



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.
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Ladies and Gentlemen,

A meeting of the **EMPLOYMENT AND APPEALS COMMITTEE** will be held in the Council Chamber, Catmose, Oakham on **Tuesday, 6th February, 2018** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

A G E N D A

APOLOGIES FOR ABSENCE

1) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

2) MINUTES

To confirm the Minutes of the Employment and Appeals Committee held on 18 July 2017, previously circulated.

3) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions received from members of the public in accordance with the provisions of Procedure Rules.
The total time allowed for this shall be 30 minutes.

Petitions, deputations and questions shall be dealt with in the order in which they are received. Questions may also be submitted at short notice by giving a

written copy to the Democratic Services Officer 15 minutes before the start of the meeting. The total time allowed for questions at short notice is 15 minutes out of the total time of 30 minutes.

Any petitions, deputations and questions which have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions which are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

4) QUESTIONS FROM MEMBERS

To consider any questions received from Members of the Council in accordance with the provisions of Procedure Rule 95.

5) "DYING TO WORK" CHARTER

To receive Report No. 4/2018 from the Director for Resources.
(Pages 5 - 10)

6) STAFF ENGAGEMENT SURVEY 2017

To receive Report No. 5/2018 from the Director for Resources.
(Pages 11 - 14)

7) NOTICES OF MOTION

To consider any Notices of Motion from Members submitted under Procedure Rule 97.

8) ANY URGENT BUSINESS

To receive items of urgent business which have previously been notified to the person presiding.

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DISTRIBUTION

MEMBERS OF THE EMPLOYMENT AND APPEALS COMMITTEE:

Mr K Bool (Chairman)	
Mr R Clifton (Vice-Chair)	
Mr J Dale	Mr M Oxley
Mr A Stewart	Mr A Walters
Mr D Wilby	

OTHER MEMBERS FOR INFORMATION

EMPLOYMENT AND APPEALS COMMITTEE

6 February 2018

"DYING TO WORK" CHARTER

Report of the Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Portfolio Holder for Growth, Trading Services and Resources (excluding Finance)	
Contact Officer(s):	Debbie Mogg, Director for Resources	01572 758358 dmogg@rutland.gov.uk
	Carol Snell, Head of Human Resources	01572 720969 csnell@rutland.gov.uk
Ward Councillors		

DECISION RECOMMENDATIONS

That Employment and Appeals Committee:

1. Give their commitment to the Council signing the voluntary "Dying to Work" Charter
2. To approve the amendment to the Sickness Absence Policy as identified in paragraph 4.3

1 PURPOSE OF THE REPORT

- 1.1 To advise the Committee of the TUC's campaign for terminal illness to be recognised as a 'protected characteristic' so that an employee with a terminal illness can enjoy a 'protected period' where they cannot be dismissed as a result of their condition.
- 1.2 To seek the Committee's support to the Council signing up to the "Dying to Work" Charter.

2 WHAT IS THE “DYING TO WORK” CAMPAIGN?

- 2.1 It was developed by the TUC to seek greater security for terminally-ill workers - it began following the case of Jacci Woodcook, a 59-year-old sales manager from Derbyshire, who was ‘forced out of her job’ after being diagnosed with terminal breast cancer. See *her story – Appendix 1*.
- 2.2 Over half a million workers are now covered by the TUC’s Dying to Work Charter from private and public sector employers. In the region – Leicestershire County Council, Leicester City, Nottinghamshire County, Nottingham City, City of Lincoln have all committed their support.
- 2.3 Whilst the Equality Act offers some protection for terminally ill employees, the act still allows employers to dismiss a terminally ill employee.
- 2.4 The Dying to Work campaign would like to see terminal illness recognised as a ‘protected characteristic’, ie. like pregnancy where it is already automatically unfair to dismiss someone because they are pregnant. It is possible we will see legislative changes in this area. Such protection would give every person battling terminal conditions the choice of how to spend their final months and the peace of mind to know their job was protected and the future financial security of their family was guaranteed.
- *NB. ‘Protected Characteristics’ as provided by the Equality Act, include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity.*

3 WHAT DOES THE CHARTER CONTAIN?

- 3.1 The following is the wording contained within the Charter

“We recognise that terminal illness requires support and understanding and not additional and avoidable stress and worry.

Terminally ill workers will be secure in the knowledge that we will support them following their diagnosis and we recognise that safe and reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself.

We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.

We support the TUC’s Dying to Work campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind”.

4 WHAT WOULD THIS MEAN FOR RUTLAND?

- 4.1 From Rutland’s perspective – we can feel confident that we treat staff (and their families) with terminal prognosis, with dignity and without applying any further undue pressure regarding employment/finances eg. named HR support, adjustments to enable the employee to remain at work for as long as possible, flexibility in working arrangements.

4.2 As the campaign focuses on terminally ill employees being dismissed as a result of their condition, other policies and practices (eg. restructure/redundancy), appear to be outside of the scope of the Charter as the procedure would not be as a result of the employee's condition.

4.3 We need to

- Include a statement in our sickness policy that we will not dismiss any employee with a terminal diagnosis because of their condition
- Provide training for managers and HR staff on dealing with terminal illness, including how to discuss future plans with any worker who has a diagnosis of a terminal illness, and on what adaptations to work arrangements that may be necessary
- Adopt the Dying to Work Charter and notify employees that we have made the commitment
- Inform Unison as our recognised Trade Union, and the TUC

(The Council already has an Employee Assistant Programme and is able to provide support to employees (and their families) with a terminal illness, including counselling and financial advice. We also use our Occupational Health provider for advice and assistance with medical advice/opinion and guidance on adjustments).

4.4 We have a public signing ceremony and further press releases/media coverage.

4.5 We can then use the logo and display the Charter across our documentation as appropriate.

5 CONSULTATION

5.1 No formal consultation is required on this issue. The Council has shared the proposal with Unison.

6 ALTERNATIVE OPTIONS

6.1 Not applicable

7 FINANCIAL IMPLICATIONS

7.1 No financial implications.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

8.1 No Legal and Governance issues.

9 EQUALITY IMPACT ASSESSMENT

9.1 This approach would be in line with the Council's Equality Statement.

10 COMMUNITY SAFETY IMPLICATIONS

10.1 There are no Community Safety implications arising from this report.

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 The Council has an overall duty of care to its employees which means taking all steps which are reasonably possible to ensure their health, safety and wellbeing.

12 ORGANISATIONAL IMPLICATIONS

- 12.1 No organisational implications. Briefings and training will be required for HR staff and line managers as outlined in para 4.3.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 Once approved by Employment and Appeals Committee, the Council will advise all staff and Members of our intent to sign up to the Charter.

- 13.2 We will then liaise with the TUC regarding the signing ceremony and media coverage.

14 BACKGROUND PAPERS

- 14.1 There are no additional background papers to the report.

15 APPENDICES

Appendix 1 - Jacci Woodcock's Story

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Jacci Woodcock's story

“Back in June 2012, I knew something was wrong. I went to the doctors and I got diagnosed with terminal breast cancer. I didn't even take any days off until nearly a year later when I hit a wall of complete exhaustion”.

“I visited my GP, he gave me a sick note for a couple of weeks and I sent this into work. At this point, it had never occurred to me that they wouldn't support me.”.

“When I returned to work, I asked to meet with HR. Over the course of the meeting she questioned my capability to do important aspects of my job, incorrectly claimed they had made adjustments for me and told me that the company had already been kind enough to pay my salary whilst I attended my hospital appointments. Finally, she told me that she had done a lot of research into the benefits I would be entitled to if I wasn't in work”.

“For the first time, I began to feel anxious because I now understood that they were trying to get rid of me. I was upset but giving up was not an option. I thought this is not right, not fair and incredibly wrong! I feel strong and determined to use the time I have left to do my utmost to get the law changed to protect terminally ill people. People think the protection is there but I'm categorically saying it isn't!”

Nottingham City Council



Thank you to Nottingham City Council who signed the charter on **14th June 2017** providing protection for their **5,500** employees.

Portfolio Holder for Community and Customer Services, Cllr Toby Neal, said:

"This is a positive step taken by the council to look after employees who become terminally ill at work. The Charter will provide people with job security and peace of mind when they need it most and they will know they have our full support. We are proud to have signed up to this charter and by doing so, we want to inspire other employers in the city to follow in our footsteps."

Leicestershire County Council



Thank you to Leicestershire County Council who signed the charter providing protection for their **5,700** employees.

Leader of Leicestershire County Council, Cllr Nicholas Rushton, said:

"We are committed to supporting our staff during the most difficult of times. Signing this charter is an important way of showing this commitment."

EMPLOYMENT AND APPEALS COMMITTEE

6 February 2018

STAFF ENGAGEMENT SURVEY 2017

Report of the Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Portfolio Holder for Growth, Trading Services and Resources (excluding Finance)	
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Ward Councillors		

DECISION RECOMMENDATIONS

That Employment and Appeals Committee:

1. Note the results of the Employee Engagement Survey 2017
2. Note the proposed actions/direction of travel.

1 PURPOSE OF THE REPORT

- 1.1 To inform Employment and Appeals Committee of the outcome of the Employee Engagement Survey 2017 and comparisons to the 2015 survey.
- 1.2 To advise the Committee on the Council’s approach to responding to the results and the specific programmes of work and action to be followed.

2 BACKGROUND

- 2.1 The Council undertook a staff survey in February 2015, the purpose of which was to gauge how staff feel in their role as an employee of Rutland Council and to identify any areas of our working life that can be improved. The level of response was just under 64%.

- 2.2 We re-ran the survey in September/October 2017 with a response level of just under 70%. This further survey has enabled us to not only obtain the current views and feelings of staff, but also compare them to 2015 and understand where the actions we put in place in 2015 have been successful.

3 SUMMARY SURVEY RESULTS

- 3.1 The key outcomes and results are shown in a presentation to be delivered to Committee on 6 February 2018 by the Head of Human Resources. A summary representation will be delivered to all staff on 7 February 2018 by the Chief Executive.

- 3.2 Headlines:

- a) More staff responded to the survey than in 2015 – just under 70%
- b) Overall, there is a more positive response – the ‘favourable’ indicator of positive scores and response has increased by 3% to 68% - in fact of the 83 questions, 62 increased in favourable score.

4 NEXT STEPS

- 4.1 There is a lot of data in the reports for us to work through and understand – staff also provided a range of open comments. Directorate management teams have received their specific Directorate reports so they can further work through more local changes and interventions they can make.
- 4.2 Some headline actions are identified in the presentation but these will be worked on and evolve over time. Specifically our approach will be through employee led groups – focus groups, engagement sessions and also organisation led initiatives such as a review of our Workforce Development Strategy, Core Skills Programmes, Performance Management Frameworks, Leadership Development.

5 CONSULTATION

- 5.1 No formal consultation is required on this issue. The Council has shared the results with Unison.

6 ALTERNATIVE OPTIONS

- 5.1 Not applicable – the report and presentation outline the statistical results of the staff survey.

7 FINANCIAL IMPLICATIONS

- 7.1 Any decisions and actions that have a financial implication will follow the appropriate Finance Procedure Rules and decision making as provided within the Council’s delegations/Constitution.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 No Legal and Governance issues.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 All proposals and actions will full consider the Council's Equality Statement and ensure equity and fairness to all staff.

10 COMMUNITY SAFETY IMPLICATIONS

- 10.1 There are no Community Safety implications arising from this report.

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 The Council has an overall duty of care to its employees which means taking all steps which are reasonably possible to ensure their health, safety and wellbeing.
- 11.2 The survey contains a specific section on Health and Wellbeing – the results of which have been provided to our employee led H&WB group who have led many developments and interventions in this area, including H&WB days.

12 ORGANISATIONAL IMPLICATIONS

- 12.1 Employee engagement and wellbeing is key to enabling staff to give their best in their role and make a positive contribution to the delivery of our strategic aims and objective.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 It is rewarding to see such a positive level of engagement from staff in contributing to the survey. We have continued to have a lot of change and development over the last couple of years.
- 13.2 The responses give a strong indication of the success of our employee contribution and our vision as an Employer of Choice.
- 13.3 From this Survey, we will take the opportunity to take periodic 'temperature checks' against the areas identified for improvement so we can track our progress.

14 BACKGROUND PAPERS

- 14.1 There are no additional background papers to the report.

15 APPENDICES

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