

EMPLOYMENT AND APPEALS COMMITTEE

7 July 2021

ANNUAL REPORT

Report of the Strategic Director for Resources

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader of the Council and Portfolio Holder for Policy, Strategy and Partnerships, Economy and Infrastructure	
Contact Officer(s):	Saverio Della Rocca, Strategic Director for Resources	01572 758159 Sdrocca@rutland.gov.uk
	Carol Snell, Head of Human Resources	01572 720969 csnell@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That the Committee:

Approves the annual report of the Employment and Appeals Committee.

1 PURPOSE OF THE REPORT

- 1.1 To set out the work of the Committee for the periods 2019-20 and 2020-21 in an annual report in line with best practice. An annual report was not submitted to Committee in 2020 as meetings were reduced/cancelled due to Covid.

2 TERMS OF REFERENCE OF THE COMMITTEE

- 2.1 The Employment and Appeals Committee is a Committee of the Council, with powers delegated to it by the Council as set out in its Terms of Reference:
- To establish panels to appoint Chief Officers, Officers that are part of the Strategic Management Team, or Officers that report directly to the Director for People. Such Panels to consist of three members plus the relevant Cabinet Member. Political balance applies to the panel.
 - To consider employee procedures, including dismissal procedures.
 - To hear, consider and determine appeals against dismissal by employees.

- The constitution of any special human resources panels or working parties as may be required from time to time.
- The discharge of such human resources functions that cannot be delegated under statute to the Cabinet or have not been delegated to officers, as may be delegated by the Council from time to time.
- To consider and approve HR policies (this requires two thirds voting members present to approve a policy subject to its financial impact not exceeding the virement threshold of the Director for Resources). If this cannot be achieved the policy in question will be referred to Full Council for further consideration and determination.
- Appeals panels
 - a) To hear, consider and determine any other appeals made under a statutory appeals process and/or where no other appeals body has been established for the specific purpose. This will include:-
 - i) Access to Personal Files
 - ii) Approved Marriage Premises
 - iii) Curriculum Complaints
 - iv) Home to School Transport
 - v) Housing Improvement Renovation or Repair Grants
 - vi) Discretionary Rate Relief (NNDR)
 - vii) Children's Social Services Complaints

The Panel will consist of three members drawn from the Committee. For this purpose, officers may draw upon members with training relevant to the subject matter of the appeal in order to ensure sufficient members are available to conduct the hearing, and to avoid involving any member who was involved in the original decision which is the subject of the appeal. Panel members should not be a representative of the Ward of the appellant. Panels should consist of three members of the Committee, with the exception of (vii) which should comprise two members of the committee and an independent chair. Political balance applies to the panel.

3 ACTIVITY DURING THE YEAR 2019/20

3.1 The Committee used its delegated powers to approve the following HR policies during the year:

3.1.1 Employment and Appeals Committee 16 July 2019

- Gender Pay Gap data for 31 March 2019. This report highlighted the changes to data for the reporting periods 2017 and 2018. Our detailed analysis has identified that natural changes through the year such as turnover and recruitment, is the highest contributor to fluctuating changes. We are satisfied that our existing

policies manage any risk of equal pay claims and also provide for robust recruitment and promotion that supports fairness and equity of treatment.

3.1.2 Employment and Appeals Committee 18 February 2020

- Standby Policy – our existing policy had been in place since 2016. We have provision within the National Joint Council for Local Government Services (Green Book) to negotiate and agree local arrangements for standby. The payment provision for staff on standby is dependent on (a) the frequency of the standby and (b) the level of accountability/decision making. Members approved in February 2020 an uplift to the rates which had not changed since 2016. Members also approved an annual review of the rates based on the NJC Pay award.

3.2 No policies were referred to Full Council for consideration.

3.3 It was not necessary for the Committee to hear any dismissal appeals during the year.

3.4 There were no other appeal panels during the municipal year.

4 ACTIVITY DURING THE YEAR 2020/21

4.1 The Committee used its delegated powers to approve the following HR policies during the year.

4.1.1 Employment and Appeals Committee 29 September 2020

- Relocation Policy – This policy provides the Council with scope to support a new employee to relocate. Whilst it is not a widely used policy as most of our appointments are local/regional, it is a useful attraction and recruitment tool. Members had been presented with an updated policy in February 2020 and approved an uplift in the maximum contribution. They also requested some further clarity regarding provision for employees who may be renting a property rather than purchasing. Based on further research, it was confirmed that there would be parity in provision for both situations.
- Special Leave – Paid Parental Bereavement Leave. In April 2020 the government introduced new legislation – the Parental Bereavement Leave and Pay Act – this provides for 2 weeks leave if an employee loses a child under the age of 18; this would be paid leave if the employee has at least 26 weeks service. The Council therefore reviewed its own local policy on paid special leave and approved an extension of our current paid special leave for all staff and all emergency circumstances, to up to 10 paid days at normal pay – irrespective of the length of service.
- Apprenticeships – Members were updated on the new Apprenticeship programme, the levy and target for local authorities and in particular, how Rutland Council had been performing against those targets. We also took the opportunity for one of our current Apprentices to present to the Committee and this provided a really useful insight. It was agreed that the Apprenticeship strategy would be presented to Employment and Appeals Committee in due course.

4.1.2 Employment and Appeals Committee 16 February 2021

- Apprenticeship Strategy – the purpose of the strategy is to give a clear statement of our commitment to recruiting Apprenticeships and supporting existing staff through Apprenticeship qualifications as an integral part of our recruitment and employee development plans. It was acknowledged that 2020 had hindered our progress but we had taken this opportunity to fully reflect on our strategy and plans ahead. This has led to an action plan which is presented to Members at this Committee as Report 67/2021.
- Gender Pay Gap – this report provided the Committee with our data for the period as at 31 March 2020. As expected, we once again saw a variation to previous year's data due to recruitment and turnover and movements within a pay band. Of interest in this data, there is a lower percentage of men in the Upper Quartile compared to previous years and this has had an impact on reducing the average hourly rate and median hourly rate for men. We are required to publish data 'as at 31 March 2021' by 30 March 2022 and this will be reported to Employment and Appeals Committee.

4.2 No policies were referred to Full Council for consideration.

4.3 It was not necessary for the Committee to hear any dismissal appeals during the year.

4.4 There were no other appeal panels during the municipal year.

5 APPOINTMENTS BY A CHIEF OFFICER APPOINTMENTS PANEL

5.1 Members of Employment and Appeals Committee have taken part in the following Chief Officer Appointments

- Deputy Director Places – 4 February 2020 – appointment of Penny Sharp
- Strategic Director Places – 6 October 2020 – appointment of Penny Sharp
- Chief Executive – 28 April 2021 – appointment of Mark Andrews.
- Strategic Director for Children and Families – 17 June 2021- appointment of Dawn Godfrey
- Strategic Director for Adults and Health – 17 June 2021 – appointment of John Morley

6 CONSULTATION

6.1 There are no consultation requirements.

7 ALTERNATIVE OPTIONS

7.1 The purpose of the report is to provide a summary of previous issues considered by Employment and Appeals Committee – this is considered best practice. The alternative option would be not to report.

8 FINANCIAL IMPLICATIONS

8.1 There are no financial implications arising from this report.

9 LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 There are no further legal and governance issues.

10 DATA PROTECTION IMPLICATIONS

10.1 A Data Protection Impact Assessments (DPIA) has not been completed as the information contained in the report is information that will be publicly available.

11 EQUALITY IMPACT ASSESSMENT

11.1 An Equality Impact Assessment (EqIA) has not been completed as the content relates to previous information and issues considered.

12 COMMUNITY SAFETY IMPLICATIONS

12.1 None.

13 HEALTH AND WELLBEING IMPLICATIONS

13.1 None.

14 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

14.1 The purpose of the report is to summarise the matters for consideration and approval that has been presented to Employment and Appeals Committee. This is not a mandatory requirement but is considered best practice.

15 BACKGROUND PAPERS

15.1 None.

16 APPENDICES

16.1 None.

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