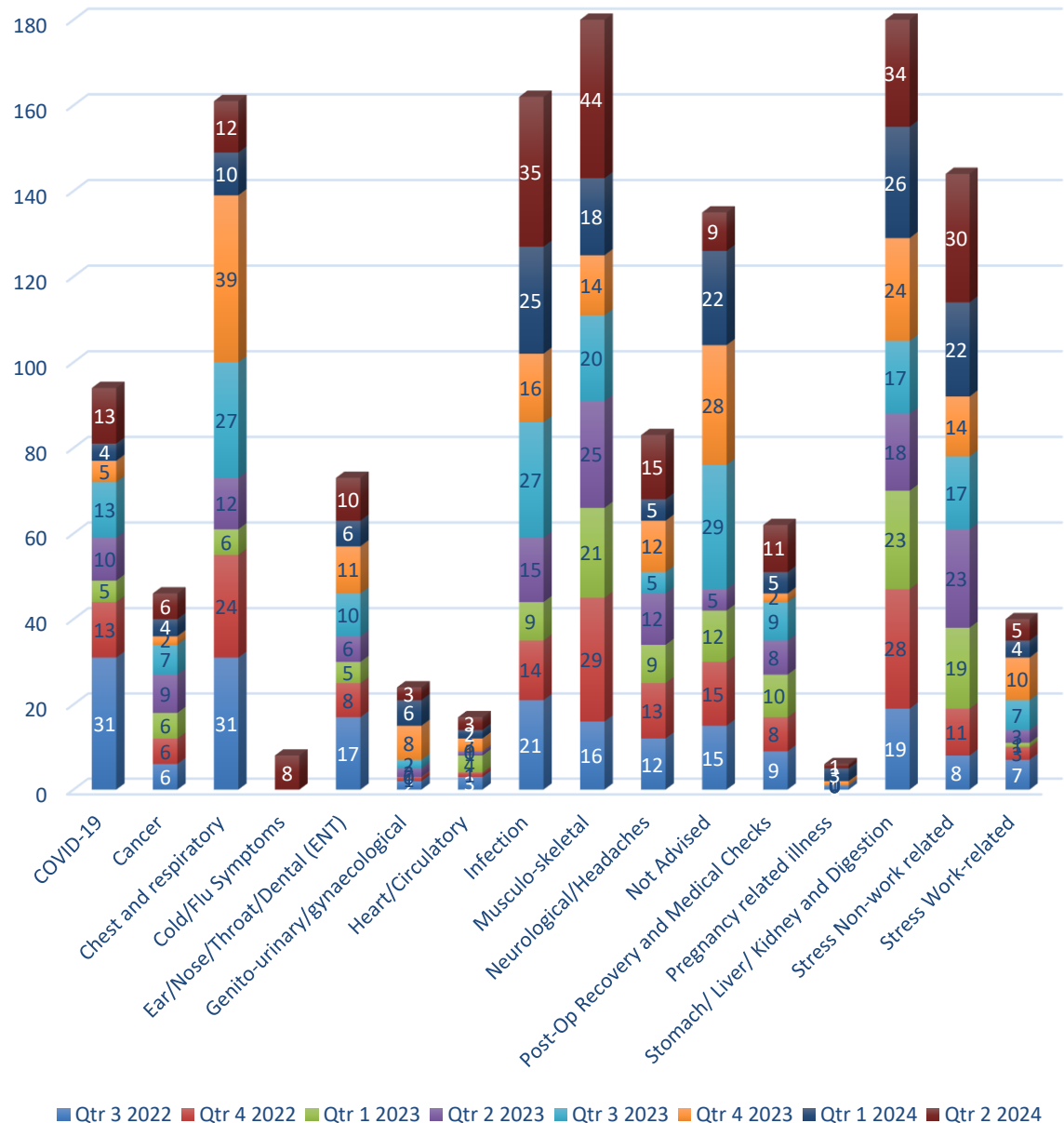
There were 239 incidents of sickness absence recorded in Quarter 2 of 2024/25, this is 90 more incidents than the same quarter of 2023/24.

The highest reason for sickness absence across the last rolling 12 months was Infection, with 103 incidents recorded and accounting for 13.2% of all incidents.

The second highest reason for sickness absence in the last 12 months is Stomach/Liver/Kidney and Digestion, with 101 incidents reported which equates to 12.94% of all incidents.

Musculo-skeletal is the third highest reason in the last 12 months, recording 96 incidents and accounting for 12.30% of all incidents.

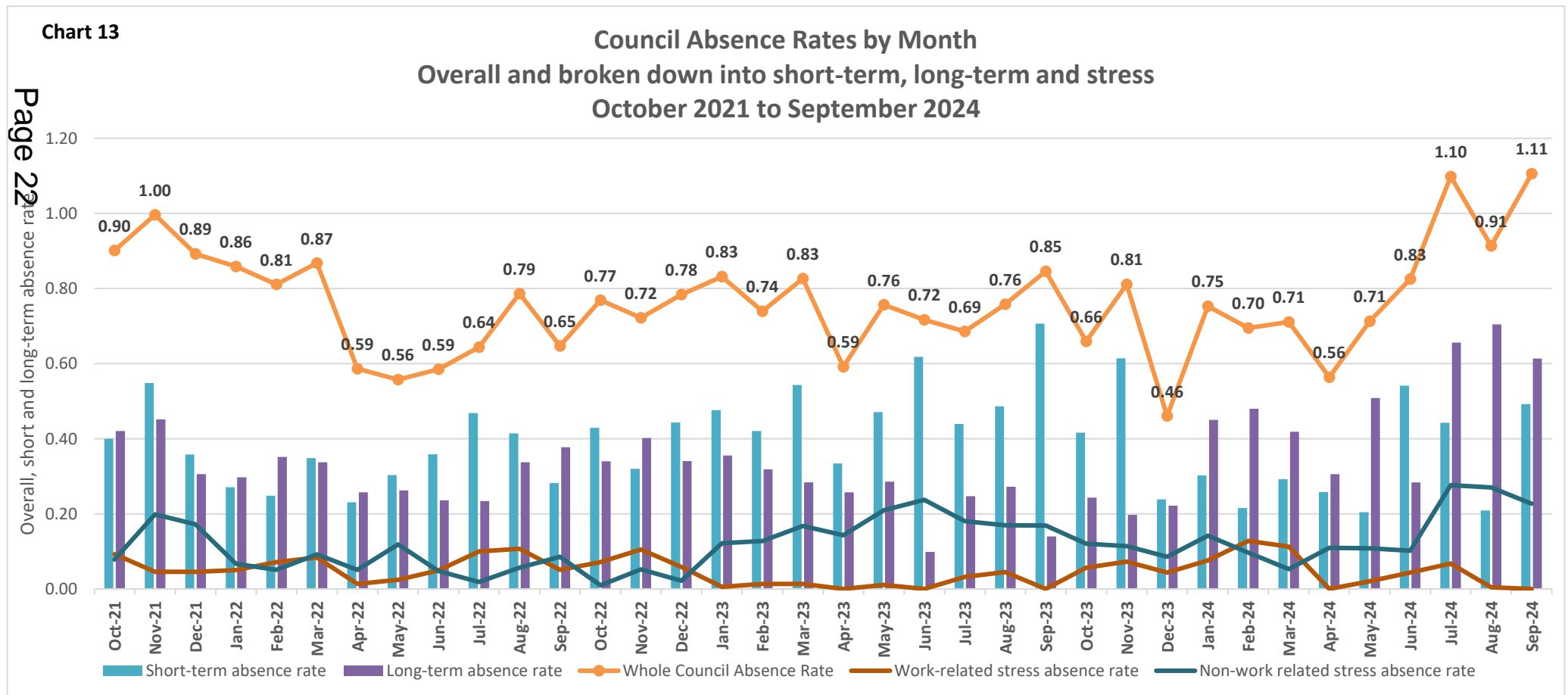
Chart 12 Sickness Absence Incidents by Reason October 2022 to September 2024



For the purposes of sickness absence reporting, short term absence is recorded as any incident that is less than 28 days, and a GP fit note is required after an employee has been absent for 7 calendar days. Long-term sickness is recorded as any absence spanning 28 days or more. HR work with managers and employees, where employees are off on long-term sick to engage with Cordell Health, CDC’s Occupational Health Provider and ensure effective absence management.

Chart 13 tracks the absence rate per month, which is effectively the percentage of working time lost, from October 2021 to September 2024 and shows for the first time since November 2021, the percentage working time lost due to sickness absence is higher than 1% in both July and September 2024. The absence rate is calculated by dividing the hours lost due to sickness absence by the available working hours for the period. September 2024 records the highest rate of absence at 1.11% of working time lost.

Chart 13 also captures the absence rate of short and long-term instances, In the last 12 months. September has the highest rate of short-term absence, recording a rate of 0.71 days lost. August 2024 had the highest rate of long-term absence in the last 12 months, with 0.70 days lost.



The absence rate attributed to stress is also displayed in Chart 13 and shows work-related stress has reduced in the last quarter, with a rate of 0.00 recorded in September 2024. Work-related stress accounted for 2.09% of incidents in quarter 2 of 2024/25 and for 3.33% of all incidents occurring in the last rolling 12 months.

The non-work-related stress absence rate had increased between quarters 1 and 2 and then reduced over the last quarter. It has increased from 0.10 at the end of quarter 1 of 2024/25 to 0.28 at the start of quarter 2 of 2024/25 and then ended the quarter on 0.23. Non-work-related stress incidents accounted for 12.55% of all incidents in quarter 2 of 2024/25 and 10.64% of all incidents across the last year.

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

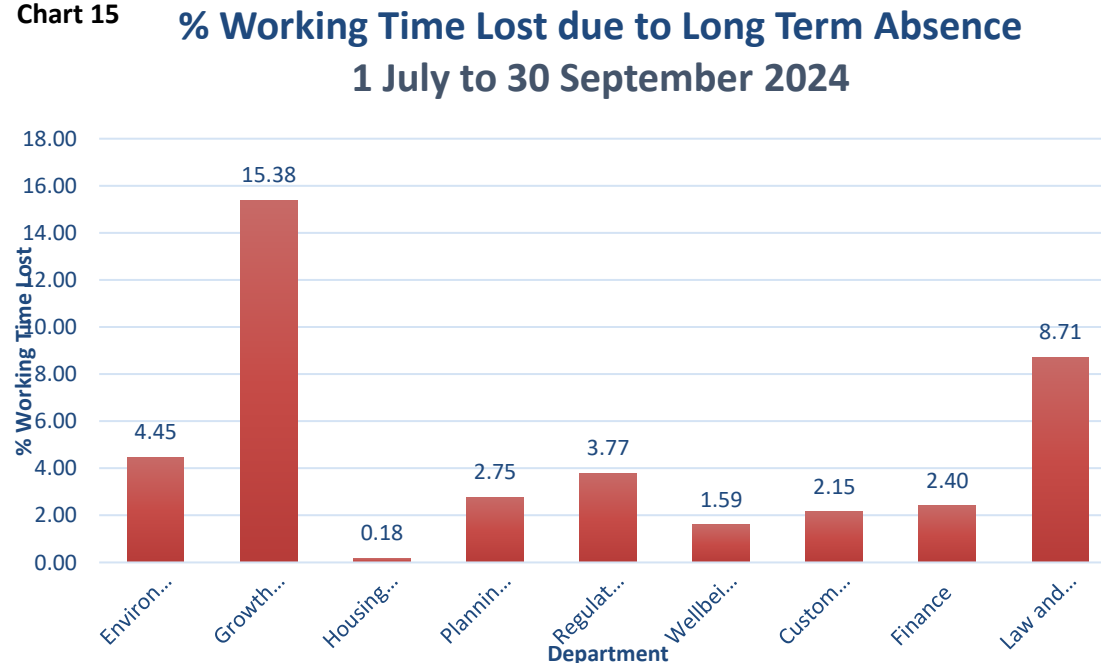
Employees also continue to have access to the Employee Assistance Programme (EAP) which is provided by Health Assured and offers access to counselling, legal and financial advice, and wellbeing resources. The service is confidential and whilst statistics on usage are reported through to CDC; details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

Charts 14 and 15 provide a breakdown of the percentage of working time lost by department for both short term and long-term sickness absence.

Chart 14



Chart 15



Comparative sector data for sickness absence rates has been sought from the Local Government Association (LGA) and is displayed alongside data for CDC in Table 2.

LGA Sickness data for quarter 3 of 2023-24 is now available and has been added to table 2 but this data will no longer be collected on a quarterly basis as this is part of the quarterly LGA benchmark club that has ceased to exist. This data will be collected on an annual basis and CDC has provided a submission for 2023/24. The LGA calculated the mean sickness absence rate across all English authorities as 2.7 days per full time equivalent (FTE) employee in quarter 3 of 2023/24. CDC was 0.77 days lower for the same period. CDC short term absence rates were higher than the mean but long-term absence rates were lower. Comparative data CDC records a rate of 3.12 days lost per FTE in quarter 2 of 2024/25.

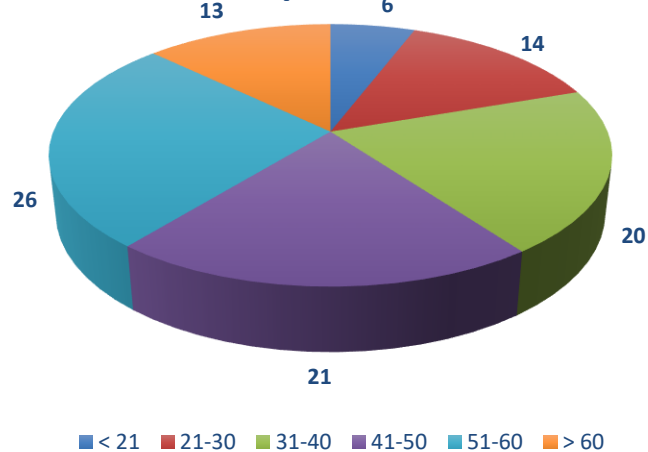
Metric Type	Value Type	QUARTER 4 22/23 Mean for All English authorities	CDC Qtr 4 22/23	CDC Qtr 1 23/24	CDC Qtr 2 23/24	QUARTER 3 23/24 Mean for All English authorities	CDC Qtr 3 23/24	CDC Qtr 4 23/24	CDC Qtr 1 24/25	CDC Qtr 2 24/25
Sickness absence rate	Days per FTE	2.5	2.4	2.04	1.97	2.7	1.93	2.12	2.05	3.12
Days lost through sickness, short term	%	1.6	2.22	2.16	2.20	1.6	1.95	1.22	1.51	1.15
Sickness absence, short term (FTE)	Days per FTE	1.0	1.44	1.41	1.63	1.1	1.26	0.79	0.98	0.59
Days lost through sickness, long term	%	2.2	1.48	0.98	0.83	2.4	1.02	2.04	1.64	1.97
Sickness absence, long term (FTE)	Days per FTE	1.4	0.96	0.63	0.54	1.5	0.66	1.32	1.07	1.01

Age, Gender, Ethnicity, Disability and LGBTQ+ Workforce Profile as at 30 September 2024

Chart 16 shows a breakdown by age of the CDC workforce, expressed in percentage. 13% of CDC employees are over 60. 26% are aged between 51 and 60. 21% of CDC employees are aged between 41 and 50. 20% of the workforce are aged between 31 and 40 and 20% aged 30 and under. The over 60 category has increased by 1% from the end of quarter 1 of 2024/25, and the under 21 category has reduced by 1% in the last quarter.

Chart 16

Age Profile Percentage as at 30 September 2024



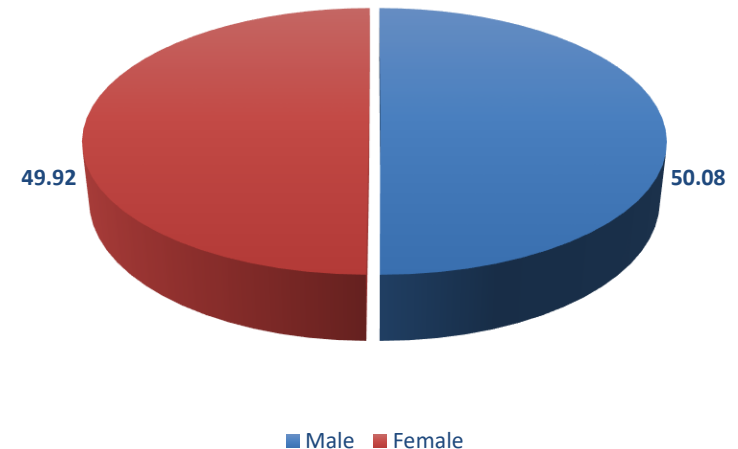
Page 25

Chart 17 breaks down the gender of the CDC workforce and shows that CDC is almost a 50% split.

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

Chart 17

Gender Profile Percentage as at 30 September 2024



Out of a population of 161,837 within the Cherwell District, the latest census data records that 49.6% are male and 50.4% are female. At CDC, 50.31% of our workforce are male and 49.69% are female meaning it is representative of the district. These statistics have been minimal change since quarter 1 of 2024/25.

CDC employees continue to be encouraged to share their equalities data. In relation to employee ethnicity data, in quarter 1 of 2022/23 51% of employees had not provided this. At the end of quarter 2 of 2024/25, just over 85% of employees have recorded this information, with 5.3% preferring not to specify.

Chart 18 shows a breakdown of ethnicity within CDC. Comparative data has been sought both nationally and from the district and is presented in Table 5.

Chart 18 Ethnicity Profile Percentage as at 30 September 2024

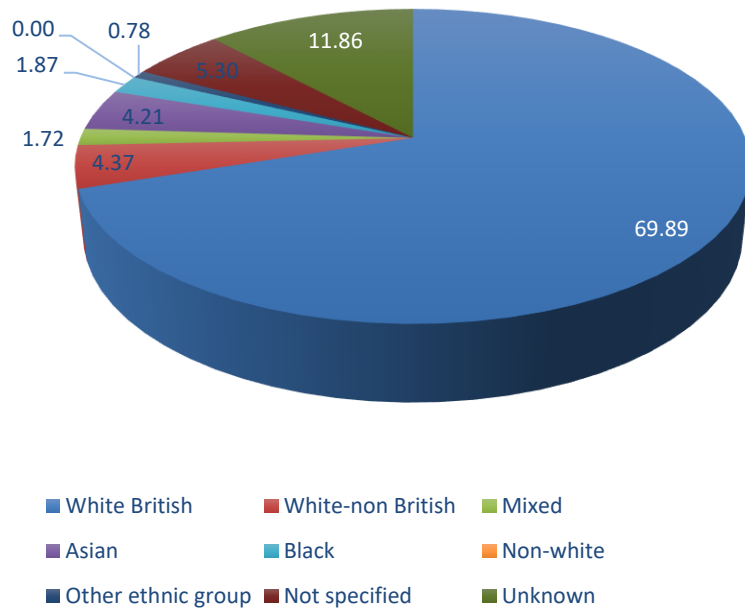


Table 3

Ethnic Group	England average (%)	Cherwell District (%)	CDC (%) Qtr 3 23/24	CDC (%) Qtr 4 23/24	CDC (%) Qtr 1 24/25	CDC (%) Qtr 2 24/25
Asian, Asian British or Asian Welsh	9.3	6.0	3.86	3.67	3.89	4.21
Black, Black British, Black Welsh, Caribbean or African	4.0	1.8	1.13	1.28	1.71	1.87
Mixed or multiple ethnic groups	2.9	2.9	1.13	1.28	1.56	1.72
White	81.7	88.1	71.82	71.45	71.96	74.26
Other ethnic group	2.1	1.3	0.81	0.80	0.78	0.78
Not specified	N/A	N/A	5.96	5.74	5.45	5.30
Unknown	N/A	N/A	15.30	15.79	14.64	11.86

CDC’s workforce is predominantly white British with 69.89% of the workforce recording their ethnicity in this category.

Table 3 compares the make-up of ethnic groups across the UK and the Cherwell District and then compares this with the make-up of our workforce. The Cherwell District has a higher percentage of residents in the *White* ethnic group than the average across the UK. Of the workforce data recorded, the *White* category for the workforce increased by 2.3% in quarter 2 of 2024/25. All ethnic groups, with the exception of *other ethnic group*, have marginally increased in the last quarter.

The CDC workforce is slightly under-represented in most ethnic groups in comparison to the district. As at the end of quarter 2 of 2024/25, CDC has just slightly exceeded representation in relation the district in the *Black, Black British, Black Welsh, Caribbean or African* ethnic group.

The Personnel Committee requested further information on ethnicity by grade across the organisation. The grade bands have been split into 3 categories; A to E who generally have no supervisory or line management responsibilities, F to I; who are typically team leader and supervisory level roles and then J and above which are management grades.

Chart 19 outlines the percentage of employees by ethnic group and grade band.

We have requested disability information be provided by employees. At the end of quarter 1 Of 2024/25, 43% of the workforce had not provided this data, however this has reduced to 19% at the end of quarter 2, as illustrated in Chart 20. The HR Team are committed to completing further follow-up to improve the data collection within this area. Chart 21 shows a breakdown of data relating to disability by grade band.

Chart 19

Ethnic Group Percentage by Grade Band as at 30 September 2024

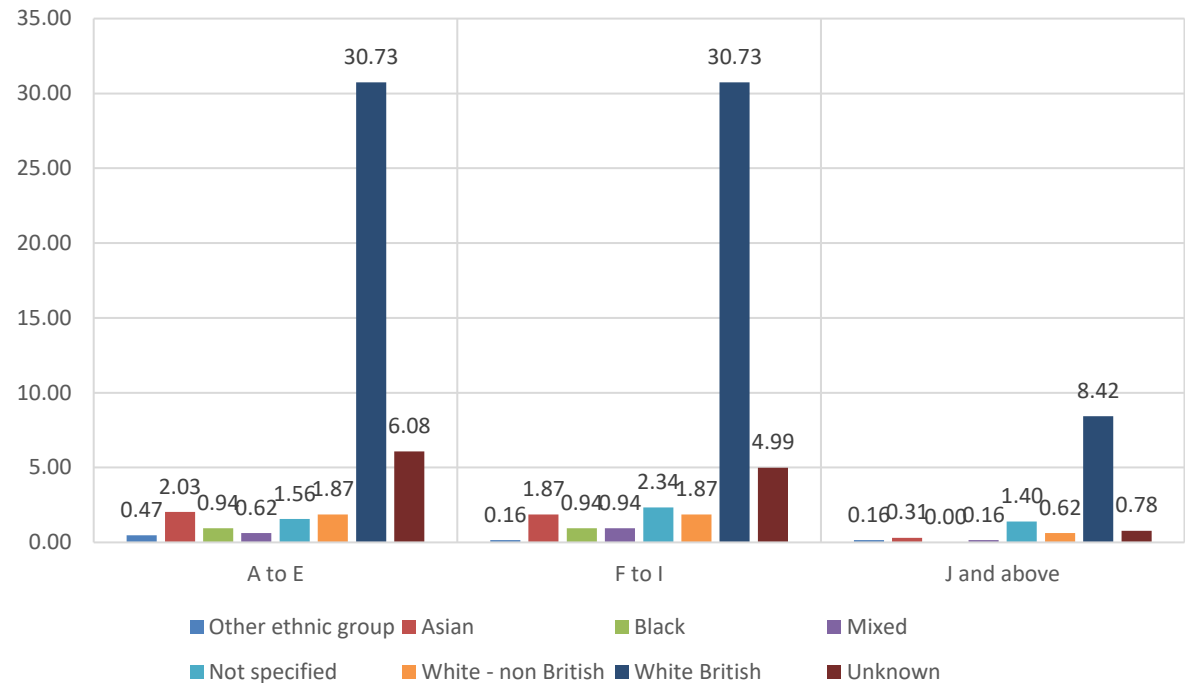


Chart 21

Disability Percentage by Grade Band as at 30 September 2024

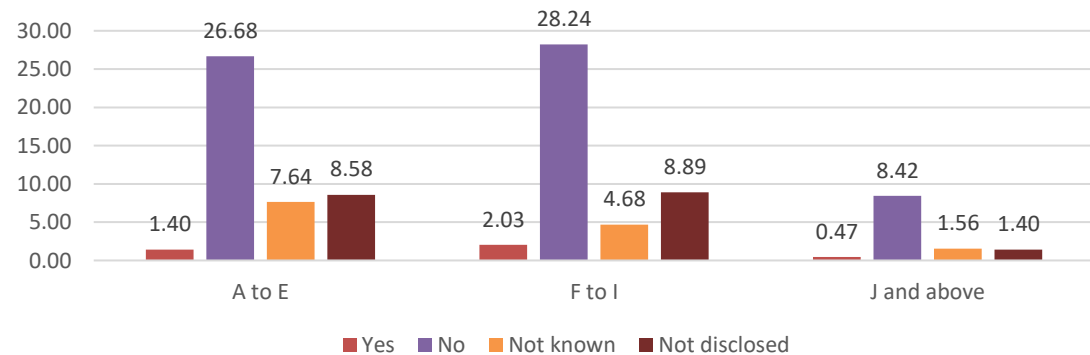
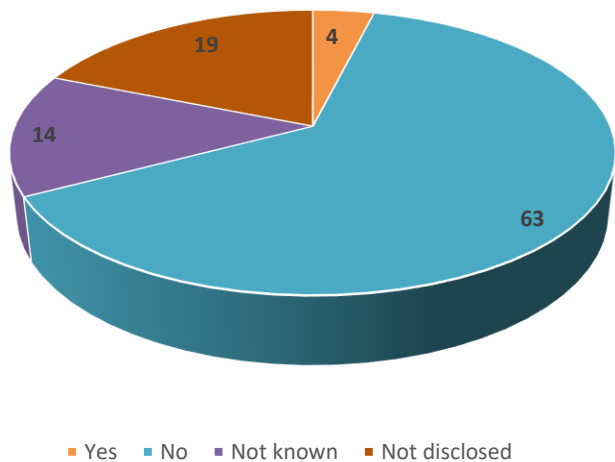


Chart 20

Disability Percentage Profile as at 30 September 2024



CDC is a disability confident employer which means we participate in the Department of Work and Pensions Scheme to guarantee interviews to any disabled candidates who meet the essential criteria for our roles. Where disabilities are identified, management and HR work closely with employees and the council’s occupational health provider to review any reasonable adjustments that could be put in place to assist the employee in their role.

The Personnel Committee also requested data on sexual orientation for our workforce which is provided at Chart 22.

Within this category, 12.95% of the workforce have declined to specify and 13.26% have not completed this data. This data collection has marginally improved in the last quarter.

As with ethnicity information, sexual orientation data has also been broken down into grade bands and this is shown at chart 23.

As part of the Equality, Diversity and Inclusivity strategy that was published this year, we have a workforce plan with actions to work through. Data around protected characteristics will continue to be tracked whilst the actions are undertaken, and variations will be provided in future iterations of these statistics.

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

Chart 22

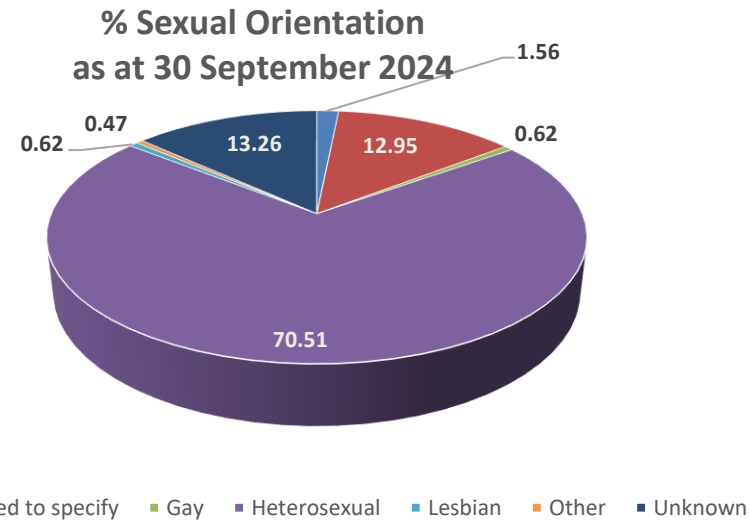
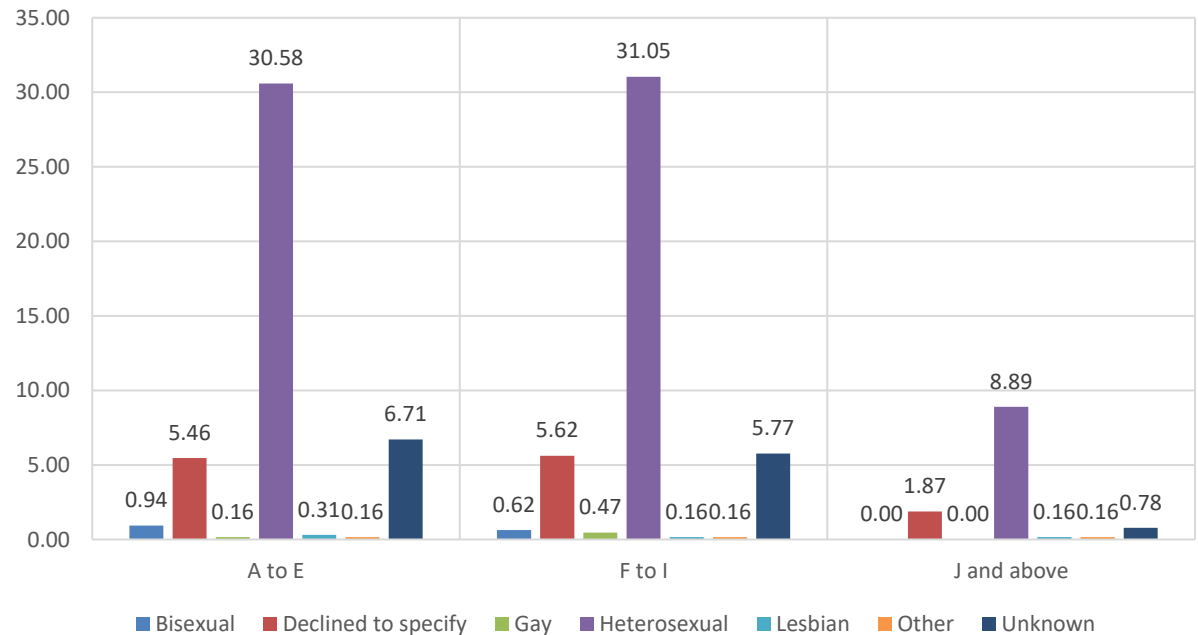


Chart 23

Sexual Orientation Percentage by Grade Band as at 30 September 2024



Diversity in Recruitment

In October 2023, CDC launched a new recruitment module as part of its HR and Payroll system. This has meant that analysis of recruitment data can now be completed. In line with CDC’s Equality, Diversity and Inclusivity agenda, this data allows insight into whether or not CDC is reaching and is representative of all communities within the district. Recruitment data has been analysed and since going live in October 2023, 73 recruitment campaigns have been completed, to which 865 applications were received and 68 offers of employment made.

The following data provides insight into the application data, and where possible provides comparison to the make-up of the district to aid analysis into representation.

Chart 24 shows a breakdown of applicants by age category. The highest number of applicants were between 21 and 30, followed by 31 to 40, these 2 groups account for 60.23% of all applications. Table 4 provides district data on age bands. Whilst district data does not quite correlate with age groups relevant to the CDC workforce, Chart 24 shows that the distribution of applicants across the age bands is representative of that within the district.

Chart 24

% Applicants by Age
October 2023 to September 2024

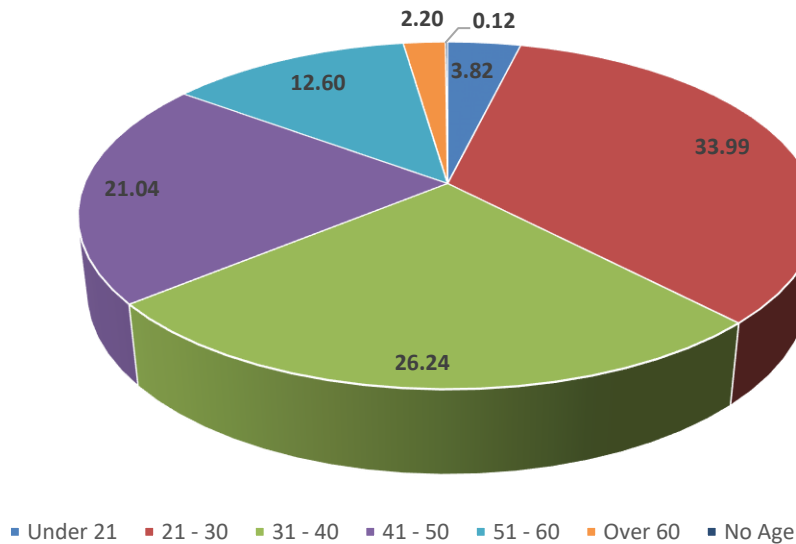


Table 4

Age	% Residents
16 - 19	5.48
20 - 24	6.71
25 - 34	19.45
35 - 49	28.49
50 - 64	26.99
65 - 74	12.88
	100.00

Chart 25 outlines the percentage of applicants per ethnic group and Table 5 shows the make-up of the District.

Chart 25

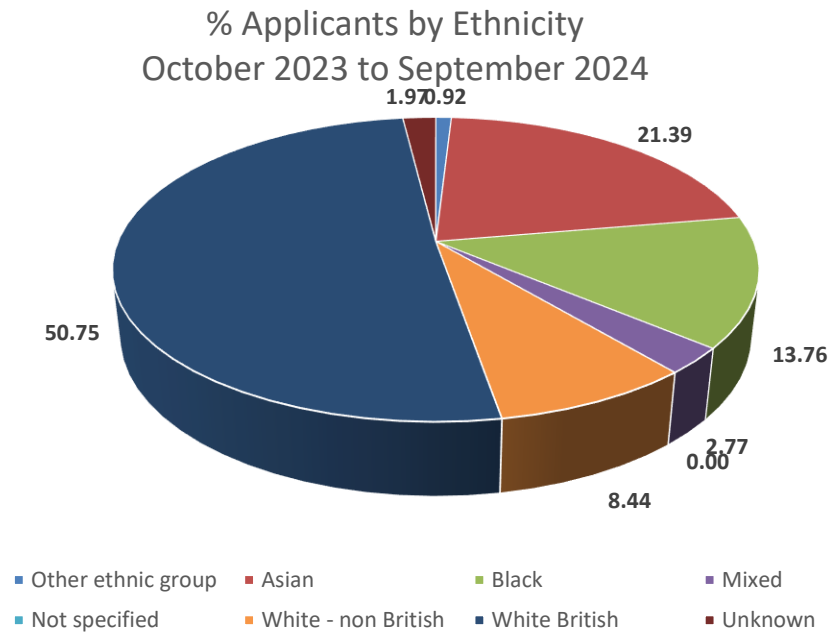


Table 5

Ethnic Group	Cherwell District (%)
Asian, Asian British or Asian Welsh	6.0
Black, Black British, Black Welsh, Caribbean or African	1.8
Mixed or multiple ethnic groups	2.9
White	88.1
Other ethnic group	1.3
Not specified	N/A
Unknown	N/A

This data shows that applicants for CDC jobs are ethnically diverse, with applicant numbers within Asian and Black ethnic groups significantly higher than the district percentages.

Chart 26

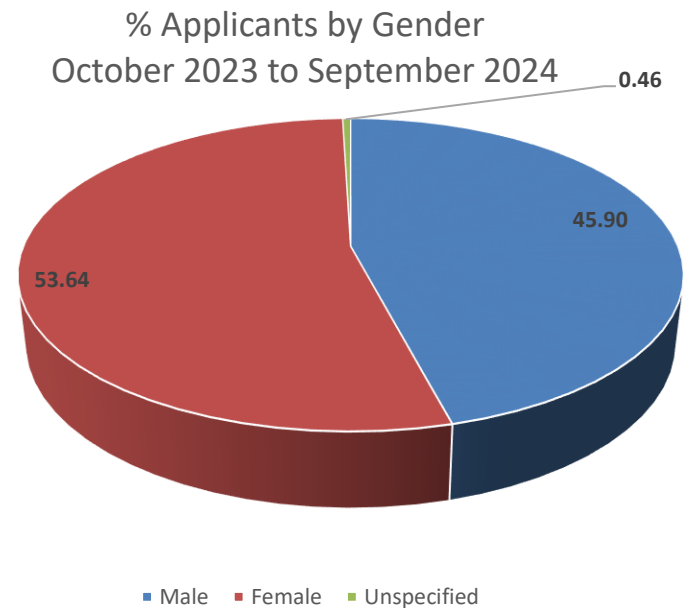


Chart 26 shows the percentage of applicants by gender, which is an almost 50/50 split across male and female, which is both reflective of our current workforce and district data covered earlier in this report.

Chart 27 % Applicants with Disabilities
October 2023 to September 2024

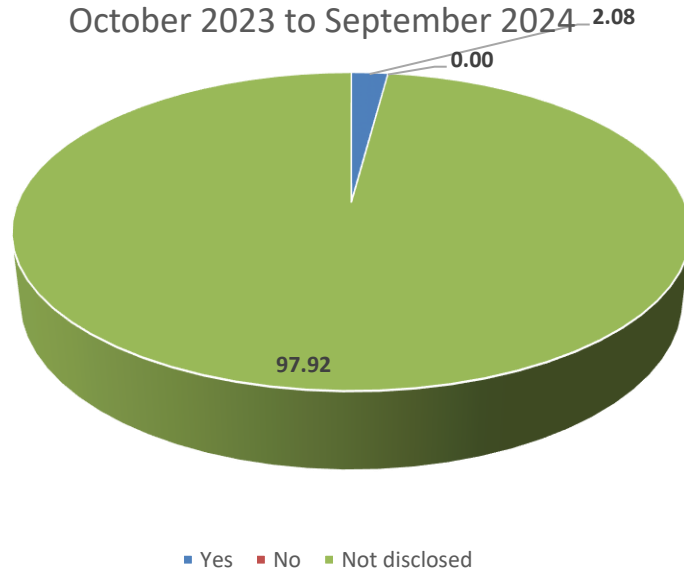
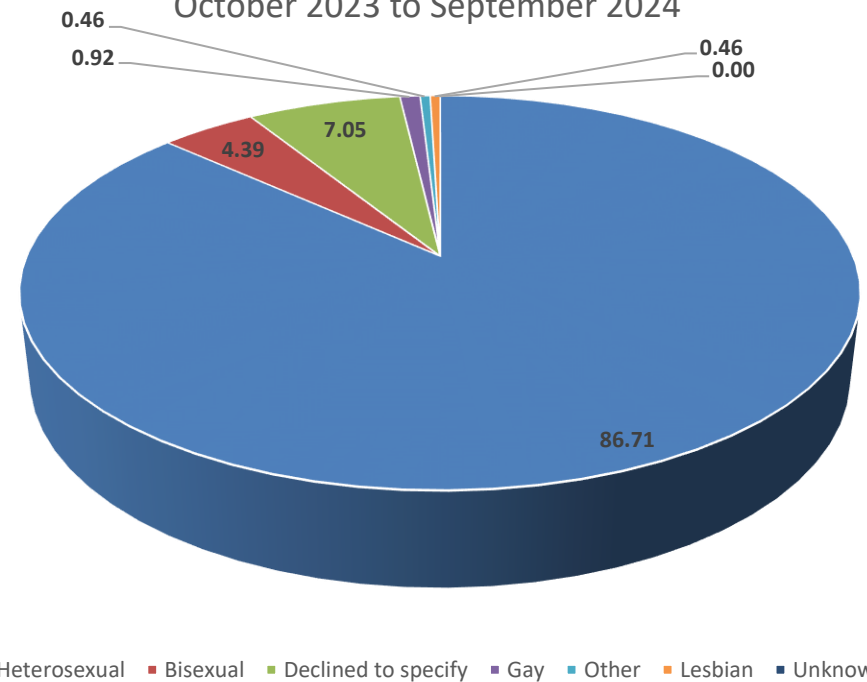


Chart 28 % Applicants by Sexual Orientation
October 2023 to September 2024



■ Heterosexual ■ Bisexual ■ Declined to specify ■ Gay ■ Other ■ Lesbian ■ Unknown

Chart 28 shows the percentage of applicants by sexual orientation. Oxfordshire County Council confirms from census 2021 information that 89.4% of the county identify as straight or heterosexual, with 3.4% not identifying as straight or heterosexual and 7.9% preferring not to say. CDC's applicant data is reflective of these county statistics.

Chart 27 shows the percentage of applicants by disability. 97.92% of applicants have not disclosed this at applicant stage. It is hoped that applicants would provide this information should they have disabilities as we have a guaranteed interview scheme if they meet the essential criteria for a role, as part of being a disability confident employer.

Apprenticeships within Cherwell District Council as at Quarter 2 – 2024/25

Background

As an organisation with an annual pay bill of more than £3 million, we pay 0.5% of our pay bill towards the apprenticeship levy. This levy is then used to support apprentices to study for qualifications from Level 2 – Level 7.

Apprentices are new employees into the organisation, who are employed specifically into an apprenticeship role, or it is also existing staff who are upskilling using the levy.

The organisation has an apprenticeship levy dashboard (DAS) which is supervised by the HR Department.

Information on apprentices in the organisation

There are 23 apprenticeships currently running within the Council for this quarter, of which 4 is an apprentice on programme, employed specifically as an apprentice; and the remaining 19 are employees undertaking an apprenticeship as CPD or career progression.

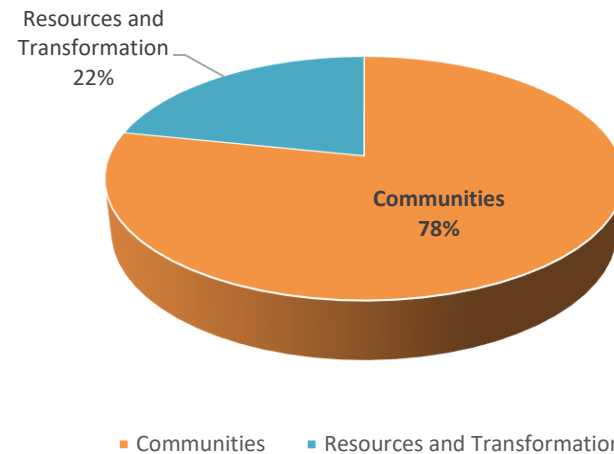
There are currently 18 apprenticeships within the Communities Directorate and 5 within the Resources and Transformation Directorate – please see chart 26.

Details of the apprenticeships at the organisation are detailed in the table below. The organisation is using its apprenticeship levy predominantly for upskilling existing staff.

Apprenticeships details below:

Apprenticeship Standard	Level of Apprenticeship	Duration of Apprenticeship	Number of employees on apprenticeship	Apprentice or Employee CPD	Team	Directorate	Cost of Apprenticeships (£)
Autocare Technician	Level 2	2 ½ Years	1	Apprentice	Fleet Management	Communities (1)	12,000

Percentage of Apprenticeships within Directorates



Apprenticeship Standard	Level of Apprenticeship	Duration of Apprenticeship	Number of employees on apprenticeship	Apprentice or Employee CPD	Team	Directorate	Cost of Apprenticeships (£)
Business Administrator	Level 3	1 ½ Years	1	Apprentice	Depot – Thorpe Lane	Communities (1)	5,000
HR Support	Level 3	1 ½ Years	1	Apprentice	Human Resources	Resources and Transformation (1)	4,500
Team Leader/Supervisor	Level 3	1 ½ Years	5	CPD	Sport and Physical Activities (2) Housing Options and Homelessness (1) ICT (1) Environmental Protection & Enforcement (1)	Resources and Transformation (1) Communities (4)	22,500
ASB and Community Safety	Level 4	2 Years	1	CPD	Community Safety	Communities (1)	8,000
Data Analyst	Level 4	14 months	1	CPD	Digital and Innovation	Resources and Transformation (1)	14,250
People Professional	Level 5	1 ½ years	1	CPD	Human Resources	Resources and Transformation (1)	11,000
Chartered Surveyor	Level 6	5 ½ Years	1	Apprentice	Access and Grants	Communities (1)	27,000
Environmental Health Practitioner	Level 6	4 Years	1	CPD	Health Protection and Compliance	Communities (1)	22,000
Public Health Practitioner	Level 6	3 Years	1	CPD	Health Place Shaping	Communities (1)	22,000

Apprenticeship Standard	Level of Apprenticeship	Duration of Apprenticeship	Number of employees on apprenticeship	Apprentice or Employee CPD	Team	Directorate	Cost of Apprenticeships (£)
Chartered Town Planner	Level 7	2 ½ years	7	CPD	Planning	Communities (7)	92450
Accountancy Professional (CIPFA)	Level 7	3 Years	1	CPD	Finance	Resources and Transformation (1)	20,433
Sustainability business specialist	Level 7	2 years	1	CPD	Environment Services	Communities (1)	10,755
			23		Total apprenticeship levy committed		271,888

Current amount in the Levy Account

The Council currently has £170,036 in their levy account. It is estimated that a further £100,382 will be received over the next 12 months, based on funds entering the Council's Apprenticeship service account, including the 10% top up from the government. It is estimated that the Council will spend £53,586 in the next 12 months based on the current apprenticeships within the table above.

Expired Funds

Some funds expired in Quarter 1 of 2024/25 amounting to £183.74. The levy account is indicating that the Council will have an amount of £364.00 in expired funds in January 2025. These indications are estimates made by the apprenticeship dashboard and are based on details available from our last levy payment and apprenticeship arrangements, which may not be up to date. Providers are not always timely in providing the details to add new apprenticeships onto the dashboard and so these estimates may change once a new course is added and payments are starting to be taken from the levy pot.

We may have indicated in a previous quarter's stats that funds were due to expire but if apprenticeship details are updated after creating the report this could then mean no funds expired.

Apprenticeship Reforms under the new Government

The Prime Minister Sir Keir Starmer and Education Secretary Bridget Phillipson have announced a new growth and skills levy which will replace the existing apprenticeship levy and is to include new foundation apprenticeships.

These new apprenticeships will give young people a route in to careers in critical sectors, enabling them to earn a wage whilst developing vital skills.

The new levy will also allow funding for shorter apprenticeships, giving learners and employers greater flexibility over their training than under the existing system – where apprenticeships must run for at least 12 months.

To fund this, employers are being asked to rebalance their funding for apprenticeships, asking them to invest in younger workers. This will also involve businesses funding more of their level 7 apprenticeships – equivalent to a master’s degree and often accessed by older or already well qualified employees – outside of the levy.

The government launched Skills England in July to help identify skills needs. Skills England will play a crucial role in determining which types of training will be eligible for the expanded growth and skills levy and will set out shortly how they will work with stakeholders to inform their advice to DfE.

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This report is public	
Policy Review Updates	
Committee	Personnel Committee
Date of Committee	27 November 2024
Portfolio Holder presenting the report	Portfolio Holder for Corporate Services Councillor Chris Brant
Date Portfolio Holder agreed report	12 November 2024
Report of	Assistant Director of Human Resources, Claire Cox

Purpose of report

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

1. Recommendations

The Personnel Committee resolves:

- 1.1 To review and approve the following policies for adoption:
 - a. Organisational Change Policy
 - b. Paternity Leave Policy
 - c. Carer's Leave Policy
 - d. Drugs and Alcohol Policy

2. Executive Summary

- 2.1 This report provides overview of the latest policies that have been updated for review and approval by the Committee, as part of a rolling programme of policy reviews and updates.

Implications & Impact Assessments

Implications	Commentary
Finance	<p>There are no financial implications arising from this report.</p> <p>The carers policy should not result in any net additional costs to the council. As with every service, the cost will be absorbed if one or more people choose to use this flexibility.</p> <p>Michael Furness, Assistant Director of Finance and S151 Officer, 29 October 2024</p>

Legal	The policies being put forward for adoption reflect changes in employment law and good practice and therefore assist the Council in meeting its legal obligations and support good employment relations. Alison Coles, Legal Services Operations Manager, 30 October 2024			
Risk	The policies being put forward mitigate the risk of not being compliant with changes in employment law. There are no risk implications arising directly from this report. Celia Prado-Teeling, Performance Team Leader, 5 November 2024			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		X		The attached policies have been developed/reviewed in line with our Equalities, Diversity and Inclusion framework “Including Everyone”, in compliance with the Equality Act 2010. Celia Prado-Teeling, Performance Team Leader, 5 November 2024
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Climate & Environmental Impact				N/A
ICT & Digital Impact				N/A
Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	N/A			

Human Resources	It is essential that policies are regularly reviewed and kept up to date with both legislative and organisational requirements. Claire Cox, Assistant Director of Human Resources, 27 August 2024
Property	N/A
Consultation & Engagement	UNISON, the Extended Leadership Team and the Corporate Leadership Team have all been consulted on these policies ahead of submission for approval by the Personnel Committee.

Supporting Information

3. Background

- 3.1 The policies outlined above are part of the rolling programme of policy updates that officers are bringing to Personnel Committee for approval as HR systematically work through and refresh all HR-related policies.
- 3.2 UNISON, and Extended and Corporate Leadership Teams have been provided with these documents for review and comment ahead of approval being sought from the Personnel Committee.

4. Details

- 4.1 The approach officers are taking to review all HR policies is to prioritise those needed to reflect changes in legislation and or work practices.
- 4.2 The aim of the review was to simplify the content where possible, removing any unnecessary information and ultimately making them more user friendly for managers and employees to understand and follow.
- 4.3 The table in Appendix 1 gives an overview of all the proposed changes for each policy.
- 4.4 The Organisational Change Policy has been submitted for review and approval following an addition that stipulates managers need to operate within establishment, and clarity on process following feedback from a recent restructure. The HR team are currently completing a review of pay protection across the local government sector as currently CDC offer 2-years pay protection, and if found to be out of kilter with others in the sector, will update and re-consult on this policy for approval at a future personnel committee.
- 4.5 The paternity leave and carers policy are provided for approval following legislative changes.

- 4.6 The Drugs and Alcohol Policy has been reviewed and refreshed to ensure it is up to date, with minor amendments made to ensure ease of use.

5. Alternative Options and Reasons for Rejection

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

Option 1: The alternative option would be to continue with the existing policies however officers have rejected this as the policies do not reflect current legislation or the Council's objectives of being an attractive, modern employer.

6. Conclusions and Reasons for Recommendations

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

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	N/A

Document Information

Appendices	
Appendix 1	Outline of changes to each policy
Appendix 2	Organisational Change Policy
Appendix 3	Paternity Leave Policy
Appendix 4	Carers Leave Policy
Appendix 5	Drugs and Alcohol Policy
Background Papers	N/A
Reference Papers	N/A

Report Author	Assistant Director of Human Resources, Claire Cox
Report Author contact details	Claire.cox@cherwell-dc.gov.uk , 01295 221549
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Stephen Hinds, Corporate Director – Resources and Transformation, 12th November 2024

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Appendix 1

Changes to Policies

Policy	Changes
Organisational Change	<p>Added in a section relating to the requirement of managers to operate within area establishments and actions to take should the establishment need to increase or reduce.</p> <p>Reviewed wording around assimilation and ring-fencing to ensure clarity and transparency.</p>
Paternity Leave	Updated the policy to reflect that paternity leave can now be taken up to 12 months after the birth of the child, and not within 56 days.
Carers Leave	This a new policy, following legislative change, that allows employees to request up to one week of unpaid leave per annum to provide care for a dependent who has long-term care needs.
Drugs and Alcohol Policy	Reviewed to ensure up-to-date and minor amendments to ensure ease of use.

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5



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Organisational Change Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Organisational Change Policy
Owner	Human Resources
Version	2.0
Date of implementation	28 November 2024

DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
Personnel Committee	27 November 2024

DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District Council.

DATE FOR REVIEW

No later than 28 November 2027 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision
1	13 June 2023	Update of appeal procedure following change to constitution. The Personnel Committee agreed to this change.
2	27 November 2024	Update to provide clarity on requirements for areas to operated within establishment, and the assimilation and ring-fence processes.

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1 Introduction

- 1.1 The strategic vision of the Council is to ensure on-going efficiency and value for money. The Council needs to remain flexible and responsive to changing national and local priorities and consider stakeholder needs. They must also make the most efficient use of all resources and as such it is likely that organisational change will be required. The Council will seek to minimise the negative effects of any organisational change through the application of fair and equitable procedures that include restructuring, redeployment and redundancy.
- 1.2 The Council is committed to the principle of working in partnership with employees and trade unions in managing organisational change and will seek to achieve changes through appropriate involvement and consultation. Any final decisions will however remain with the Council.
- 1.3 The Council will ensure compliance with all related aspects of employment law and will also offer all reasonable support, in circumstances such as where there are job changes in redundancy situations, through the provision of robust redeployment processes and active case management.
- 1.4 This policy applies to all employees of Cherwell District Council. It does not apply to staff retained on agency contracts or consultancy agreements, self-employed contractors, volunteers or interns. This policy will not apply to other third party or partner organisations where employees are not employed directly by the Council.
- 1.5 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time following consultation with the trade union and with agreement from the personnel committee.

2 The Purpose

- 2.1 The purpose of the Organisational Change policy and its related procedures (Restructuring, Redeployment and Redundancy) is to establish the fair, robust, and transparent principles, and processes to be followed so that the Council's interests are protected, and staff are treated fairly throughout organisational change.

3 General Principles

- 3.1 All documents reflect the requirements of current employment legislation.
- 3.2 The Council will consider all realistic alternatives to compulsory redundancies and will discuss and consult upon alternatives with staff and their trade union representatives where appropriate. This may mean changes to final business cases following a consultation period to cover alternatives such as:

- reducing or eliminating overtime
- reducing or changing employee allowances
- reviewing the use of temporary, fixed term, casual and agency contracts
- seeking employee requests for early retirement, voluntary redundancy and reduction of hours
- restricting or freezing recruitment
- reducing expenditure in other ways (or increasing income) wherever possible
- considering retraining and/or redeployment.

3.3 The appropriate manager will receive support and advice in relation to a restructuring process by Human Resources, exploring all of the available options, before any change process starts. This will provide a positive and consistent approach for any organisational change.

4 Equality of Opportunity

4.1 The Council is fully committed to equal opportunities in employment and opposes any form of unfair discrimination on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age. Part-time employees and those working under fixed-term contracts will not be treated differently to permanent, full-time comparators.

Where appropriate, equality impact assessments will be carried out for business cases.

5 Operating within Establishment

5.1 All managers are required to operate within their budgeted establishment of positions. Resourcing levels can fluctuate due to changing demands and priorities.

5.2 Should an area experience an increase in demand that leads to a need for additional permanent positions in the establishment, such a change will require authorisation from both the Corporate Director and the Chief Executive, due to the increase in budgetary requirements.

5.3 Should a need be identified to reduce permanent establishment, this policy sets out how such an organisational change is to be completed.



RESTRUCTURING PROCEDURE

1 Introduction

- 1.1 This procedure should be read in conjunction with the Organisational Change policy and related procedures of Redeployment and Redundancy.
- 1.2 The Restructuring procedure provides fair, robust and transparent processes during restructuring, whilst seeking to avoid compulsory redundancies where staffing reductions are required.
- 1.3 The procedure will apply primarily where the Council identifies a need to undertake a formal and strategic review to address the long-term financials and efficiency, including departmental and teams or other strategic reviews, of the Council and where there may be the need to reduce staffing levels or create some other significant change to the employment contract.
- 1.4 The following stages outlined below will assist in managing the organisational change process:
 - Stage 1: Development of a business case to propose service or structure changes and approval by Corporate Leadership Team (CLT).
 - Stage 2: Communication and consultation with the affected staff and the trade unions. The purpose of the consultation is to provide an early an opportunity as practical for all concerned to engage in the change and explore options.
 - Stage 3: Final approval of business case by CLT after consultation has ended.
 - Stage 4: Implementation (if the proposals have been approved).
 - Stage 5: Appeal process (the considerations for this stage are given in the redundancy procedures).

2 Stage 1: Development of a Business Case

- 2.1 Prior to any business case being written, the Assistant Director should take advice and guidance from their HR Business Partner and discuss their proposals with the portfolio holder and the relevant senior member of the management team.
- 2.2 The development of the business case will include the following for consideration:
- The current structure and the rationale for the proposed changes.
 - The proposed new structure and the proposed outcomes.
 - Careful identification of the posts and people in scope and impacted by the proposed change.
 - The merits of retaining or designing career grade posts.
 - A financial assessment of the potential redundancy and pension costs and any proposed financial savings.
 - The consultation timetable.
 - Job evaluation results.
 - The target implementation date.
- 2.3 The business case should include a draft revised structure and costing based on provisional proposed grades.
- 2.4 Draft person specifications, job descriptions and job description questionnaires (where appropriate) must be prepared for each proposed new post. This will ensure that job evaluation can take place before consultation begins. Appropriate time should be set aside to allow for this to be achieved and the business case lead officer should discuss this with their HR Business Partner.
- 2.5 In circumstances where the internal HR function is the subject of review the appropriate Director may put in place alternative arrangements as they deem relevant to facilitate the delivery / implementation of this policy without creating a conflict of interest for the individual employees affected.
- 2.6 Once the business case is completed, the proposal will be taken to CLT for approval prior to consultation commencing.

3 Stage 2: Communication and Consultation

3.1 The principles of effective consultation

The Council places great emphasis upon the value of stable and positive industrial relations, and as such take their responsibility for ensuring an effective and meaningful period of consultation seriously.

- 3.2 The Council recognises the benefits of consulting and communicating clearly and early with staff who may be affected by any proposals for change so as to minimise rumour and misunderstanding, and ultimately to help develop greater

trust by involving and engaging with employees and the trade unions during the change process. It is also recognised that communication may need to be extended wider than to those directly affected.

3.3 This stage defines the responsibilities of key staff involved in the restructure for communication, and sets out communication methods, both collectively and individually.

3.4 Assistant Director (or delegated other * for restructure where Senior Manager or others are in scope) in conjunction with the nominated HR Business Partner will review current roles against proposed roles. Staff affected by the restructure should be given an indication of which posts they could be ring-fenced to, as part of the restructure

** a delegated other is a person with the ability to make decisions on behalf of and, in accordance with the constitution of the council.*

3.5 All consultation with the affected staff and trade unions will be led by the relevant Assistant Director, or delegated other, supported by the nominated HR Business Partner and can take the form of any or all of:

- One to one consultation
- Group consultation
- Consultation with the trade union representatives
- Written consultation
- A consultation log

3.6 The scope and method of communication will be driven by the scope and size of the restructure.

3.7 Regular communication will take place with staff during both the consultation process and throughout the decision-making process as this will provide staff and the trade unions with reassurance and they will feel engaged in the process.

3.8 Individual and collective consultation sessions will be arranged as well as the following communication with staff and the trade unions during consultation:

- A portal will be set up for staff questions to be submitted on a consultation log. Staff will be made aware of when and how they will receive responses from the consultation log.
- Distribution of the business case.
- External support and advice given if / where appropriate (for example for Senior Management restructuring).
- 1-2-1 and group meetings which will be recorded on a separate confidential consultation log.

3.9 Absent staff for whatever reason e.g., due to sickness, paternity, maternity or unpaid leave will be kept informed during the consultation process by their line manager.

3.10 The formal consultation process

The Assistant Director, or delegated other, will outline the proposed changes to all staff in scope, in person, as outlined in the business case and in doing so will inform all of the affected employees of the organisational change process so that they understand the need for the proposed changes and have a clear understanding of the process to be followed from the outset.

3.11 The length and processes involved in each stage of consultation will depend on the complexity of the proposed change and the number of staff involved, but as a general principle, a minimum period of three weeks (or a period of time in line with statutory requirements) is recommended. Should it be deemed necessary to extend a consultation period for any reason the staff and trade unions will be kept informed.

3.12 The formal consultation stage will be used to consider further options that may not have been considered to deliver the service.

3.13 At the beginning of the consultation process the affected employees and the trade unions will be provided with a link to the consultation portal containing:

- The draft business case, including the proposed new staffing structure.
- The consultation timetable.
- The organisational change policy.
- Job description and person specifications for all proposed new posts.
- Details of the salary grades of all proposed new posts.
- An employee preference form.

Affected employees will also receive a personal letter of consultation which will include details of which proposed new post(s) they are to be ring-fenced for, or whether it is proposed that they would be assimilated into a proposed new post.

3.14 The consultation log

In order to facilitate an effective process of consultation with staff and the trade unions a consultation log will be maintained.

3.15 The consultation log will enable views, concerns and questions raised by affected staff and their trade union representatives to be answered regularly, shared openly with all of the affected staff (unless the issue relates to an individual's specific circumstances, and they wish it to be private). This helps to ensure regular communication between management and any affected staff. A dedicated member of the HR team and the Assistant Director (or delegated other) will administer the log throughout the whole consultation process.

3.16 The process for operating and managing the consultation log will be communicated to staff prior to the start of the consultation process to ensure

expectations are clear about when employees will receive responses to questions, issues, or concerns raised during the consultation process.

- 3.17 The relevant Assistant Director, or delegated other, will ensure that they provide regular updates to staff, even if there is nothing significant to communicate so that channels of communication remain open.
- 3.18 The recognised trade unions will be invited to be involved in all stages of the formal consultation process. If, as a consequence of responses to the consultation process the Assistant Director, or delegated other, considers that it is appropriate to change the draft business case the affected staff and trade unions will be notified at the appropriate time.
- 3.19 There may be occasions when it becomes necessary to extend the consultation period, or to conduct a **supplementary process of formal consultation**. This may be used where there are significant changes or outstanding issues once the initial formal consultation has been completed. Where deemed necessary, this second stage will include the same stages as above but will be based on any further changes to the business case or proposed structure arising from the first consultation. Any changes will be communicated to the relevant trade union representatives.
- 3.20 The Council will ensure they maintain the skills, knowledge and experience required for future service delivery, whilst recognising that some employees may have different personal aspirations.
- 3.21 The Employee Preference Form (see Appendix B) will be found on the consultation portal. Allowing time, and the opportunity to consider and discuss potential alternatives, all requests will be considered carefully on a case-by-case basis.
- 3.22 Employee preference requests will be considered on the grounds of:
- Whether there is suitable alternative employment
 - Whether the proposal will help to avoid a compulsory redundancy
 - Future skill needs of the Council
 - Financial effects / impact
 - Potential efficiency gains
 - Extenuating personal circumstances presented by the applicant.
- 3.23 The employee preference requests will not apply in cases where a temporary secondment is arranged e.g., to take account of fluctuating workloads. It will not normally be used where an employee is being considered for redeployment on health grounds (i.e., medical redeployment) or where action is being taken on the grounds of capability or in cases where the employees themselves request a transfer.

4. Stage 3: Final Approval

4.1 Following a process of consultation with the affected staff and trade unions the business case and associated consultation log will be presented to CLT for final consideration.

4.2 Employees and trade unions will be briefed specifically upon any changes to the final business case by the Assistant Director, or delegated other, in advance of the report being submitted for approval.

5. Stage 4: Implementation

5.1 Once final approval of the business case has been granted by CLT then implementation can commence. The agreed implementation plan should be used to ensure timescales and tasks are undertaken as agreed.

5.2 The 'at risk' process

Following approval of a business case, the affected staff will be placed formally 'at risk' of redundancy. Please refer to the Council's Redundancy Procedure.

5.3 Appointments to new posts within a restructure

Wherever employees are displaced by a restructuring process the first stage of the appointment process will generally involve an assimilation or ring-fenced recruitment exercise.

3.4 Either the Assistant Director or appropriate lead officer will arrange, lead and conduct the matching/ assimilation review and ring fence process in conjunction with the HR lead.

5.5 Where appropriate, the Council will retain the right to recruit externally to ensure that the best possible candidate for the post is appointed. Where this is deemed necessary the lead officer should endeavour to notify the trade unions.

5.6 Matching (assimilation) and ring-fence recruitment

Jobs in the new structure should normally be filled on a top down basis. This should enable any potentially displaced employees to register an interest in a lower level post, although this will not mean they have any priority over lower grade staff.

5.7 Matching criteria will include current employment status, hours of work, salary, job description and person specification. Staff will be advised if they are a total match to the new role and can therefore be "slotted" into the new role without a further process being required.

5.8 Where there are a number of employees identified as total matches, but the new structure does not have sufficient new posts to accommodate all the matched staff, a ring-fenced selection process will take place to determine those staff with the best match for skills, experience and fit into the new role.

5.9 Assimilation

For an employee to qualify for assimilation the following must be met: -

- The same or less number of employees to match to roles.
- The substantive job description and person specification of the employee's substantive role are a 75% match for the new role , except where a task within the essential criteria is deemed to be mandatory from day one and will therefore sit outside of the 75% match (e.g., an ability to travel between sites, specific qualification).
- There are no other employees who have a comparable claim to the post by reason of assimilation.

5.10 Assimilation may occur where the grade for the substantive and new post is the same, or the new post is not more than one grade lower.

5.11 If there are other employees with a comparable claim to the post, then a ring fence process will apply.

5.12 Ring fenced recruitment

There are two scenarios where ring fenced recruitment may apply:

- a) Where there are a number of employees identified as total matches, but the new structure does not have sufficient new posts to accommodate all the matched staff.
 - b) The job description and person specification of the employee's substantive role are sufficiently comparable to a new role (over 50%) and is no more than one grade higher.
- 5.13 All employees who have been ring-fenced for one or more jobs will be asked to complete an application form to outline how their skills, competencies and experience matches the post(s) in the new structure. One application form must be completed for each post for which they have been ring-fenced.
- 5.14 Candidates who meet the essential person specification criteria will be interviewed by an appropriate interview panel which will include the relevant Assistant Director (or nominated delegate) and be supported by a HR representative.
- 5.15 If the new posts are not filled after ring-fence interview(s) then the recruitment will be open to employees who are "at risk" of redundancy within the Council. If the position(s) remain unfilled then normal recruitment procedures will apply.

6. Stage 6: Appeal

6.1 Please refer to the Redundancy procedure for full details of the appeals process.

Service Business Case

Service area and Directorate:	
Team:	
Case prepared by:	
Date:	

Business cases should be prepared in consultation with HR and presented to the or Corporate Director in the first instance.

Background
This section should provide information on the service/teams and outline any issues which may affect the team in the future (including changes to funding, priorities etc.)
Proposed changes
This section should provide an overview of the changes proposed and any other options that have been considered.
Business Case
Outline here the case for making changes, including how current duties, responsibilities etc. will be covered once changes are in place, benefits, risk to service delivery and any other impact.
Changes to posts/JDs
Outline here a summary of all changes to posts/JDs include indicative structure and grades.

Financial Effects

This section should summarise the costs and savings associated with any changes, including redundancy and capital costs of pensions. Detailed figures will be provided by finance and should be appended to this business case.

It is also important to state whether this business case links to a budget savings proposal?
Yes/No

If yes, please provide the reference number:

--

Approval Process

Outline the process for approval

--

Summary and Recommendations

--

Finance Comments

--

HR Comments

--

Legal Comments

--

Employee Preference Form

Due to the imminent restructure of your department/service area, consultation has now commenced and as part of this process, we are inviting you to detail your preferred future work options.

If you would like to take this opportunity to request voluntary redundancy or to change your hours then please complete the following information and return your completed application to **[insert name, insert position]** by no later than **[insert date]**. You may submit your application by email to **[insert email address]**.

Part A To be completed by employee

Name	
Job Title	
Department	
Line Manager	
Extension No.	

I wish to be considered for the following pending the restructure

Voluntary Redundancy

Early Retirement

Preferred change of working hours Part Time/job share Full Time

Please provide details of the posts you would like to apply for:

1)

2)

3)

4)

I understand that by making this application, I am expressing my interest in being considered for voluntary redundancy/early retirement/a change in working hours and that this does not commit me to anything at this stage.

I also understand that the Council is under no obligation to accept my application for voluntary redundancy/early retirement/a change in working hours and reserves the right to make any final decision on this matter.

Name: (please print)	
Signature:	
Date:	

Part B
To be completed by Assistant Director

Request supported	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Name: (please print)		
Signature:		
Date:		
FULL DETAILS including future skills needs, potential efficiency savings and any other supporting information.		
Financial position:		

Part C
To be completed by Finance

Redundancy costs	
Retirement costs	
Overall financial effect (cost/efficiency)	
NAME: Please print	
SIGNATURE:	
DATE:	



REDEPLOYMENT PROCEDURE

1 Introduction

This procedure should be read in conjunction with the Organisational Change Policy and its related procedures.

This procedure sets out the process to be followed when staff are unable to continue in their substantive post for reasons of redundancy.

2 Redeployment

Redeployment is the movement of an employee into a different role or department within the employer's business or that of an associated employer, often as a means of avoiding dismissal due to redundancy. A change in the terms of the employment contract will often be involved, in which case redeployment can only take place with the employee's consent.

Where employees who are "at risk" of a redundancy dismissal are not placed in new posts as part of a ring-fenced recruitment or assimilation process, or where their post has ceased to exist and there are no alternatives, attempts will be made to redeploy an employee to a suitable alternative post within the employing authority.

The Council is committed to:

- Salary protection, in line with the pay protection policy, for the salaries of employees who are redeployed into roles where the grade for the new role is less than the redundant role.
- Providing appropriate and effective retraining for employees selected for redundancy to facilitate their redeployment and minimise as much as possible further impact on the employee.

3 The Redeployment Register

As soon as an employee is informed by HR that there are no available posts for the employee either because the post is being made redundant or the restructure has not left any suitable alternative employment, and the employee

remains “at risk”, then the employee will, at this time, be served with notice of redundancy.

The employee will at the same time be placed on the Redeployment Register for the duration of their notice period.

HR will write to the employee to notify them of the process to be followed whilst they are placed on the Redeployment Register and arrange a meeting between HR and the employee to discuss the following:

- The Redeployment Register procedure and each party’s responsibilities whilst the employee is placed on the register.
- The work duties the employee will undertake whilst on the redeployment register (this will usually be the employee’s substantive duties).
- The completion of a skills audit form.
- What the employee may regard as either “suitable or unsuitable” alternative employment.
- A review of current vacancies.
- The potential training or other opportunities to enhance the employee’s transferable skills.

4 Suitable Alternative Employment

Where an employee is served with notice of redundancy, the Council will actively seek to identify suitable alternative employment for the employee and will remain committed to seeking alternative employment throughout the notice period of the employee.

The Council welcome suggestions from employees who believe that there may be an available vacancy or opportunity within the Council that may be suitable.

Serious consideration will be given to any available roles, and any reasonable opportunities for employees to be retrained, where this may be appropriate.

Whether a job is suitable depends on:

- how similar the work is to the employee’s substantive job
- the terms of the job being offered
- the employee’s skills, abilities and circumstances in relation to the job
- the pay (same grade or one lower),
- the status, hours and location

Once a potential suitable alternative role is found, a meeting will be held between the employee, the recruiting manager, HR and trade union representative or work colleague. The meeting will be used to determine whether the role is a suitable alternative and whether with training and development the employee will be capable of fulfilling the post requirements.

The employee should be provided with the job description and person specification of the suitable alternative role that has been identified and complete the internal Skills Audit Form (see Appendix A). The employee will need to show they have the required skills and experience required for the role.

If a suitable alternative role is found, the Council will offer the role to the employee and the employee's redundancy dismissal will not go ahead and they will have no entitlement to a redundancy payment. If more than one employee is suitable for the same suitable alternative role, the Council may need to hold interviews for the role.

Where an offer of suitable alternative employment is made to an employee, and this is accepted by the employee, this will be subject to a satisfactory four-week trial period. The purpose of the trial period is to allow both the employer and the employee to consider the suitability of the alternative post. Where an offer of suitable alternative employment is made subject to completion of a trial period, an employee's acceptance should be treated as conditional on the successful conclusion of the trial period.

In the event that an employee refuses to accept an offer of suitable alternative employment either before or after the trial period, the employee will be asked to clearly explain his or her reasons in writing. This will then be considered by the Assistant Director - Human Resources and appropriate lead officer, and a decision made as to the validity of the reasons given.

Where the employee unreasonably declines suitable alternative employment, the Council will not make any redundancy payment to that employee.

Employees who have been selected for redundancy may apply for any vacant post that is not considered a match and will, wherever appropriate, be offered an interview. It will be up to the Assistant Director - Human Resources and appropriate lead officer to decide whether it is appropriate to offer an interview. Whilst the selection process will be competitive and there can be no guarantees of success, no external candidates will be invited to apply until those selected for redundancy have been considered.

5 Trial Periods

Employees being redeployed are entitled to a (minimum) 4-week trial period in a suitable alternative post. This trial period may be extended in exceptional circumstances i.e., where additional training of the employee has been identified. However, the trial period will last no more than is needed for the purposes of retraining the employee.

Before the start of the trial period an appropriate training programme for the employee must be drawn up and agreed by both the employee and their new manager. Such a training programme could include a mix of coaching, on-the-job training and external courses or seminars as appropriate. The costs for any external training will be met from departmental budgets as part of the restructuring process.

Appropriate work objectives should be agreed between the employee and their manager.

During the trial period, the redeployed employee's manager must ensure that progress is monitored and reviewed on a regular basis. Regular meetings should take place between the line manager and employee, during which progress must be reviewed and feedback given. Notes of the individual's progress should be kept, including reference to any problems encountered and the action taken to resolve them. After each such meeting, both HR and the individual employee should be given a copy of these notes. Towards the end of the trial period the line manager should hold a final review meeting with the employee.

If the trial period is successful, the employee is deemed not to have been a dismissed. If the trial is unsuccessful, the employee shall be regarded as dismissed.

If the suitable alternative employment is deemed unsuitable by the employee or the Council during the trial period, the employee will return to the redeployment register for the remainder of their statutory notice period.

The Council will seek suitable alternative work for redundant employees up to and including the date of the employee's termination of employment. If all other options are exhausted, the employee's employment will be terminated on grounds of redundancy at the end of the notice period.

The Council reserve the right to select the best candidate for any job where there is more than one suitable candidate and may apply appointment selection criteria.

If the proposed suitable alternative employment is agreed by both parties as being suitable, the notice of termination previously issued automatically lapses and the employment is treated as being continuous.

6 Pay Protection

If the post into which the employee is redeployed is graded lower than that of their existing post, then the pay protection will apply for two years. This will apply to all contractual pay including basic pay and allowances. Incremental progression will not apply during any pay protection period.

If the employee has been offered an equivalent or higher graded role in the new structure but the employee has requested to be appointed to a lower level position then the employee may be moved to the lower level graded role at their request. In such circumstances pay protection will not apply.

SKILLS AUDIT FORM

(once completed please return to your respective HR Business Partner)

PERSONAL DETAILS	
Name	
Current job title / service area	
If a suitable role arises within a shared team you may be required to work at office locations for the Council, can you think of any reason why you would be restricted from doing this?	
Any there any other personal restrictions that may prevent you from working in particular service areas that we should be aware of?	

EDUCATION AND TRAINING

Please indicate the highest level of qualification obtained?						
Please list any additional / professional qualifications that you have achieved.						
Please indicate your level of IT competence against each programme	None	Limited	Average	Good	Excellent	
	Outlook					
	Word					
	Excel					
	PowerPoint					
	Publisher					
	Adobe					

Please list any other IT programmes that you use on a regular basis to a competent level.						
What training have you attended within the last three years?						
What training and/or skills have you acquired outside of work that may be relevant to the wider organisation?						

WORK EXPERIENCE

Please list all service areas where you have worked (or gained experience) for the Council giving an indication of the length of service for each.

Which service areas within the Council interest you or fit well with your current skills and experience?

Please list any other relevant organisations where you have worked or gained experience through other activities such as volunteer work.

TRANSFERABLE SKILLS	
<p>Please detail your current skills that could be transferable to a different role.</p>	

ADDITIONAL INFORMATION	
<p>Please add here anything else that you would like to be taken into consideration.</p>	

HUMAN RESOURCES TO COMPLETE

Originating department	
Grade	
Date of entry onto register	
Expiry date on register	



REDUNDANCY PROCEDURE

1 Introduction

This procedure should be read in conjunction with the Organisational Change policy and its related procedures.

Consultation will take place with employees and the trade unions in accordance with existing relevant legislation. The Council will always try to avoid the need for compulsory redundancies but sometimes these may be necessary. The pattern or volume of the Council's work or methods of working may change and requirements for employees may reduce.

The purpose of this policy is to ensure that, whenever reduction in employee numbers may become necessary, the Council:

- (a) communicate clearly with all affected employees and ensure that they are treated fairly;
- (b) try to find ways of avoiding compulsory redundancies;
- (c) consult with employees and with recognised trade unions.

In carrying out any redundancy exercise the Council will not discriminate directly or indirectly on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age. Part-time employees and those working under fixed-term contracts will not be treated differently to permanent, full-time comparators.

2 Redundancy Payments and Pensions

The Council has agreed policies in relation to severance payments to employees whose employment is ended on grounds of redundancy.

In calculating the statutory redundancy payment, the Council will take into account all continuous service (up to a maximum of 20 years) with bodies listed in the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 (as amended) – the Modification Order.

Detailed pensions estimates will be provided through the HR team at the point an employee is at risk of redundancy.

In line with National Conditions, if a redundant employee employed by a local authority or other body covered by the Order is offered alternative employment with another authority or Modification Order body, whether in writing or not, before the date of the redundancy and the termination of his/her contract, and starts the new job within 4 weeks of the date of redundancy dismissal, no redundancy payment is due and continuity of service for statutory redundancy purposes is preserved.

3 Consultation

Detailed notes shall be taken of all meetings with the employee/s and all employees have the statutory right to be accompanied by a colleague or trade union representative at all meetings.

Where the Council are proposing to make redundancies the Council will enter into consultation with the affected employees on an individual basis and where appropriate also with the trade union or employee representatives. When it is not possible to avoid making compulsory redundancies, the Council will advise all affected employees and where appropriate, recognised trade unions or employee representatives that compulsory redundancies cannot be avoided. Affected employees will be made aware of the procedure that the Council will follow when making redundancies and the criteria that will be applied.

The criteria used to select those employees who will potentially be made redundant will be objective, transparent and fair and based on the skills required to meet the Council's existing and anticipated business needs.

The Council will then consult individually with those employees who have been provisionally selected for redundancy.

Employees selected or requesting redundancy will be invited to a meeting with an appropriate senior manager and HR to discuss the decision before formal notice of termination of employment is given.

4 Outcome

Where selection for redundancy is confirmed, employees selected for redundancy will be given written notice of termination of employment in accordance with their contracts and written confirmation of the payments that they will receive. Employees will be given the opportunity to appeal against this decision.

The Council will continue to look for suitable alternative employment for redundant employees and inform them of any vacancies until their termination of employment dates. The manner in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Suitable alternative employment may be offered subject to a trial period where appropriate.

Eligible employees under notice of redundancy will be entitled to take a reasonable amount of paid time off work to look for alternative employment or to arrange training for future employment.

5 Collective Consultation

The number of redundancies being proposed must be established.

- (a) If 20 or more redundancies are being proposed in a 90-day period then the collective consultation obligations will arise under the Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA) and it will be necessary to consult on the redundancy proposal with representatives of the affected employees and where the duty applies, to also notify the Secretary of State. The notification must be in writing (either by letter or on a form HR1) and a copy must be provided to the employee representatives.

Collective consultation should begin in good time. If there are 20 to 99 employees to be made redundant at one establishment over a period of 90 days, then consultation must begin at least 30 days before the first dismissal.

If 100 or more employees are to be made redundant at one establishment over a period of 90 days, consultation must begin no less than at least 45 days before the first dismissal.

The Council must also consult individually with potentially redundant employees.

6 Appeal Process

Where an employee has been notified of their redundancy dismissal but considers that their redundancy dismissal is unfair, for example the Council has unfairly applied the redundancy selection criteria, the employee may exercise their right to appeal the decision.

If an employee wishes to appeal, they should put their request in writing to a member of HR explaining that they wish to appeal against redundancy selection and setting out the reasons for their appeal. The appeal will then be heard by a senior manager of the council supported by an HR Business Partner.

Appeals should be submitted within ten working days of the employee receiving notice from the Council of their redundancy dismissal.

The employee will be entitled to be accompanied at the appeal meeting by a work colleague or a Trade Union representative.

The outcome of the appeal will be communicated in writing to the employee within 5 working days from the appeal hearing and it will be confirmed that the outcome of the appeal is the final decision.



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Paternity Leave Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Paternity Leave Policy
Owner	Human Resources
Version	3.0
Date of implementation	28 November 2024

DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
CDC Personnel Committee	27 November 2024

DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District

DATE FOR REVIEW

No later than 28th November 2027 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision
V3	October 2024	Legislation update

This policy covers:

1	Who the scheme applies to	4
2	Entitlement to paternity leave	4
3	Notification requirements	5
4	The contract of employment during paternity leave	5
5	Pay	5
6	Annual leave	6
7	Local Government Pension Scheme	6
	Appendix 1 – Paternity Leave Application Form	7

1 Who the scheme applies to

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

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

2 Entitlement to paternity leave

Paternity leave is available to employees of either gender for the purpose of caring for a child, or supporting the child's other parent, in the following cases:

(a) on the birth of a child you are the:

- baby's biological father, and you expect to have some responsibility for the child's upbringing; or
- partner (that is, spouse, civil partner or someone (of either sex) with whom you live in an enduring family relationship, but who is not your parent, grandparent, sister, brother, aunt or uncle) of the mother and will have the main responsibility with the mother for the child's upbringing.

(b) on the birth of a child to a surrogate mother where you are, or your partner is, one of the child's biological parents, and you expect to obtain a parental order giving you and your partner responsibility for the child.

(c) Where an adoption agency places a child with you and/or your partner for adoption and you expect to have main responsibility (with your partner) for the child's upbringing.

(d) Where a local authority places a child with you and/or your partner under a fostering for adoption arrangement and you expect to have main responsibility (with your partner) for the child's upbringing.

To qualify for paternity leave, you must have been continuously employed by us for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth (the week, beginning on a Sunday, in which your partner's doctor or midwife expects your child to be born) or the week in which you or your partner are notified by the adoption agency or local authority that you have been matched with a child.

In adoption, fostering for adoption or surrogacy cases you may be entitled to take adoption leave instead. However, adoption leave may only be taken by one parent. Paternity leave is available to the other parent (of either sex).

You cannot take paternity leave if you have already taken shared parental leave in respect of the same child. You may be eligible to take shared

parental leave after paternity leave.

Please contact Human Resources if you require further clarification regarding your eligibility.

All employees who meet the eligibility criteria can choose to take either 1 or 2 weeks' paternity leave.

They can take the leave as either:

- 2 weeks together
- 2 separate blocks of 1 week

An employee can take their paternity leave at any time in the first 52 weeks after the birth or placement of a child.

3 Notification Requirements

The employee has an obligation to inform their line manager of the intention to take paternity leave by the end of the 15th week before the Expected Week of Childbirth (or no more than seven days after the adoption agency notified you of being matched with a child), or as soon as the employee reasonably can.

The paternity leave notification form (Appendix 1) should confirm the following details:

- the Expected Week of Childbirth
- the start date(s) of the leave to be taken
- the duration of leave to be taken (one or two weeks).

You can change the intended start date(s) by giving us 28 days' notice or, if this is not possible, as much notice as you can.

You cannot commence paternity leave or receive paternity pay before the baby is born. Therefore, if the baby is not born by the approved date on the paternity leave application form then the date has to be changed to a new agreed date either after or on the date of the child's birth. Please confirm your paternity leave commencement date to Payroll as soon as reasonably practical.

4 The contract of employment during paternity leave

All the usual terms and conditions of your employment remain in force during paternity leave.

5 Pay

All employees who meet the eligibility criteria are entitled to 2 week's paternity leave. Paternity pay will be paid at a normal week's pay rate.

An employee can take their paternity leave at any time in the first 52 weeks after the birth or placement of a child.

6 Annual leave

Holiday entitlement will continue to accrue during paternity leave. If your paternity leave continues into the next holiday year, any remaining holiday that cannot reasonably be taken before your paternity leave can be carried over to the next holiday year but must be taken within three months of returning to work unless your manager agrees otherwise. You should try to limit carry over to one week or less wherever possible.

This includes the accrual of bank and public holidays.

7 Local Government Pension Scheme

Pension contributions will be deducted in the normal way from any payment you receive during your paternity pay period. Any employee contributions you make will be based on the amount of any paternity pay you are receiving.

**PATERNITY LEAVE
APPLICATION FORM**

DECLARATION	
Surname	
First Name(s)	
Job Title	
Department	

I declare that:-	
<input type="checkbox"/>	<p>I am the baby's biological father, or</p> <p>I am the partner of the mother and will have the main responsibility with the mother for the child's upbringing; or</p> <p>I expect to obtain a parental order giving me and my partner responsibility for a child born to a surrogate mother where I or my partner are the child's biological parent; or</p> <p>I expect to have main responsibility (with my partner) for the child's upbringing who was placed with me and/or my partner for adoption by an adoption agency or where a local authority placed a child with me and/or my partner under a fostering for adoption arrangement.</p> <p style="margin-top: 20px;">*Partner means spouse, civil partner or someone (of either sex) with whom you live in an enduring family relationship, but who is not your parent, grandparent, sister, brother, aunt or uncle.</p>
<input type="checkbox"/>	<p>I have/will have been continuously employed by the Council for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth (the week, beginning on a Sunday, in which your Partner's doctor or midwife expects your child to be born) or the week in which I or my partner were notified by the adoption agency or local authority that my partner or I had been matched with a child</p>
<input type="checkbox"/>	<p>I will take time off work to support the child's other parent or to care for the child</p>

DATES FOR PAY AND LEAVE	
<p>The baby is due on, or</p> <p>The child is expected to start living with us on:</p>	

I want to be away from work for one <input type="checkbox"/> / two <input type="checkbox"/> weeks and I would like my paternity leave and pay to commence on:		Week 1:
		Week 2:
Signed Employee:		
Signed Assistant Director		

This form should be returned to Human Resources together with a copy of the MatB1 Certificate or Adoption Matching Certificate



Carer's Leave Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Carer's Leave Policy
Owner	Human Resources
Version	1.0
Date of implementation	28 November 2024

DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
CDC Personnel Committee	27 November 2024

DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District

DATE FOR REVIEW

No later than 28 November 2027 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision

1	Entitlement to carer's leave	4
2	Who counts as a dependent	4
3	What counts as a long-term care need	4
4	What carer's leave can be used for	4
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1 Entitlement to carer's leave

This policy does not form part of any employee's contract of employment and the Council may amend it at any time.

This policy applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.

All employees are eligible to request carer's leave.

Carer's leave is unpaid and can be taken to help a dependent who needs long term care.

2 Who counts as a dependent

An employee's dependents can include:

- Their husband, wife, civil partner or partner
- Their child
- Their parent
- A person who lives in their household (but not tenants, lodgers or an employee)
- A person who relies on them for care, such as an elderly neighbour.

3 What counts as a long-term care need

A dependent has a long-term care need if they have any of the following:

- A disability as defined under the Equality Act 2010
- An illness or injury that is likely to need care for a least three months
- A care need related to old age.

4 What carer's leave can be used for

Examples of when an employee could request carer's leave include:

- Taking their disabled child to a hospital appointment
- Moving their parent who has dementia to a care home
- Accompanying a housebound dependent on a day trip
- Providing meals and company for an elderly neighbour while their main carer is away with work for the day.

5 How much carer's leave can be requested

Employees can take up to one week of carer's leave every twelve months.

They can choose to request leave as half days, full days or one whole week.

An employee is entitled to a period of carer's leave that is equal to their usual working week. For example, if someone works 4 days a week, they can take request 4 days carer's leave.

An employee might need to care for more than one dependent. In these circumstances, they can still only take the equivalent of one week of carer's leave.

6 Pay during a period of carer's leave

Carer's leave is unpaid.

7 Local government pension scheme

Any absence, which is unpaid, will be treated as a break in service for occupational pension purposes unless you choose to pay voluntary contributions.

You must write to Payroll and state your intention to pay voluntary contributions no later than 30 days after your return to work. You may pay these contributions as a lump sum or in instalments. For further advice, please contact Payroll.

10 Giving notice to take carer's leave

Employees must give notice before the start of any period of carer's leave.

The minimum notice depends on how many days of leave you wish to take:

Number of days requested	Minimum notice period
0.5 to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice

Employees should request carer's leave through iTrent. They are not required to provide evidence of their dependents care needs.

If an employee needs to take time off at short notice to care for a dependent, they could consider the 'time off for dependents' policy as an alternative.

11 When an employer can decline a request for carer's leave

Employers cannot refuse an employee's request for carer's leave but they can ask them to take it at a different time.

CDC would only do this if the employee's absence would cause serious disruption to the organisation.

If this is the case we will:

- Agree another date within one month of the date the employee originally requested
- Within seven days of the request or before the leave starts (whichever is the earlier), explain in writing why we need to delay the leave.

12 Rights following a period of carer's leave

Employees taking carer's leave have the right to return to the same role, on the same terms and conditions.



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Drugs and Alcohol Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Drugs and Alcohol Policy
Owner	Human Resources
Version	5
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DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District Council.

REVISION HISTORY

Version	Revision date	Summary of revision

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1 Introduction

- 1.1 This policy does not form part of any contract of employment or other contract to provide service and it may be amended at any time following consultation with trade union and subject to agreement from the Personnel Committee.
- 1.2 Cherwell District Council recognises that alcohol and drug related problems are an area of health and social concern. They also recognise that an employee with such problems needs the help and support of his/her employer.
- 1.3 This policy covers both legal and illegal drugs and applies to all Council employees, Agency Workers and Contractors.
- 1.4 This policy sets out rules regarding the use of intoxicating / illegal substances so that employees are made aware of the likely consequences in relation to their employment if they misuse them.
- 1.5 This policy is designed to comply with relevant legislation such as the Health and Safety at Work Act 1974 and the Misuse of Drugs Act 1971.
- 1.5 The Council's main concern with the use of alcohol and/or drugs by any of their employees will be when this has a detrimental effect on work performance, or is, or may be, prejudicial to the safety of the individual, other employees or members of the public while the employee is conducting Council business.
- 1.6 The Council has a responsibility to their employees and customers to ensure that any risk is minimised. The Council operate a zero-tolerance stance to the misuse of illegal drugs and alcohol consumption (which is above the legal limit); therefore, employees must not come to work or undertake any work in an unfit state through drugs misuse or alcohol. This is particularly important if those employees occupy a safety critical role (as defined below).

Zero Tolerance: If an employee occupying a safety critical role is tested and found to be over the legal limit with alcohol or produces a positive drug test from an accredited laboratory, this will be regarded as gross misconduct and the employee can expect to be dismissed.

- 1.7 A **safety critical role** is one in which the post-holder is required to perform duties which are directly related to:
- driving a Council vehicle, (or their own vehicles) while undertaking Council duties
 - supervision of children or vulnerable adults
 - driving / working on the highway, at height or in confined spaces
 - dealing face to face with members of public / partner agencies

- operating plant and machinery
- handling chemicals

1.8 If any of the above are not performed properly, it may result in a serious safety risk or environmental hazard to employees, premises or to the general public.

1.9 An employee who is responsible for supervising employees, who perform safety critical duties, shall also be considered as occupying a safety critical position. All customer facing posts will be deemed to be safety critical due to the responsibility an employee has for a customer when on or off Council premises.

1.10 However, it is also considered that this is a broad definition and within this definition there are roles which can be defined as **high-risk safety critical roles** (see appendix 1). This would include:

- HGV drivers,
- those working on the highway
- those operating machinery,
- those supervising vulnerable adults and children
- those with enforcement duties

Those managers or supervisors that manage or supervise those staff that undertake high risk safety critical roles are also included.

1.11 Employees with drinking and/or drug problems should comply with the law and are encouraged to seek help voluntarily before their job performance is affected.

1.12 Confidentiality will be maintained at all times subject to the requirements of the procedures and within the framework of current legislation.

1.13 Inappropriate drinking and/or drug misuse can have a detrimental effect on the following at the workplace: -

- impaired job performance
- a deterioration in relationships with colleagues, managers and customers
- serious breach of Health and Safety rules at the workplace
- absenteeism and poor time keeping
- bad behaviour, poor discipline and sudden mood changes
- adverse effect upon Council reputation and customer relations
- decision making

2 Drugs

2.1 Drugs misuse at work is illegal and a serious issue which requires a positive management approach when identified and suspected within the workplace. It is difficult to determine how long a particular drug will stay in a system simply because everyone is different. There are numerous variables that determine drug duration including metabolism, hydration, body mass, and amount and frequency of use

2.2 Drugs can affect the brain and the body in a number of ways. They can alter the way a person either thinks, perceives and feels, and this can lead to impaired judgement, concentration and a delayed response when driving. Drug misuse can also bring about the neglect of general health and well-being. This may adversely influence performance at work, even when the misuse takes place outside the workplace.

2.3 Recognising Drug, Alcohol and Substance Misuse Problems:

Drug, alcohol or substance misuse is an extremely sensitive and confidential matter and is not always easy to identify. However, misuse may present itself in some of the following ways:

- Sudden changes in behaviour, mood and energy unusual irritability or aggression
- A tendency to become confused
- Abnormal fluctuations in concentration and a noticeable lack of energy when performing daily activities impaired job performance
- Poor time-keeping
- Deterioration in appearance and cleanliness such as wearing inappropriate or dirty clothing and a lack of interest in grooming
- Smelling of alcohol
- Increased short-term sickness absence
- A deterioration / noticeable change in relationships with colleagues, customers or management
- Dishonesty and theft (arising from the need to maintain an expensive habit)
- Poor work performance, being chronically late to work, appearing tired and disinterested in work duties
- Unbalanced emotions
- Injecting can cause infection such as sores, abscesses, jaundice or blood poisoning
- Spending more money than usual or requesting to borrow money
- Issues with financial management, such as not paying bills on time
- Changes in appetite, such as a decreased appetite and associated weight loss
- Bloodshot eyes, poor skin tone, and appearing tired or run down
- Defensiveness when asked about substance use

- 2.4 All the signs shown above are not exhaustive and may be caused by other factors, such as stress, and therefore should be regarded only as indications that an employee may be misusing drugs and/or alcohol.
- 2.5 The Council has a general duty under the Health and Safety at Work etc Act 1974 to ensure, as far as is reasonably practicable, the health, safety and welfare at work of their employees. If the Council knowingly allows an employee under the influence of drug misuse to continue working and his or her behaviour places the employee or others at risk, the Council could be prosecuted. Employees are required to take reasonable care of themselves and others who could be affected by what they do at work.
- 2.6 The Road Traffic Act 1988 states that any person who, when driving or attempting to drive a motor vehicle on a road or other public place, is unfit to drive through drink or drugs shall be guilty of an offence following testing at the roadside. An offence is also committed if a person unfit through drink or drugs is in charge of a motor vehicle in the same circumstances.
- 2.7 The Misuse of Drugs Act 1971 makes the production, supply and possession of controlled drugs unlawful except in certain specified circumstances (for example, when they have been prescribed by a doctor). The penalties for offences involving controlled drugs depend on the classification of the drug.
- 2.8 The employee and Occupational Health both have a legal duty to inform the DVLA about any drug misuse, drug dependency or medical condition that could potentially affect safe driving. If the DVLA then decides to revoke an employee's licence for a certain period this will mean the employee, if occupying a role where the requirement is to drive on Council business, may not be able to carry out their role fully. If this occurs the Council will look to manage this employee through its (dependent upon circumstances) Capability, Sickness Absence or Disciplinary Policy in a fair and consistent manner.

3 Alcohol

- 3.1 Many people drink alcohol on occasions and enjoy doing so. However, alcohol, if misused, can also inflict a great deal of damage. Drinking moderate amounts of alcohol does not usually cause any serious problems. However, drinking too much can be harmful. You may not realise if the amount you drink is more than the recommended daily limit, so it's important that you keep an eye on how much you're drinking.
- 3.2 If an employee appears to be under the influence of alcohol and enters the workplace, testing will be arranged immediately if the employee occupies a safety critical role. Following a breath test and if the results are positive, the employee will be sent home and the Council will look to manage this employee through its (dependent upon circumstances) Capability, Sickness Absence or Disciplinary Policy in a fair and consistent manner.

- 3.3 If an employee who occupies a non-safety critical role appears to be under the influence of alcohol and enters the workplace, the employee will be sent home and the Council will look to manage this employee through its (dependent upon circumstances) Capability, Sickness Absence or Disciplinary Policy and Procedure in a fair and consistent manner.
- 3.4 Employees are required to ensure that they pose no risk and do not drive whilst over the UK legal limit. In England and Wales, the alcohol limit for drivers is 80 milligrams of alcohol per 100 millilitres of blood, 35 micrograms per 100 millilitres of breath or 107 milligrams per 100 millilitres of urine.
- 3.5 It is important that staff realise the importance of presenting themselves in a fit state ready for work. Where the duties are safety critical role or high risk safety critical, employees must consider the effects that the amount of alcohol they consume will have on their work performance.
- 3.6 The institute of Alcohol Studies state that heavy and consistent drinking can have a serious effect on an employee's performance at work, which may include absenteeism, inefficiency, poor decision-making and damaged customer relations. Specific productivity problems include procrastination, inconsistent performance, neglect of detail, poorer quality of work, less quantity of work and more frequent mistakes.
- 3.7 The HSE state that even at blood alcohol concentrations lower than the legal drink/drive limit, alcohol reduces physical co-ordination and reaction speeds. It also affects thinking, judgement and mood. This is of particular concern where the employee undertakes safety critical duties which could result in a serious or fatal incident.
- 3.8 Employees should also recognise the effect that consuming alcohol the previous evening can have on their body and performance the following day. The only way to remove alcohol from your bloodstream is time. There's nothing you can do to speed this process up. Alcohol can only be removed from your bloodstream at a steady rate of approximately one unit per hour, on average, varying from person to person. Therefore consuming alcohol during the evening can result in an employee exceeding the drink drive limit or still having alcohol in their system the following day.
- 3.9 Regular heavy drinkers may not appear intoxicated even after drinking large amounts of alcohol. However, even small amounts of alcohol affect a person's ability to react quickly to things like unexpected situations. They will still have alcohol concentrations similar to non-regular drinkers.
- 3.10 For an employee undertaking a safety critical role or a high safety critical role when they present themselves for work, or at any time whilst they are undertaking their duties, even if the alcohol was consumed in the employees leisure time, it will be considered a positive result of alcohol for the purposes of this Policy if the results of the test are:

- equal to or greater than 13 micrograms of alcohol per in 100 ml of breath
- equal to or greater than 39 milligrams of alcohol in 100 ml of urine

- 3.11 If due to testing it can be demonstrated that an employee, who undertakes a safety critical role or a high risk safety critical role is consuming alcohol to such an extent that they arrive at work with a positive alcohol level, regardless of the level of alcohol detected, and it can be shown that this is on a regular and persistent basis, because of the long term detrimental effect that this can have on an individual's work performance, the employee will be issued a warning in writing. Should the employee not heed this warning and they continue to arrive at work with any positive alcohol concentration level, it will be considered that the employee is presenting themselves in an unfit state for work.
- 3.12 If it is proved that an employee, who undertakes a safety critical role or a high risk safety critical role, has a positive result or it is considered that they have presented themselves in an unfit state for work due to alcohol consumption, the employee will be sent home on unpaid leave until the employee is either fit for work or further formal action is instigated using an appropriate HR policy.

4 Role of Management

- 4.1 It is the responsibility of all supervisors and managers to communicate the Drugs and Alcohol Policy and to ensure that all employees for whom they are responsible have knowledge and understanding of the policy.
- 4.2 All Supervisors and Managers should not wait until complaints, job performance or unsafe working practices are brought to their attention if they are aware of an employee's behaviour, which is, or may be, related to the misuse of drugs or alcohol.
- 4.3 All Supervisors and Managers should seek advice from Human Resources immediately if they suspect any employee to be under the influence of drugs or alcohol.

5 Role of Employees

- 5.1 Employees have a role to play in helping to create a climate at work which is conducive to good working practice.
- 5.2 Employees are not allowed to consume alcohol during working hours including when on standby and on call duties.
- 5.3 No employee may use/deal/possess illegal drugs during work times. Any breach will immediately be reported to the police and the Disciplinary Policy will be invoked.
- 5.4 Employees on prescribed medication which might affect a high-risk safety critical role or safety critical role must seek advice from the Council's Occupational Health provider to ascertain whether it is safe to continue in those duties.

- 5.5 By virtue of the Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations, and in accordance with the Council's Health and Safety Policy, employees have a statutory duty to report to their employer any work situation which is reasonably considered to represent serious and imminent danger to Health and Safety.
- 5.6 Employees who have reasonable cause to suspect that a colleague is under the influence of alcohol or drugs (whether or not there is a perceived risk to their own health and safety and that of others exposed to their activities), must report this to their line manager as quickly as possible.
- 5.7 The Council will ensure that anyone who acts in good faith to disclose a concern or wrongdoing will be protected under the terms of the Council's Confidential Reporting (Whistleblowing) Policy.

6 General Procedures

- 6.1 Where an employee is found to be displaying the signs of drug or alcohol misuse (see section 2.3), the subject should be broached immediately with the employee by their line manager or supervisor. The conversation should be private and confidential and the employee should be treated sympathetically. Advice should always be sought from Human Resources.
- 6.2 Any employee who has a dependency problem will be referred to the Council's Occupational Health provider and the employee's own General Practitioner. In order to assist an employee with a dependency problem, they will be expected to co-operate by agreeing to permit the Council's Occupational Health Adviser to have access to their medical records.
- 6.3 Testing will be carried out if, following reasonable suspicion, the employee is in a safety critical role or a high safety critical role. Following a positive result, the Council will look to temporarily redeploy into a non-safety critical role (if appropriate) or suspend pending the outcome of a full disciplinary investigation. The Council's Disciplinary Policy will be invoked regardless of the fact that an employee is following a recovery programme unless the employee came forward originally before reasonable suspicion.
- 6.4 A positive test result for drugs or/and alcohol is a serious breach of Health and Safety rules and falls under gross misconduct, and the employee can therefore expect to be dismissed.
- 6.5 If the employee is not in a safety critical role, then, following Occupational Health Advice, the individual will be managed, dependent upon the circumstances, through the Council's Capability, Sickness Absence or Disciplinary Policy in a fair and consistent manner.

- 6.6 Where an employee is taking prescribed drugs which may have an impact on their ability to undertake their regular duties safely, they should ask their General Practitioner or Pharmacist if the medication may affect them at work. If the member of staff is concerned then further advice can be sought from the Council's Occupational Health provider.

7 Testing for Drugs and Alcohol

- 7.1 This policy applies to testing of breath and/or bodily fluids for the purposes of determining whether an employee has alcohol and/or drugs in their body whilst at work.
- 7.2 This procedure is intended to ensure the safety of the individual employee, their work colleagues and members of the public.
- 7.3 Testing will be carried out randomly or where a manager/supervisor has reasonable cause for suspicion that an employee in a higher safety critical role or safety critical role is or may be under the influence of alcohol or drugs. Testing will be carried out to ascertain the levels of drugs and/or alcohol levels in the blood in circumstances which are set out below. The circumstances in which the Council can request an employee (or potential employee) to agree to testing falls into any of the following:

7.3.1 Reasonable Cause of Suspicion: In cases where there is reasonable cause of suspicion of alcohol/drug misuse, the Council reserves the right to ask and obtain the consent of an employee to arrange for testing. In these circumstances, any judgment must be based on evidence such as, but not limited to:

- Abnormal speech
- Smell of alcohol on the breath
- Behaviour that may be due to the effects of alcohol/drugs
- Allegation made by another person which there is no cause to disbelieve
- Allegations made by another person under the Whistle Blowing Policy
- Reasonable grounds to suspect that the employee's act or omissions contributed to any accident or incident whilst at work. This requirement can take place either prior to commencing or during work.
- Any signs as outlined in section 2.3 above
- Following a Police caution or charge and resulting points being added to a licence or disqualification

7.3.2 Accident / Incident: Following an accident or incident, testing may be carried out if there is evidence to suggest those involved might have consumed/abused/used alcohol and/or drugs in contravention of this policy. This may require the testing of not only those who are injured, but also any employees who potentially contributed to the accident or incident event in any way.

7.3.3 Random testing: Testing will be carried out on a random basis for staff who undertake high risk safety critical roles for the Council; these roles are identified at Appendix A.

7.3.4 Rehabilitation: As part of the rehabilitation and aftercare process, employees may be required to undergo random periodic screening/testing. Random periodic screening/testing may also be advised as an outcome following a disciplinary hearing.

7.3.5 Legal Highs Legal Highs (Novel Psychotic Substances) are substances that are relatively new substances and are not defined under the Misuse of Drugs Act 1971. They are not licensed by the Medicines' and Healthcare products Regulatory Agency and are not licensed for human consumption, as there is insufficient research about them to know about their potency, the adverse effects they have from human consumption, or what effect they will have when they are used with other substances such as alcohol. 'Legal highs' cannot be sold for human consumption, so they are often sold as incense, salts or plant food to get round the law. The packaging may describe a list of ingredients but there is no certainty that this is what the product will contain.

The test for legal high substances is limited to circumstances when an initial "standard" screening for illegal substances has been undertaken, and a negative laboratory result has been obtained, but there is still some on going concern about drug abuse. This would mean that unlike the standard screening, which would be carried out for all staff employed in high risk safety critical roles over the next four years, screening for legal highs would only be triggered in cases of suspicion or concern, and following the standard screening.

- 7.4 Subject to meeting any of the above conditions the employee should immediately be withdrawn from work and a breath or urine test requested to determine specific levels. The employee will be stood down from his/her safety critical role during this period, until the result of the test(s) have been confirmed. Suspension may be considered depending upon the situation/incident and in discussion with the Assistant Director of Human Resources.
- 7.5 During testing procedures, the employee may wish to have a trade union representative or a work colleague present; however, consideration must be given to the practicalities and timing if required and the process will not be delayed or halted. Due to the sensitive nature of the testing process, the Council will endeavour to ensure that strict confidentiality is observed by all involved in this process. A Human Resources Representative will arrange the test and ensure the tests are carried out in a confidential, sensitive and fair manner. All test results will be kept confidential and in accordance with the GDPR 2018.

- 7.6 If an employee passes the drug and / or alcohol tests undertaken then further investigation and discussion will be required with the individual to determine the cause for their impaired performance. They will not be allowed to undertake a safety critical role until it has been determined that they will be able to undertake the duties safely. Further advice may be required from Human Resources, the council's Health and Safety Officer, the council's Occupational Health provider and the employee's GP.

8 Refusal to take a test

- 8.1 If an employee refuses to take a test without good reason, then management will have no alternative but to consider this to be an indication of guilt and therefore the Disciplinary Policy will be invoked.

9 External Contractors and Agency Workers

- 9.1 Whilst undertaking any work for the Council all contractors, casual workers and agency workers will be fit to perform the task to which they have been assigned, and that they are not under the influence of drugs or alcohol.
- 9.2 If any such contractor / casual worker / agency worker is considered to be under the influence and behaving in a way that puts the health and safety of themselves or others at risk, they will be removed from the site/premises and tested in accordance with this policy.
- 9.3 All Contract Monitoring Officers will be responsible for providing a copy of this corporate arrangement document to all external contractors prior to work commencing.

10 Employee Support

- 10.1 When an employee voluntarily comes forward and admits to a drug or alcohol problem prior to any reasonable suspicion being received and dependent upon circumstance, the current disciplinary policy may be suspended and the organisation will offer rehabilitation for a certain period. However, where there is a relapse coupled with a positive test result, the Assistant Director of Human Resources will make the decision as to whether to permit another period of rehabilitation or invoke the disciplinary procedure.
- 10.2 Following an initial assessment, should there be a need for specialist referral to an appropriate agency, this will be arranged through Occupational Health.
- 10.3 The council also provides an Employee Assistance Programme to help and support employees.

11 **Sources of External Support**

Health and Safety at Work etc Act 1974

<https://www.hse.gov.uk/legislation/hswa.htm>

Misuse of Drugs Act 1971

<https://www.legislation.gov.uk/ukpga/1971/38/contents>

Alcohol and Drug Dependence

The Law on drugs misuse and driving:

<https://www.gov.uk/drug-driving-law>

Drink driving and the Law:

www.drinkaware.co.uk

<http://www.talktofrank.com/news/think-new-drug-drive-law>

A guide to the current medical standards of fitness to drive:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418165/agv1.pdf

Drugs misuse and Alcohol treatment / advice:

<http://www.talktofrank.com/>

<http://www.nta.nhs.uk/>

<https://www.alcoholics-anonymous.org.uk/>

<https://www.nhs.uk/Live-well/addiction-support/drug-addiction-getting-help/>

<https://www.nhs.uk/conditions/alcohol-misuse/>

APPENDIX 1 – HIGHER RISK SAFETY CRITICAL ROLES

Roles – Higher Risk Groups

This list is not exhaustive but applies to all roles which fall under the category of High Safety Critical:

- HGV drivers
- working on the highway
- operating machinery
- supervising vulnerable adults and children
- enforcement duties

Those whom have management/supervisory of employees occupying those roles are also included.

Street Scene Operative
Street Scene Supervisor
Driver/Labourer
Enforcement Officer
Environmental Health Officer
Environmental Protection Officer
Fleet Manager
Fleet Supervisor
Labourer
LGV Driver/Loader
LGV Sweeper Driver
Licensing Enforcement Officer
Lead Licensing Enforcement Officer
Street Cleansing Operative
Street Scene and Cleansing Manager
Street Cleansing Supervisor
Community Warden
Community Safety Development and Engagement Officer
Technician (Fleet)
Waste Collection LGV Driver/Loader
Waste Collection Loader
Waste Resource Collection Manager
Waste Resource Collection Supervisor
Youth Activator
Senior Youth Activator
Casual Activity Supervisor
Casual Activity Assistant
Casual Sports Facility Assistant
Casual Sports Facility Supervisor

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