

# Human Resources Committee

Tuesday 21 February 2023

2.00 pm Wyndham Room - County Hall,  
Taunton



To: The Members of the Human Resources Committee

Cllr L Leyshon (Chair), Cllr S Aujla, Cllr A Dingwall, Cllr D Fothergill, Cllr A Kendall, Cllr M Healey, Cllr G Oakes, Cllr E Pearlstone, Cllr L Redman, Cllr D Rodrigues, Cllr T Robbins, Cllr M Stanton and Cllr S Wakefield

All Somerset County Council Members are invited to attend meetings of the Cabinet and Scrutiny Committees.

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk and Monitoring Officer - 13 February 2023

For further information about the meeting, please contact Neil Milne on 01823 359045 or ndmilne@somerset.gov.uk or Sarah Wright (Democratic Service Officer) on 01823 356151 or sarah.wright@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)



**RNID typetalk**

# AGENDA

Item Human Resources Committee - 2.00 pm Tuesday 21 February 2023

**\* Public Guidance notes contained in agenda annexe \***

1 **Dates of Future Meetings**

2 **Apologies for Absence**

To receive apologies for absence.

3 **Declarations of Interest**

Details of all Members' interests in District, Town and Parish Councils can be viewed on the Council Website at [County Councillors membership of Town, City, Parish or District Councils](#) and this will be displayed in the meeting room (Where relevant).

The Statutory Register of Member's Interests can be inspected via request to the Democratic Service Team.

4 **Minutes from the previous meeting held on 24 January 2023** (Pages 9 - 18)

The Committee is asked to confirm the minutes are accurate.

5 **Public Question Time**

The Chair will allow members of the public to present a petition on any matter within the Committee's remit. Questions or statements about any matter on the agenda for this meeting will be taken at the time when each matter is considered.

6 **LGR HR Policies for Approval** (Pages 19 - 42)

- Discipline Policy
- Grievance Policy
- Appeals Policy

7 **Pay Policy Statement**

- To consider the report and appendices A and B.

8 **Wellbeing Strategy** (Pages 43 - 70)

- To consider the report

Item Human Resources Committee - 2.00 pm Tuesday 21 February 2023

9 **2023-24 Pay Negotiations**

- To receive a verbal update.

10 **LGR update**

- To receive a verbal update.

11 **Date of next meeting/s**

- To agree dates of next meeting/s.

12 **Any other urgent items of business**

The Chair may raise any items of urgent business.

This page is intentionally left blank

## Guidance notes for the meeting

### 1. **Council Public Meetings**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have given local authorities new powers to hold public meetings virtually by using video or telephone conferencing technology.

### 2. **Inspection of Papers**

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at [democraticservices@somerset.gov.uk](mailto:democraticservices@somerset.gov.uk) or telephone 07790577336/ 07811 313837/ 07790577232

They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers).

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

### 3. **Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

### 4. **Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

### 5. **Public Question Time**

If you wish to speak, please contact Democratic Services by 5pm 3 clear working days before the meeting. Email [democraticservices@somerset.gov.uk](mailto:democraticservices@somerset.gov.uk) or telephone 07790577336/ 07811 313837/ 07790577232.

You will be sent a link to the meeting to attend virtually or alternatively you can telephone into the meeting and listen to the proceedings using the phone number and ID for the meeting.

At the Chair's invitation you may ask questions and/or make statements or

comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. However, questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish.

If there are many people present at the meeting for one particular item, the Chair may adjourn the meeting to allow views to be expressed more freely. If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, to three minutes only.

In line with the council's procedural rules, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

## 6. **Meeting Etiquette**

- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Only speak when invited to do so by the Chair.
- Speak clearly (if you are not using video then please state your name)
- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.

## 7. **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it

appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, remove the participant from the meeting.

## 8. **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chair can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

A copy of the Council's Recording of Meetings Protocol is available from the Committee Administrator for the meeting.

This page is intentionally left blank



## **HUMAN RESOURCES COMMITTEE**

Minutes of a Meeting of the HR Committee held in the Luttrell Room - County Hall, Taunton, on Tuesday 24 January 2023 at 2.00pm

**Present:** Cllr L Leyshon (Chair), Cllr A Dingwall, Cllr D Fothergill, Cllr A Kendall, Cllr G Oakes, Cllr E Pearlstone, Cllr D Rodrigues, Cllr M Stanton, Cllr S Wakefield,

**Committee members attending virtually:** Cllr S Ajula, Cllr L Redman, Cllr T Robbins

**Absent:** Cllr M Healey

Cllr Liz Leyshon welcomed all to the meeting including members of the public and explained that she was chairing in her capacity as lead Member for Finance and Resources. She stated that this was the fourth monthly meeting of this Committee and that the Committee has powers delegated to it by Full Council in the area of human resources, meeting as and when required, reporting as necessary to Full Council. The principal functions of the Committee are to determine monitor, review and amend staffing policies and practices to secure the best use and development of the Council staff, including the power to deal with all matters relating to staff terms and conditions.

### **12. Apologies for absence – Item 1**

Cllr S Ajula (attended online), Cllr L Redman (attended online), Cllr T Robbins (attended online).

### **13. Declaration of Interest – Item 2**

a) Cllr Leyshon and Cllr Kendall declared a personal interest as members of the Local Government Pension Scheme.

### **14. Minutes from the previous meeting held on 13 December 2022 – Item 3**

The minutes were approved as a true and accurate record.

### **15. Public Question Time – Item 4**

There were no public questions, statements, or petitions.

### **16. Pension Policy and Processes – Item 5**

The Chair welcomed the Service Manager - HR Policy and Project, Sarah Welland who highlighted the following:

- Draft policy flagged for information only combining documents in relation to pensions and retirement.
- One change from existing policies which is favourable to district employees in that those applying for flexible retirement are not required to make a significant reduction in earnings.

Questions were invited:

- A Councillor asked for clarification of process for flexible retirement. The Officer explained this is one option available to staff over the age of 55 where previously employees were required to reduce earnings (through reduction in hours, grade or both) for early access to retirement benefits whilst continuing to work via a flexible working request. Employer to undertake cost benefit analysis to decide whether to approve or decline request. Reduction in employment costs should offset early payment to employee and therefore be cost neutral to Council.
- A Councillor asked how many employees over 55 make this request. The Officer replied there were approximately 10-12 requests per year that were approved but figures were not known for the districts. The Councillor queried whether offering this option for employees at 55 could be costly considering that staff were likely to continue to work longer and live longer past state retirement age. There was discussion about loss of knowledge and experience.
- A Councillor stated that the minimum pension age will rise from 55 to 57 from 2028. The Officer stated that ways to retain employees should be found to avoid labour shortages and as well as offering opportunities for flexible retirement. Later retirement can help prevent labour shortages and provide mental health benefits to older employees.
- A Councillor stated that flexible retirement should be viewed as encouraging employees to consider lifestyle changes to continue working if they choose; asked what strain this would put on the pension scheme and if this is quantifiable; and queried if re-investment of pension funds into new pension funds. The Officer said that earnings from continued working could be paid to a new pension fund in agreement with the provider of the LGPS, Peninsula Pensions.
- A Councillor asked if this indexed linked to inflation if taken at age 55. The Officer confirmed this is index linked.
- A Councillor suggested the Council engage with pension holders to ascertain whether employees are comfortable with investment in tobacco related industries, gambling, fossil fuels or other sectors deemed less socially responsible and asked if it was the view of this Committee that employees should be able to voice opinion on this. The Officer said that the Pensions Committee includes pension holder representatives. A Councillor said that these representatives do articulately express their views.
- A Councillor stated support for the policy and process on confirmation that the policy did not contain any guidance which would lead to illegal recycling of pension funds.

**The members of the HR Policy Committee noted for information purposes only, the new Pensions Policy and Processes Statement, which falls into the category of being a change to one or more of the District Council's existing policies, but no significant change to the existing SCC policy.**

### **17. Chief Officers Annual Leave Entitlement – Item 6**

The Chair welcomed the Strategic Manager – HR Business Partner (Adults Social Care and Policy & Projects), Cherry Russell to the meeting. The Officer highlighted the following:

- November meeting saw a report on pay award, as nationally agreed on 1 November 2022, which referenced leave entitlement.
- Leave entitlement either follows nationally agreed conditions as per Green Book for Staff or a local agreement. In Somerset, there is a local arrangement for pay and grading which is linked to the National Joint Council (NJC) Green Book annual leave entitlement. To implement addition leave from 1 April 2023 as agreed nationally, this needs to be agreed locally. It was suggested that the Committee gives authority to the Service Director to agree Green Book terms as recognised by the trade unions.
- There was discussion about the historical context of Green Book terms from 1999/2000 and specifics of grade and leave entitlement. Somerset leave entitlement is currently in excess of minimum entitlement for higher grade staff.
- Proposal to increase leave for lower grade staff (grades 17-13) from 25 days annual leave to 28 days after 5 years' service, and proposal for 28 days annual leave for grade 12, 30 days for grades 11 to 9, and 33 days for grade 8 and above. This constitutes one additional day to the existing entitlement.
- Local arrangements would be agreed with the three recognised trade unions, Unite, UNISON and GMB. Following a recent meeting, UNISON and Unite were in agreement with the proposal to amend the existing local collective agreement in line with the national agreement from 1 April 2023, with the exception that annual leave entitlement form part of forthcoming negotiations on wider terms and conditions review by the new authority. Concerns were raised by the unions about linking leave and grade; it was stated that the historical context of this was unknown. GMB were unable to respond. Strong view from unions that annual leave entitlement be based on length of service and not on grade.

- 1. The members of the Human Resources Committee agreed to note the nationally agreed NJC Green Book increase of one day to annual leave entitlement from 1 April 2023 as outlined in paragraph 1.1, 1.2 below**

**and Appendix 1.**

2. **Members of the Committee unanimously agreed to give the Director of Customers, Digital and Workforce, authority on behalf of this Committee and the Council to agree with the Green Book recognised trade unions, an amendment to the local collective agreement on annual leave entitlement for all staff on Green Book terms and conditions Somerset Grades up to grade 4, in order to implement the increase agreed nationally for NJC Green Book staff, as recommended in paragraph 2.2.**

It was confirmed that this was in relation to the 2022-23 pay award for Somerset County Council staff (not Somerset Council) for the current year, which if agreed will take effect from 1 April 2023. Similar decisions are being considered in the four district authorities and, if agreed, will be enacted by the single payroll administration of Somerset Council from April 2023 for all Somerset Council staff (former SCC and former district staff).

A Councillor asked if the additional days leave would be on top of the additional day granted by the national agreement. The Officer confirmed this was not the case for the majority of grades as the local agreement was already in line with the new national agreement, but an enhancement for grades 13 to 17. It was stated that there can be no deviation from the national agreement aside from enhancement.

Proposal to increase annual leave entitlement for Chief Officers, grades 1 to 3, by one day in line with Green Book changes. It was explained that around 2012, SCC opted out of national negotiations for chief officers, so that terms and conditions, including annual leave, were subsequently taken by this Committee ahead of ratification by Full Council. Current entitlement is 32 days per annum, with managers on lower grades rising to 33 days. It is suggested to award an additional day of annual leave to increase to 33 days from 1 April for equity (option 3), and proposed to Full Council on 22 February.

Questions were invited.

- A Councillor asked the expected trade union reaction to the principle of all staff grade having the same leave entitlement dependent on length of service. The Officer said that this would not be known without consultation with members. Unions support the principle of discretionary pay awards, and leave entitlement linked to Green Book.
- A Councillor expressed that all staff should be paid fairly and receive adequate leave entitlement.

**The Committee agreed to the increase in annual leave entitlement by**

**one day (pro-rata) for the Chief Executive and Chief Officers Grade 1 to 3, with effect from 1 April 2023, in line with NJC Green Book changes, as recommended in paragraph 2.3.2.**

**The Committee requested that a report is submitted to Full Council on 22 February 2023 to approve the recommendations of this Committee relating to the proposed increase in annual leave entitlement for Somerset Grades 1 to 3.**

### **18. Dynamic Working Strategy – Item 7**

The Chair welcomed Lead Specialist – People, Support Service, South Somerset District Council and Lead Officer, Amanda Kotvics who is the co-lead for the Dynamic Working Strategy, and joined the meeting online, highlighted the following:

- Large changes since covid and an increase in benefits to employees with an increase in trust between staff and managers. To note, new finance system is Microsoft Dynamics, a distinct system with no link to this strategy.
- Dynamic working is role specific and gives the ability to flex working arrangements and is based on outcomes, whereby work is completed to best suit the needs of the organisation and individual. New organisation is opportunity to reset the standard for ways of working.
- The strategy encourages inclusivity, promoting healthy work-life balance, trusting employees, ensuring fairness without sacrifice of productivity whilst supporting climate emergency agenda by minimising travel and business usage through better use of technology for collaborative working.
- Culture of trust, productivity and wellbeing in a forward-looking organisation with improved recruitment and retention with a diverse workforce.
- Strategy achieved by agreement, not contract changes, as a flexible, non-permanent arrangement with no change to terms and conditions. Strategy is distinct from the Flexible Working Policy whereby an employee can request (once per year) a formal flexible working arrangement.
- Dynamic working can be viewed as a benefit when public sector salaries are behind private sector, a benefit in the move toward carbon neutrality, a benefit to employees and/or their families, and a benefit to budget with the potential to reduce office space.
- Engagement with employee groups, unions and other stakeholders have been very positive.
- Members views and questions were invited.

- A Councillor welcomed the strategy but stressed the importance of in-person working for mental health and the impact of isolation of home-working for some employees. The Officer said it was likely that dynamic working would suit 85-90% of employees but would not suit staff with unsuitable conditions at home or who may not feel safe to work at home. The importance of in-person working for new starters was highlighted for sharing of information and experience, and also support to colleagues.
- Trials of team charters will be taking place as part of action plans to support the strategy as well as training for managers to be alert to signs of poor mental health within their teams.
- Desk counts have been completed in the autumn and during the colder, winter months.
- A Councillor stated that many businesses are experiencing recruitment issues and with a majority improving terms of work to make them more competitive by increasing flexibility in terms of location, work hours etc and welcomed the dynamic strategy. They asked if managers monitor productivity. The Officer said that it was important to retain the ability to request employees return to the office if required as the contract remains unchanged with an office base. It was also stated that productivity can increase with a shorter working day due to loss of commuting time through home-working.
- A Councillor recognised that trust features highly in management of home-working colleagues and asked what processes are in place to encourage a healthy work-life balance where employees may work more hours than contracted. The Officer stated employees have the ultimate responsibility for their own wellbeing with managers monitoring working hours with apps that monitor in a positive way, by for example suggesting downtime when a large meeting workload is detected.
- A Councillor asked if any analysis has been undertaken in energy efficiency of home-working where multiple workspaces are heated and powered versus the office environment for multiple colleagues and whether job roles are carbon-audited. The Officer detailed work with the Climate Agenda Group which has not previously considered carbon-auditing roles but would now consider this. The Councillor asked for clarification of 'basic appropriate equipment provided' for a role. The Officer said this is a laptop but not a desk unless there was a specific need for adjustment such as desk riser or other specialist arrangement but would include keyboard, headphones, mouse etc to enable efficient working as well as Display Screen Equipment (DSE)

assessment of correct desk working position. The Officer confirmed that this is a strategy and not a policy so would come back to the HR Committee in due course rather than to Full Council for ratification. The Committee's comments were welcomed. The Councillor referred to the Equality Impact Assessment and asked if Trade Union representation had been sought. The Officer said the strategy had been signed off by the National Negotiating Forum. The Councillor asked for reassurance that an employee predominantly working from home could retain the option of office-working, particularly if their domestic situation changed. The Officer re-iterated that the strategy embodied choice for the employee. The Councillor asked how the strategy would be monitored. The Officers said that the strategy is a working document which could return to the HR Committee to show what mitigations have been considered. The Councillor expressed some concern about the perception of the reference to employee anxiety regarding sexual orientation or gender reassignment and work-space positioning, and whether this could be re-worded to strengthen inclusivity, in addition to equalities training. The Officer thanked the Councillor for the question and suggested removal of the reference to sexual orientation for the issue of employee anxiety. There was agreement to remove any unintended negative reference to infer general anxiety and to encourage dialogue between employee and manager.

- A Councillor asked how health and safety concerns are managed with home-working. The Officer said this was the employees' responsibility through measures such as the DSE assessment. Employees are encouraged to consider insurance arrangements.
- A Councillor asked for clarification of insurance arrangements for home-working and whether there was a requirement to produce an insurance certificate. The Officer stated that this was not a requirement but may be covered at appraisal. Guidance, developed during Covid, is still available in relation to home-working. It was confirmed that any SCC equipment is covered by SCC insurance in employees' homes or where work is undertaken. It was suggested that a reminder is sent to all staff on wellbeing and health and safety when working from home.
- A Councillor suggested that this should also be circulated to all 110 members.

There was discussion about hearing loops in meeting rooms which is now largely outdated due to modern digital hearing aids.

- A Councillor suggested that there may be a move towards office working for employees living closer, due to the cost of heating at home. An Officer said that office attendance is periodically monitored and that the carbon reduction analysis from dynamic working could be undertaken.
- An amendment to the recommendation was suggested to include a six-month review of the Equalities Impact Assessment of the Dynamic Working Strategy Action Plan and report to the HR Committee in late 2023. The Committee agreed to the amendment of the recommendation.

The following recommendation was proposed by Cllr D Rodrigues and seconded by Cllr G Oakes. The Committee voted unanimously in favour.

**The members of the HR Policy Committee formally approved the new Dynamic Working Strategy, for use in the new Somerset Council with effect from 1<sup>st</sup> April 2023 with a six-month review following April 2023 of the Equalities Impact Assessment in late 2023.**

The Chair thanked the Lead Specialist – People, Support Service and their team for their work on this strategy and presentation today and suggested this approval be highlighted to Full Council at the next available meeting.

### **19. LGR People Workstream Update – Item 8**

The Committee received a presentation from the Director of Customers, Digital and Workforce – Chris Squire as the Lead Officer of the LGR People Workstream.

The following points were highlighted:

- Achievements to date include completion of all tier 2 appointments; imminent commencement of 14 tier 3 appointments; warm offices initiative for staff struggling with cost of energy of home-working; Employee Support Toolkit; development of Change Protocol including move to one electronic recruitment system for the new Council; new Careers website; continuing work of the culture workshops; move to single learning management system; new temporary labour contract for new Council; development of new staff networks including ethnic minorities, LGBTQ+, young people, new mum's, men's health and armed forces.; and payroll migration to SAP for all district colleagues. The Chair particularly praised the successful work on payroll migration.

A Councillor asked if these successes had been disseminated to all colleagues in each of the authorities to give assurance of readiness for 1



April. The Officer said that the message was given to senior staff to disseminate. An agreement was outlined that where staff are on temporary contracts, these could continue where this is within budget, but where this is not the case then local 151 Officer approval is needed to extend contracts. The Chair, as Lead Member for Finance and HR, stated this involves some risk for service delivery.

- Still to be achieved ahead of Vesting are approval of new structure; development of new corporate health and safety training; standardised Disclosure and Barring (DBS) system; TUPE arrangements; as well as smaller projects.

The Chair asked for confirmation of the budget for equality, diversity and inclusion to include provision for reasonable adjustment. The Officer confirmed there is a small budget for such events.

A Councillor expressed concern about the timescale for tier 3 appointments in a March, very close to Vesting. The Officer confirmed imminent commencement of the tier 3 appointment process and outlined a pre-transfer redundancy consultation as well as consultation on the new structure. Matching process to begin shortly whereby posts will be ring-fenced for district colleagues.

A Councillor asked if agency workers would transfer. The Officer confirmed that TUPE only affects contracted staff from the districts with new temporary labour arrangements commencing on 1 April. Agency staff are not contracted and will therefore not TUPE. SCC employees will not TUPE as Somerset County Council is the continuing authority as Somerset Council. There will be a continuing need for temporary labour through agency arrangements in Children's Services, Adult Services and Public Health. Support for existing employees and job evaluation arrangement will also need to be finalised.

The Chair stated the move to a unified Council was a large undertaking in terms of HR and Finance.

The Officer stated that there would be huge amount of continuing work on culture to address issues such as differing terminology for example used by different planning committees,

## **20. Any other urgent items of business – Item 9**

There were no items of urgent business.

**Meeting closed at 16.40pm**

This page is intentionally left blank

Somerset County Council

Human Resources Committee

– February 21<sup>st</sup> 2023

Somerset Council Employment Policies for Approval

Executive Member: Cllr Liz Leyshon, Deputy Leader and Lead Member on Finance and Human Resources

Lead Officer: Chris Squire, HR&OD Director

Authors: Sarah Welland – Service Manager HR Policy & Projects & Sari Brice, Strategic Manager - HR Practice

Contact Details: 01823 359882 sarah.welland@somerset.gov.uk

<i>Please complete sign off boxes below prior to submission to Community Governance</i>			
	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
<b>Report Sign off</b>	Legal	Tom Woodhams	
	Corporate Finance	Jason Vaughan	
	Human Resources	Chris Squire	
	Executive Member	Liz Leyshon	
	Monitoring Officer	Scott Wooldridge	
<b>Summary:</b>	This report provides details of the policies for the new Somerset Council which are ready for consideration and if appropriate, approval, by the HR Committee. As agreed previously at HR Committee, policies meeting certain criteria (these are detailed below) would be presented to this Committee for consideration. Policies not meeting the criteria would be approved via delegated authority to the Director of Customers, Digital & Workforce.		
<b>Recommendations:</b>	<p><b>The members of the HR Policy Committee are asked to:</b></p> <p><b>Formally approve those new employment policies as detailed below which meet the previously agreed criteria and therefore require HR Committee approval for use in the new Somerset Council with effect from 1<sup>st</sup> April 2023.</b></p>		
<b>Reasons for Recommendations:</b>	To ensure that a pre-agreed list of key employment policies are in place for the new Somerset Council on 1 <sup>st</sup> April 2023.		
<b>Links to Priorities and Impact on Service Plans:</b>	Part of the People Workstream for Local Government Reorganisation.		

<p><b>Financial, Legal and HR Implications:</b></p>	<p><b>Financial</b> – there are a handful of employment policies that have clear financial implications. As previously agreed therefore, any employment policies that have potential financial implications are being brought to HR Committee.</p> <p><b>HR</b> – one clear set of employment policies, terms and conditions for new and existing staff. The new policies will apply to transferring staff where such policies are not contractual (i.e., have not been incorporated into the contracts of employment) and so do not fall within the protection provided under the Transfer of Undertakings Protection of Employment (TUPE) Regulations. Having a single set of HR policies will greatly assist line managers and staff and help define the organisation’s culture and values regarding our workforce.</p> <p><b>Legal</b> – Where a contract of employment transfers to a new employer by virtue of the TUPE Regulations the employee’s terms and conditions of employment are protected despite the change of employer. This can sometimes result in a workforce where several different sets of terms and conditions apply.</p> <p>Changing terms and conditions can create risks of legal challenges particularly where employees are affected who have transferred under TUPE due to the protection afforded by the TUPE Regulations. To mitigate any such risks, consultation and negotiations will be carried out with Trade Unions to seek agreement to any changes.</p>
<p><b>Equalities Implications:</b></p>	<p>The Council’s duty under Section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when considering and making decisions. A full Equality Impact Assessment is being completed for each of the new employment policies.</p>
<p><b>Risk Assessment:</b></p>	<p>N/A</p>
<p><b>Scrutiny comments / recommendation (if any):</b></p>	<p>N/A</p>

## **1 Background**

- 1.1 As agreed previously, any employment policy which meets one or more of the criteria below would be brought to the HR Committee for approval
  - a) Where there is a significant/notable change to existing SCC policy
  - b) Something is contractual / is a term or condition
  - c) Where there is a cost implication – for example redundancy compensation scheme, sick pay, annual leave entitlement determination
  - d) Anything that the unions will not agree on/sign-off
- 1.2 It was also agreed that any significant impact to any District Council partner's existing policy is 'flagged' for the HR Committee's awareness
- 1.3 All other policies will be approved via delegated authority, by the Director of Customers, Digital & Workforce.
- 1.4 Based on the criteria above, and highlighted in blue on the attached summary table at Appendix 1 the policies now ready for the HR Committee's consideration and if appropriate, approval, are:
  - Disciplinary
  - Grievance
  - Appeals

## **2 Options Considered**

- 2.1 An alternative option would have been to have not made any changes to existing policies and with effect from 1<sup>st</sup> April 2023, to operate under five different sets of employment policies. This option was discounted, and the current approach agreed for the reasons set out in HR implications above.

## **3 Consultations Undertaken**

- 3.1 All policies on the list have been consulted upon informally with trade union representatives in weekly working group meetings. These are to be taken to the LGR JNF (Joint Negotiating Forum) on Wednesday 8<sup>th</sup> February for formal approval.

## **4 Implications**

- 4.1 The recommendations are made to ensure that Somerset Council has a set of employment policies in place which are legally compliant, fair, affordable and consistent with the values and culture of the new Council. In the event that approval is not achieved for an employment policy, Somerset County Council's existing policy would be used post vesting day, due to SCC being the continuing authority. This is with the exception of employees who TUPE transfer in from the District Councils and for whom existing terms and conditions are protected under the TUPE Regulations.

## **5 Background Papers**

- 5.1 Appendix 1 Summary table & employment policies.  
Appendix 2 – Disciplinary Policy  
Appendix 3- Grievance Policy  
Appendix 4 – Appeals Policy
- 5.2 Please note, each draft policy has various words/titles highlighted in yellow. This is because we do not yet know what titles, services, etc., will be called.

**Summary Table for HR Committee February 2023**

Key: **Yellow** means we have flagged for information / awareness as there is a change to one or more of the District Councils

**Blue** means a change to the existing previously agreed SCC policy requiring approval by HR Committee

Policy	Points to Note	Suggested Approval Route
<p><b>Disciplinary</b></p>	<p>We have:</p> <ul style="list-style-type: none"> <li>• Removed 'Verbal / Oral Warnings' in line with updated Acas guidelines (only SCC had verbal/oral warnings).</li> <li>• Tightened up the wording on suspension in line with new Acas guidance (the emphasis being on suspension as a last resort, where all other options have been considered and ruled out).</li> <li>• Amended the 5-day rule for a postponed hearing – so the requirement is to now arrange a new date within 5 working days, rather than the hearing having to take place within 5 days of the originally proposed date. In practice this is incredibly difficult to comply with.</li> <li>• We have removed the need for investigation training (a requirement of some of the Districts).</li> <li>• We have removed the mention of unpaid suspension from examples of Action Short of Dismissal (Action Short of Dismissal is not included in SDC or SWT policy currently).</li> <li>• Added / reiterated the option of an informal level outcome following a formal hearing- via a Letter of Expectation.</li> <li>• Added in a section covering under 18-year-olds and hearing representation.</li> <li>• Added a section on recording of meetings to allow option of voice recording if</li> </ul>	<p>Requires Committee approval due to changes to SCC’s existing policy.</p> <p>Also changes to one or more District Councils to note for information</p>

	<p>agreed by all parties.</p>	
Grievance	<ul style="list-style-type: none"> <li>• We have emphasised the importance of trying to resolve a grievance informally wherever possible, as we know that this often leads to a better outcome for all involved.</li> <li>• As with disciplinary above, we have amended the 5-day rule for a postponed hearing so that it should be rearranged, rather than taking place within that timeframe.</li> <li>• We have added in a short section on collective grievances, following feedback from operational HR advisors.</li> <li>• 3 of the District currently have a separate bullying and harassment policy, so it is a change in some respects for them, as we have maintained SCC and 1 District’s approach of incorporating bullying and harassment concerns into the grievance policy. That said, the process for resolving any employee concern would follow the same key principles and be seeking the same outcome, and therefore the grievance process is deemed suitable for continuing to manage concerns relating to bullying and harassment in Somerset Council. The policy also provides a direct link to our Dignity at Work Code of Practice which provides very detailed information, including definitions and our rights and responsibilities on this subject.</li> </ul>	<p>Requires Committee approval due to some changes to SCC’s existing policy.</p> <p>Also changes to one or more District Councils to note for information.</p>
Appeals	<ul style="list-style-type: none"> <li>• Some DCs do not currently have a separate appeal policy setting out process but our view was that it was helpful to have the process set out in one document.</li> <li>• SSDC currently have no compulsory Member appeals, whereas all other partners do, and we have gone with the majority on this, maintaining Member appeals for dismissals linked to disciplinary, capability and sickness absence.</li> <li>• SW&amp;T have a Member appeal for grievances, but we have followed the majority approach again, listing this as a standard appeal in the new policy.</li> <li>• Appeals against Action Short of Dismissal (which is currently only listed in the SCC policy), have been moved from a Member appeal to a standard appeal, as this ‘fits’</li> </ul>	<p>Requires Committee approval due to some changes to SCC’s existing policy.</p> <p>Also changes to one or more District Councils to note for information.</p>



	<p>better.</p> <ul style="list-style-type: none"><li>• We have added in the same statement about the option to record hearings, subject to agreement of all parties in advance, in line with the disciplinary policy.</li><li>• We have maintained SCC's separate process for hearing redundancy appeals (as set out within the policy). It is felt that there is justification for treating these slightly differently again, given the potential sensitivities and outcomes from a redundancy appeal (unlike disciplinary appeals, a redundancy appeal panel cannot overturn and reinstate a redundancy dismissal, but they can deem the selection for redundancy unfair, in which case it is referred back to the employing service area to reconsider).</li></ul>	
--	---	--

This page is intentionally left blank

## **Disciplinary Policy**

### **Policy Statement**

This policy applies to all employees apart from school-based employees employed under a Governing Body's delegated powers. Please seek further advice from the Service Director – Workforce for how this policy applies to posts in tiers 1-3 of the organisational structure.

This procedure is designed to help and encourage all employees to maintain the expected standards of conduct. It aims to ensure consistent and fair treatment for all employees in the organisation and to meet acas good practice guidance.

The Council requires that employees should conduct themselves in a safe and proper manner, abiding by the standards of conduct, rules, regulations set out in the Council's Standing Orders and the appropriate conditions of service. This procedure sets out the action, which may be taken when it is suspected that these rules have been breached.

### **Process**

Wherever possible cases of minor misconduct will be best dealt with informally rather than through the use of the disciplinary procedure. Problems should be discussed by the Line Manager and employee with the objective of encouraging and helping the employee to improve. It is important that the employee knows what needs to be done, how conduct will be reviewed and over what period. Where appropriate a Letter of Expectation will be given to the employee and placed on their employee file for a stated period, usually six months. The employee should also be made aware of what will happen if they do not reach acceptable standards.

### **Suspension**

The Council reserves the right to suspend an employee, with full pay, for the duration of any investigation. Suspension should only be considered if there is no other alternative and after consultation with HR and approval from a Director at tier 3 or above, or their nominated senior officer. Alternatives to suspension include temporary redeployment, restricted duties and closer supervision. Suspension from work is not a disciplinary sanction or a presumption of guilt. It should only be considered in cases of gross misconduct or where the Council believe there is a risk to the investigation process or to the welfare of others.

The reasons for suspension should be made clear to the employee in a meeting which is followed up by letter.

Every effort will be made to ensure that the period of suspension is as short as possible. The employee should be kept up to date with the progress of the investigation and any delays should be communicated. A point of contact will be appointed and that this should be someone not previously involved in the case.

Suspension can be implemented or lifted at any time throughout the process.

### **Investigation**

Before any disciplinary action, an investigation will be conducted into the allegations of misconduct. An appropriate manager will take the role of Commissioning Manager and with support from HR will agree who is the most suitable person to conduct the investigation. In exceptional circumstances, where no suitable person is available within the organisation to conduct the investigation, an external investigator may be appointed.

Prior to an investigation taking place the employee must be informed of the nature of the complaint made against them in writing. They should be given the opportunity to state their case during the investigation process and, if required, at a disciplinary hearing. The investigation should be confined to ascertaining the facts through the collation of evidence, including statements from interviews with witnesses. All parties have the right to be accompanied by their trade union official or an appropriate work colleague.

After the investigation, the report will be shared with the Commissioning Manager who will decide if it is necessary to proceed to a formal hearing. If the Commissioning Manager recommends a formal hearing take place, the employee will be informed in writing.

Alternatively, it may be decided that no formal disciplinary action is required and to deal with the issue via informal action, which could include a Letter of Expectation, the offer of counselling, mediation, coaching or additional training. In this case the employee should be informed of this decision in writing.

### **Suspected Theft /Fraud**

Where there is any suspicion of theft or fraud then the Group Manager, the Monitoring Officer or the Section 151 Officer must be informed immediately. Within 10 working days of the concerns being raised a letter will be issued by the Section 151 Officer or Monitoring Officer explaining what action will be taken. This will be determined, in line with the Financial Regulations and a decision will be made as to whether the auditors should be commissioned to investigate. However, while the audit investigation may form part of the disciplinary investigation, this should not be used instead of a disciplinary investigation when deciding appropriate action to take / recommend.

In certain circumstances it may be necessary to report the start of formal disciplinary proceedings to other professional bodies. This will happen in conjunction with HR and the employee will be notified.

## **Hearing**

The employee must be invited to attend the hearing in writing and given at least 5 working days' notice of the date. Full details of the allegation should be provided including the investigation report and supporting papers and they should be notified of their right to representation.

The hearing will be chaired by an independent manager (not previously involved in the case), advised by a representative from the HR Service. Often this will be the Commissioning Manager. The tier of manager involved should normally be one above the manager previously involved in the case. If necessary, the panel will include an additional member to give expert advice and support.

Where the employee or their representative is unable to attend on the date specified the **HR Officer** should be advised immediately, and a new hearing date will be provided to the employee within five working days of the original date.

The employee will have the right to be accompanied. This can only be by a trade union representative or an appropriate work colleague. Where the employee is aged under 18 or has a specific need, the Council would consider a request to be accompanied by a parent / carer or tutor.

The notification of the hearing must be provided in writing, along with a copy of this procedure, and include the date of the hearing, right to representation and who will be in attendance as well as details of the matter to be considered at the hearing and copies of any supporting documentation (i.e. the investigation and appendices) that will be relied upon by the employer's side during the meeting. The names of any witnesses that the employer's side may call must also be provided. The employee in turn must submit any documentation they wish to be considered at the hearing, and the witnesses they wish to call, at least three working days before the hearing.

Notes will be taken at the Hearing by the Council and the employee and their representative will be provided with a copy upon request. Where appropriate and agreed, a disciplinary hearing may be tape recorded. This should be discussed with the panel in advance of the hearing. It is expressly forbidden for any employee to covertly record any investigation meeting or disciplinary / appeal hearing.

Either party can request an adjournment at any time during the hearing.

## **Possible Outcomes**

No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when dismissal will be without notice or payment in lieu of notice.

There are several outcomes of a disciplinary hearing and the employee must have been notified of the most severe possible outcome before the hearing. Not all hearings end with a sanction, the Disciplinary Chair or Panel may decide there is no case to answer and declare that no further action will be taken. A Letter of Expectation may also be issued if the Chair / Panel decide resolution can be more informal.

Where dismissal is a potential outcome of a hearing, the panel must be chaired by a Director at tier 3 or above (or their nominated senior officer).

### **First Written Warning**

If the Disciplinary Chair / Panel decide the allegations are true, it is a first offence and the misconduct is not considered gross, a written warning will be issued. This will give details of the complaint, the improvement required, and the timescale allowed for improvement. It will state that further disciplinary action will be considered if there is no satisfactory improvement and will give advice on the right to appeal. A copy of the written warning will be placed on the employee's personnel file. This will cease to have any cumulative effect after 12 months or any other lesser period, which may be considered appropriate by the Disciplinary Panel.

### **Final Written Warning**

If the misconduct is sufficiently serious, or if there is a failure to improve and conduct is still unsatisfactory following a previous written warning, a final written warning will be issued. This will give details of the complaint, the improvement required, and the timescale allowed for improvement; warn that dismissal will result if there is no satisfactory improvement or further misconduct and will advise on the right to appeal. A copy of the final written warning will be placed on the employee's personnel file. This will normally cease to have any effect after 18 months, though an alternative period may be specified in exceptional circumstances by the Disciplinary Panel.

### **Dismissal with Notice**

Formal warnings may have a cumulative effect. This means that if a warning is still in effect, any further warning for similar misconduct may be at a higher level. If, following a final written warning, at a further formal disciplinary hearing, conduct is still unsatisfactory and the employee still fails to reach the prescribed standards, dismissal with notice or payment in lieu of notice, will normally result. The employee will be provided with written reasons for dismissal, the date of termination and the right to appeal, including details of to whom this should be made.

## **Summary Dismissal (without Notice)**

Gross misconduct is behaviour or action of such gravity as to warrant summary dismissal. If, as a result of the investigation and a formal disciplinary hearing the Council has reason to believe gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

## **Action Short of Dismissal**

The Disciplinary Chair may consider a sanction short of dismissal, such as a demotion or redeployment (where permitted by the employee's contract or in agreement with the employee), or an extension of a previous disciplinary warning, and may make recommendations and place behavioural conditions on the employee for example, regarding their working arrangements or to improve working relationships as appropriate.

## **Appeals**

Employees must be informed that they have the right to appeal against any formal disciplinary penalty imposed. The separate Appeals Procedure details all appeals processes and should always be referred to.

## **Example of Gross Misconduct Offences.**

It is impossible to provide an exhaustive list of such offences, but the following would normally be considered gross misconduct:

- Theft or unauthorised possession from other employees, the Council or clients.
- Assault, abusive or threatening behaviour, to anyone in the course of one's duties, whether or not on council property.
- Falsification and irregular practice in respect of cash, records, returns, clock cards or medical self-certificates etc.
- Fraud, or attempt to defraud, corrupt or bribe.
- Unauthorised access to information held on computer including internet sites containing offensive or obscene material.
- A serious act of insubordination and/or a fundamental breach of trust and/or confidence.
- Gross negligence which causes unacceptable risk, loss, damage, injury, or is likely to damage the public reputation of the Council.
- A criminal conviction offence whether or not committed in connection with employment which may affect the employee's suitability for continued employment.
- Serious discrimination, harassment or bullying of colleagues or clients or fundamental breach of the Council's Equal Opportunities policy.

- Serious infringement of the Council's Health and Safety policies and procedures and also for employees involved in catering activities, food hygiene regulations.
- Malicious damage to Council property.
- Sleeping whilst on waking duty in a residential establishment.
- Behaviour or conduct, whether inside or outside of work, which confirms that an individual is unsuitable to work in a particular field or with particular clients.

Version	1
Date	
Relevant Legislation	



## Grievance Procedure

Somerset Council is committed to enabling employees to raise any grievance that arises in the course of their employment, and for these to be dealt with as fairly and quickly as possible.

A grievance is a concern, problem, or complaint that an employee has in relation to their employment. This includes bullying and harassment. For further information on concerns regarding bullying and harassment see the Dignity at Work Code of Practice ([add link](#)).

This policy applies to all Somerset Council staff with the exception of staff employed within schools, to whom a separate procedure applies.

This policy does not apply to matters which have their own policies, processes, and appeals, this includes:

- Pay and grading
- Redundancy
- Flexible working
- Whistleblowing/Public Interest Disclosure
- Ill Health Retirement
- Disciplinary\*

\*Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the disciplinary procedure. Complaints about any disciplinary action taken against an employee will be dealt with as an appeal under the disciplinary procedure.

If an employee or manager is unsure which policy applies, HR advice should be sought.

Employees should not be disadvantaged in their employment for raising a grievance or acting as a witness for another employee.

It is expected that all grievances are raised in good faith. Any grievance raised which is considered malicious or vexatious will be dealt with through the disciplinary procedure ([add link](#)).

This policy does not form part of the Somerset Council Terms and Conditions and may be subject to change.

## **Internal Advice and Support**

All parties should be provided with support from an appropriate colleague who is not involved in the process. Trade unions and professional associations can also play an important role in assisting all parties. All parties (within Somerset Council) will be able to contact Care First (the confidential counselling service) and employee support networks as required ([add link](#)).

## **Informal Resolution**

It is expected that all available informal options will be explored with a view to achieving a positive outcome before making a formal complaint under this policy. However, in exceptional circumstances where it is accepted that informal resolution is not appropriate, the formal process may instead be used.

The primary objective of the informal grievance procedure is to seek to resolve workplace concerns as quickly as possible in a non-adversarial way and as close to the source of the problem as possible.

Somerset Council expects all parties to be involved and cooperate with the process of achieving a resolution.

## **Informal Process**

If an employee has a grievance, they should discuss this with their line manager in the first instance. If the grievance is regarding the line manager, then the employee should raise their concern(s) with their manager's manager.

The manager should arrange to meet with the employee (complainant) as soon as possible (within 5 working days). The aim of this meeting is for the manager to gain a full understanding of the issue(s), the outcome that the complainant is seeking, and to explore possible means of resolution.

The manager should make written notes of the meeting including any proposed resolution, and copies should be provided to the complainant and any other employee(s) involved in the discussion. If it is not possible for the manager to resolve the employee's issue(s) the reasons for this will be noted.

Informal resolution options to be considered during this meeting may include, but are not limited to:

- The complainant agreeing to speak directly to the other involved party (with a manager or HR colleague to facilitate if appropriate).
- Identification of a suitable workplace mentor.
- Mediation between the complainant and the other party. Mediation is a process by which an impartial, trained individual helps two or more people in

a dispute to talk about their situation, exchange their concerns and come up with ideas about how to move the dispute forward. More information is available here [\(add link\)](#).

- Additional training.

### **Formal Process**

If the grievance is not resolved at the informal stage, the employee should raise the matter formally in writing with their line manager (or manager's manager as appropriate) setting out the resolution they are seeking. The Employee Concern Form can be used to assist an employee in raising a grievance [\(add link\)](#).

A manager will be assigned to deal with the grievance with appropriate HR support. They will acknowledge receipt of the concerns and arrange to meet with the complainant within 10 working days. The purpose of this meeting is to ensure clarification of the issue(s), discuss whether an investigation is necessary, explore the resolution that is being sought, and clarify the process. Information regarding investigations can be found in the Investigations Guidance [\(add link\)](#).

If another employee is the subject of the complaint, they will need to be advised of the specific concerns raised against them in writing and invited to a meeting to discuss this and the proposed resolutions. The manager should establish with the complainant that they are happy for the details of their grievance to be shared, in full prior to providing this.

If the grievance is in relation to a more serious matter and it is deemed appropriate following the completion of the investigation, a formal hearing will be arranged.

### **Hearing**

The notification of the hearing will be provided in writing, along with a copy of this procedure, the date of the hearing, right to representation, and who will be in attendance as well as details of the matter to be considered at the hearing. The employee may be provided with a copy of the investigation report at the discretion of the manager. All parties have the right to be accompanied by their trade union official or an appropriate work colleague.

The names of any witnesses that the employer may call must also be provided. The employee in turn must submit any documentation they wish to be considered at the hearing, and the witnesses they wish to call, at least three working days before the hearing.

Where appropriate and agreed, a hearing may be tape recorded. This should be discussed with the panel in advance of the hearing. It is expressly forbidden for any employee to covertly record any investigation meeting or hearing. Notes will be

taken at the Hearing by the Council with the employee and their representative provided copies upon request.

Where an employee or their representative is unable to attend on the date specified the **HR Officer** should be advised immediately and a new hearing date will be provided within five working days of the original date. The Council will liaise with all parties to rearrange the hearing at a mutually convenient date where possible. When any party is unable to attend a rearranged hearing, it may go ahead in their absence.

Adjournments may be sought by any party at any time during the hearing.

If possible, the Chair should aim to provide their response to the grievance after an adjournment on the day of the hearing. The Chair will confirm in writing the response and/or any resolution proposed within 5 working days of the hearing which will include one of the following outcomes:

- The grievance is upheld - The Chair will consider what the employee is seeking by way of resolution and if it is appropriate. The Chair may also provide their own recommendations on resolutions and whether any subsequent proceedings are appropriate (such as disciplinary where there is evidence that bullying has taken place).
- The grievance is partially upheld – The Chair will provide further details on what parts of the grievance are upheld and any recommendations, resolutions, or subsequent proceedings required as appropriate.
- The grievance is not upheld - This may include circumstances where there is not enough information to determine whether the employee's concerns should be upheld or not. The Chair may still choose to make recommendations, as set out above.

The letter will also outline who the complainant can contact if they remain dissatisfied and wish to appeal.

## **Appeal**

If the complainant is dissatisfied with the outcome of the hearing or proposed resolution, an appeal may be raised by making contact in writing, this must be received within 10 days of receipt of the outcome letter. For further information on the appeal process please consult the policy (**add link**).

## **Monitoring Resolutions**

Line managers will ensure that any proposed resolutions are actioned, and that no retaliation occurs against either party. Where appropriate, managers should meet with all parties as necessary to review progress of the resolution.

## **Collective Grievances**

A collective grievance is where a group of employees wish to raise the same grievance, are seeking the same resolution, and feel that it can be dealt with collectively. A collective grievance may be dealt with through this policy and the group of employees may nominate a spokesperson to represent their case. The complainants will be entitled to only one grievance hearing and (if applicable) one appeal hearing. The complainants will be notified individually of the outcome of their collective grievance. If the complainants do not entirely voluntarily agree to this arrangement or if their grievances are not identical, arrangements should be made to hear the grievances individually.

There is a dispute resolution procedure for dealing with disputes between the employer and recognised trade unions (currently being updated, link to follow).

## **Grievances Raised During Disciplinary Process**

Where an employee raises a grievance during a disciplinary process there are options for how and when the grievance will be dealt with:

- If the grievance is directly related to the disciplinary it may be appropriate for the grievance to be dealt with as part of the disciplinary procedure.
- If the grievance calls into question the integrity of the disciplinary process the disciplinary will be suspended until the grievance has been dealt with.
- If an employee raises a grievance that is unrelated to the disciplinary, the grievance may be dealt with concurrently but separately to the disciplinary process.

For further advice contact the **HR Advisory Service**.

## **Counter Claims**

Counter claims may be made by those against whom the original complaint has been made. A process to seek a resolution to the original complaint should not be discontinued because a counter claim is raised. If possible, the two complaints should be considered together whilst seeking a resolution.

## **Complaints Having left Employment**

Where possible, an employee should raise any concerns before leaving employment, Exit Questionnaires are a key way in which Somerset Council collates such information. If an employee raises a complaint during their notice period, the Council will endeavour to conclude this before the employee's notice period expires.

If an employee wishes to raise a complaint having left employment, the employee should write to their manager setting out their complaint within 3 months of leaving.

Where a complaint is received from an employee who has left employment, following consideration and any necessary investigation of the issues raised; the manager will send a written response to the complainant, there will be no right of appeal in this situation.

Version	1.1
Date	
Relevant Legislation	Trade Union & Labour Relations (Consolidation) Act 1992 ACAS Code of Practice Equality Act 2010

## Appeals Policy

### Policy Statement

Somerset Council is committed to treating employees fairly and consistently and therefore recognises the importance of offering employees the right of appeal against a formal outcome of an employment process.

This policy applies to all employees apart from school-based employees employed under a Governing Body's delegated powers. **Please seek further advice from the Service Director - Workforce for appeals from officers in tiers 1-3**

This policy does not form part of the Somerset Council Terms and Conditions and may be subject to change.

Standard Appeals deal with appeals relating to:

- Formal Disciplinary Warnings
- Formal Capability Warnings
- Grievances (including bullying & harassment)
- Requests for Flexible Working
- Dismissal due to some other substantial reason (for example, the dismissal of an employee who was taken on as a temporary replacement for a worker who has returned after being absent for medical reasons or maternity leave)
- Dismissal during/at the end of the probationary period
- Ending of a fixed term contract
- Suspension of Contractual Sick Pay
- Action short of dismissal following a disciplinary hearing
- Redundancy (please note that while redundancy appeals are classed as standard appeals, a separate process applies, [see here](#))

Member Appeals deal with appeals relating to:

- Any dismissal resulting from the Disciplinary Policy, Capability Policy, Sickness Policy

This policy does not cover appeals relating to:

Ill Health Retirement or Job Evaluation. Please refer to the relevant policy for more information.

Both Standard and Member appeal hearings are part of an

internal process. Therefore, employees / appellants lodging an appeal have the right to be accompanied during the appeal hearing by either their Trade Union Representative or an appropriate workplace colleague.

In any appeal hearing, the employee, or appellant may call witnesses and / or submit documents to be considered by the panel. The employee/appellant will be advised of the deadline for submitting documents and / or providing notification of their intention to call witnesses.

The appeal decision will be the final decision of the Council.

Notes will be taken at all appeal hearings by the Council and the employee/appellant and their representative will be provided with a copy upon request. Where appropriate and agreed, an appeal hearing may be tape recorded. This should be discussed with the panel in advance of the hearing. It is expressly forbidden for any employee to covertly record any hearing.

## **Process**

### Standard Appeals

An employee/appellant who wishes to appeal under the Standard Appeals Procedure should do so in writing within 10 working days of written receipt of the outcome/decision, stating whether they are appealing against the action taken, the process followed or both. The details of to whom this should be sent will be confirmed in the original outcome letter advising of the right of appeal. Receipt of the employee's/appellant's notification of their intention to appeal should be acknowledged by the receiving manager.

A Standard Appeal will be heard by an independent manager (not previously involved in the case), advised by a representative from the HR Service. The tier of manager involved should normally be one above the manager previously involved in the case.

The appeal will normally be heard within 21 days of the appeal being lodged. The employee/appellant should be kept informed if this is not possible and advised of a likely date.



The employee/appellant and/or their representative should also be given the opportunity of submitting a written statement in the formal appeal papers and calling witnesses to the appeal hearing.

The **HR Advisor** supporting the Chair will ensure that all relevant documentation is circulated to all parties at least five working days ahead of the meeting.

The outcome of the appeal should be confirmed in writing within 10 working day by the Chair of the panel. Wherever possible, the panel's decision will also be given verbally on the day of the hearing. The outcome will include one of the following

- The appeal is upheld
- The appeal is partially upheld – The Chair will provide further details on what part(s) of the appeal is/are upheld and any recommendations, resolutions, or subsequent proceedings required as appropriate.
- The appeal is not upheld

In appeal hearings, sanctions imposed will be reviewed but cannot be increased.

Please click **here** for further detailed guidance on the process to follow in a Standard Appeal Hearing.

Please click here for further detailed guidance on the process to follow in a Redundancy Appeal Hearing.

### Member Appeals

An employee/appellant who wishes to appeal under the Member Appeals Procedure should do so in writing within 10 working days of written receipt of the outcome/decision, stating whether they are appealing against the action taken, the process followed or both. A 1-page summary should be included containing this information and the employee's desired outcome. The details of to whom this should be sent will be confirmed in the original outcome letter advising of the right of appeal. Receipt of the employee's/appellant's notification of their intention to appeal should be acknowledged by the receiving manager

A Members' Appeal will normally be heard by 3 Members of the Officer Appeals Committee, herein referred to as 'the panel'. Advice and assistance to the panel will

be provided by the County Solicitor or their nominated

representative, and the Director of HR or their nominated representative.

The appeal will normally be heard within 28 days of the appeal being lodged and is arranged in conjunction with HR & Democratic Services. Where either party wish to request an extension of this deadline, written permission must be granted by the Director of HR.

Where the employee/appellant indicates that they will attend, and then fails to attend, the appeal will normally be heard in their absence unless the Committee is notified of extenuating circumstances and a postponement has been requested.

The HR representative advising the panel will ensure that all relevant documentation is collated and circulated to all parties 8 days in advance of the hearing. Late requests for submission of additional information are at the panel's discretion.

The outcome of the appeal should be confirmed in writing within 10 working days by the Chair of the panel. Wherever possible, the panel's decision will also be given verbally on the day of the hearing. The Committee has delegated authority from the Council in respect of appeals against dismissal and action short of dismissal to:-

- (a) uphold the appeal and reinstate the Appellant; or
- (b) dismiss the appeal and confirm the dismissal; or
- (c) impose one of the lesser sanctions outlined in the appropriate policy, in preference to confirming the dismissal.

If as a result of an appeal any dismissal decision is reversed any loss of normal earnings as well as regular/contractual overtime, or additional regular payments will be reimbursed and continuity of employment will be restored.

Please click [here](#) for the full Member Appeal Procedure which provides more detail on the above.

Version	1
Date	
Relevant Legislation	The Employment Act 2008 The Local Government Act 1972

Somerset County Council

Human Resources Committee

– Date: 21<sup>st</sup> February 2023

Somerset Council Wellbeing Strategy for Approval

Executive Members: Cllr Liz Leyshon, Deputy Leader and Lead Member on Finance and Human Resources

Lead Officer: Chris Squire, HR&OD Director

Authors: Amanda Kotvics, Lead Specialist – People

Contact Details: 01935 462270 amanda.kotvics@southsomerset.gov.uk

<i>Please complete sign off boxes below prior to submission to Community Governance</i>			
	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
<b>Report Sign off</b>	Legal	Tom Woodhams	10/02/2023
	Corporate Finance	Jason Vaughan	10/02/2023
	Human Resources	Chris Squire	10/02/2023
	Executive Member	Liz Leyshon	10/02/2023
	Monitoring Officer	Scott Wooldridge	10/02/2023
	<b>Summary:</b>	This report provides details of the new Wellbeing Strategy for Somerset Council, which is ready for consideration and if appropriate, approval, by the HR Committee.	
<b>Recommendations:</b>	<b>The members of the HR Policy Committee are asked to:</b>  <b>Formally approve the new Wellbeing Strategy, as detailed below, for use in the new Somerset Council with effect from 1<sup>st</sup> April 2023.</b>		
<b>Reasons for Recommendations:</b>	To ensure that the Wellbeing offer at Somerset Council is supportive, effective, and accessible to all employees from 1 <sup>st</sup> April 2023.		
<b>Links to Priorities and Impact on Service Plans:</b>	Part of the People Workstream for Local Government Reorganisation.		
<b>Financial, Legal and HR Implications:</b>	<b>Financial</b> – There are some financial implications, for example resource needed to provide a suitable and effective service. This may include buying in some services and sourcing external suppliers where necessary to ensure that our offer remains fit for purpose and continues to evolve. This will be budgeted for as appropriate.		

	<p><b>HR</b> – Wellbeing at all five councils has been welcomed and it is important to continue to offer and improve the service, particularly at a time of change and transition, which can be challenging for people. The Wellbeing Strategy will support change resilience within the new organisation and give weight to the people focused culture we wish to create. It is imperative to have a good wellbeing offer to attract people into the organisation – since the Pandemic, research has shown that wellbeing is at the forefront of candidates’ minds when they are considering new opportunities.</p> <p><b>Legal</b> – There are no known legal implications to the proposed strategy as it draws on the best practices from previous Somerset County and District Councils.</p>
<b>Equalities Implications:</b>	The Council’s duty under Section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when considering and making decisions. A full Equality Impact Assessment has been completed for the new Wellbeing Strategy and is attached as an appendix to the strategy document.
<b>Risk Assessment:</b>	N/A
<b>Scrutiny comments / recommendation (if any):</b>	N/A

## 1 Background

- 1.1 Under Local Government Reform the five Councils have come together to agree a new Wellbeing Strategy which builds on the excellent work already achieved within each separate council. It seeks to take the best practices from each council and develop a wellbeing offer which leads the way in its support for all employees.
- 1.2 The strategy follows trends, best practice, and recommendations from industry experts such as the Chartered Institute of Personnel and Development, MIND, and the NHS.
- 1.3 The Wellbeing Strategy sits alongside the Dynamic Working Strategy and recognises that, since remote working continues to be a popular choice for many employees and is now commonplace in many organisations, the wellbeing offer needs to reflect and support all ways of working.

- 1.4 Some of the broader organisational benefits include:
- Greater access to external talent due to the global trend in wellbeing sitting at the forefront of many candidates' priorities when searching for a new role
  - Greater retention of key talent who feel motivated, inspired, and valued
  - Improved internal employee engagement by demonstrating that employees' needs are put first
  - A reduction in sickness absence
  - Improved performance, productivity, and success
  - A healthier and more inclusive culture where differences matter and are celebrated

## **2 Options Considered**

- 2.1 An alternative option was to continue with Somerset County Council's wellbeing offer. However, it was felt that, by taking the best practices and concepts from all predecessor councils, alongside local and national developments, this would provide a unified approach which will be a) market leading and b) recognised by most employees.

Initially the Wellbeing Workstream and the Ways of Working Workstream were operating separately but, by working jointly, all elements of the employee experience were considered together.

Feedback from predecessor councils' recent Wellbeing Survey results has been considered and contributed to our approach and design of Somerset Council's '4 Foundations of Wellbeing'. The strategy will continue to evolve and results of the recent Health & Wellbeing Survey (sent to all employees in November 2022) will inform future iterations.

## **3 Consultations Undertaken**

- 3.1 The Wellbeing Strategy has been consulted on with key stakeholders: union representatives, HR colleagues, Property, FM, ICT, Customers & Partners, Employment Equalities Officers, People Workstream Leads, Peer Support Networks – Working Well Together, Culture Navigators. The strategy was taken to the LGR JNF (Joint Negotiating Forum) on Wednesday 8<sup>th</sup> February 2023 for formal approval.

## **4 Implications**

- 4.1 The recommendations are made to ensure a supportive and positive approach to wellbeing in the new Council. If approval is not achieved for the new Wellbeing Strategy, there is a risk to employees' health, engagement, and performance and to the reputation of Somerset Council as an employer of choice.

## **5 Background Papers**

### 5.1 Wellbeing Strategy

Appendix A - Equality Impact Assessment

Appendix B - Working Well Together Draft Communications Activity Overview 2023



# SOMERSET COUNCIL WELLBEING STRATEGY

## Contents

1. Introduction.....	3
2. Why have a Wellbeing Strategy? .....	3
3. Benefits of a Wellbeing Strategy.....	3
4. Our Wellbeing Vision.....	4
5. Our Wellbeing Aims .....	4
6. Our Approach .....	5
7. Somerset Council's '4 foundations of wellbeing'.....	7
8. Our Integrated Model – <a href="#">image to be added later</a> .....	8
9. Measuring success.....	8
10. Appendix A: Equality Impact Assessment .....	9

DRAFT



## Introduction

This wellbeing strategy sets out our vision, aims and approach to employee wellbeing at Somerset Council and highlights key areas of focus and how we will measure success.

At Somerset Council we believe that employee wellbeing is much more than just mental health. We take the view that there are many aspects which contribute to organisational, team and individual health and wellbeing. As they are all interconnected, we are taking a person-centred approach and believe that this will lead to increased organisational resilience. A healthy, positive, and resilient workforce is vital to achieve the organisation objectives, particularly in times of change and reorganisation.

This Wellbeing Strategy has been shaped collaboratively by representatives from all the previous Somerset Councils via a Wellbeing Workstream (part of the Local Government Reform programme).

## Why have a wellbeing strategy?

Wellbeing, both emotional and physical, is now firmly front and centre when it comes to employees' priorities. It features heavily when attracting talent to an organisation and is a key factor in retaining employees. The reputation of an organisation is directly linked to the perception of how employees are cared for and valued.

Somerset Council has a fundamental and legal duty to our workforce in caring for the health, safety, and wellbeing of our employees. We recognise the need to foster a culture where employee wellbeing is a high priority and intrinsic to our People Strategy which positions employee wellbeing at the heart of its philosophy. By prioritising the wellbeing of all our people, we will create a healthy organisation where employees not only feel a personal commitment to achieving organisational objectives but also enjoy a sense of personal satisfaction and high levels of engagement. This extends beyond the workplace and our aim is to empower people to make informed choices and engage in positive wellbeing behaviours so that they thrive at Somerset Council and beyond.

Employee wellbeing is at the heart of any people related organisational decisions. Data insights from both an organisational perspective and individual service areas will outline the needs of different areas and allow us to identify themes and changing priorities. By using appropriate methods of data gathering and ongoing analysis of this data, we will be able to establish a baseline for each area and adapt Wellbeing programmes accordingly. These insights will come from many sources for example, staff surveys, focus groups, Q&As which will be collected at regular intervals.

Please see Appendix A for some of the recent wellbeing statistics which have informed this strategy.

## Benefits of a Wellbeing Strategy

“An integrated approach to health and wellbeing can nurture heightened levels of employee engagement while fostering a workforce where people are committed to achieving organisational success” CIPD 2022

A well thought out, structured and comprehensive wellbeing strategy will benefit an organisation by supporting the following people objectives:

- Attract new people to the organisation and retain existing employees
- Improve employee engagement by demonstrating that employees’ needs are put first
- Motivate, inspire, and develop employees leading to greater retention
- Create a healthier and more inclusive culture where differences matter
- Lower sickness absence
- Improve performance and development
- Improve productivity and success
- Provide an agile working environment where people are trusted and encouraged to be their best selves

Our wellbeing strategy supports our People Strategy and is closely linked to our priorities for health and wellbeing in Somerset. For example, our work at Somerset Council will support the new Somerset Arts & Culture Strategy which emphasises the importance of wellbeing. By focusing on own employees’ health and wellbeing and partnering with Public Health, we can input directly into the key priorities outlined by the Somerset Health & Wellbeing Board. These include the need to improve health and wellbeing and ensure that more people are living healthy and independent lives for longer.

### Our Wellbeing Vision

Here at Somerset Council, our wellbeing vision for our organisation and our employees is:

“To listen to our employees’ views and put their health and wellbeing at the heart of our organisational culture. We will achieve this by establishing the right environment, behaviours, and support within the organisation to encourage and motivate people to work to the best of their ability. By creating a healthy, resilient, and productive workforce supported by an open, trusting, and inclusive organisation, wellbeing will be embedded into everything we do”

### Our Wellbeing Aims

- A positive culture of trust, respect, and authenticity.
- Wellbeing to be seen as the golden thread running through everything we do.
- Emphasising the importance of openness and honesty around mental health issues.

- Clear signposting to help and support.
- Encouraging people to make informed and appropriate choices about their mental and physical wellbeing.
- Highlighting fairness, equality and inclusion in all recruitment and development activity.
- Using a person centric approach which celebrates differences and promotes collaboration.
- Providing a caring, empathetic, and nurturing environment.

### Our Approach

The purpose of outlining a strategic approach for wellbeing is to ensure that it is recognised by internal and external stakeholders as being essential to the success of the new Somerset Council.

The following approach will enable us to build and maintain a healthy, happy, and resilient workforce whilst creating a culture that fosters collaboration and development:

- Prevention
- Listening ethos
- Collaboration
- Promotion & Signposting
- Leadership & Management
- Culture & Values

### Prevention

We will:

- Put wellbeing at the heart of our business as usual
- Help employees to make good choices and manage their personal wellbeing
- Offer wellbeing programmes and initiatives which are appropriate to different groups of people

### Listening ethos

We will:

- Analyse results of targeted surveys and questionnaires to identify themes for improvement that have been highlighted by employees
- Champion the importance of wellbeing conversations at all levels of the organisation and take action where appropriate
- Review and evaluate all feedback from wellbeing programmes, initiatives and exit interviews taking action where appropriate

- Encourage open dialogue but provide time and space for confidential conversations

### Leadership & Management

We will:

- Improve leadership and management training to incorporate links between wellbeing and other core areas such as performance and development
- Improve the visibility of the senior leadership team and ensure that they are 'walking the talk' around wellbeing
- Train managers to recognise signs of potential wellbeing issues in their teams/individuals and provide appropriate support to ensure a positive outcome
- Focus on the wellbeing responsibilities associated with leadership/management roles ensuring that expectations are fully understood and met

### Collaboration & Impact

We will:

- Establish suitable two-way feedback loops
- Encourage the sharing of best practice to foster collaboration
- Sense check proposals with appropriate employee groups before implementing within the wider organisation
- Improve our data collection and analysis methods to track trends and provide robust evidence for future improvements
- Review and track wellbeing action plans, measure success and report back to employees

### Promotion & Signposting

We will:

- Establish and communicate a new wellbeing brand building on the success of the previous Working Well brand
- Have a clear, well planned and differentiated communications strategy to ensure all employees are aware of our wellbeing offer
- Provide different methods of signposting to internal and external support which caters to the needs of all audiences
- Increase the visibility of our wellbeing brand and offer by making it exciting and accessible

### Culture & Values

We will:

- Ensure that the wellbeing of the organisation, teams and individuals is recognised as one of Somerset Council's core values

- Ensure that wellbeing is integrated within all people procedures, policies and working practices
- Ensure that statutory obligations are understood and adhered to
- Align the wellbeing strategy with other appropriate corporate strategies
- Promote a shared understanding of good working practices and behaviours whilst also encouraging individual style, creativity, and fresh thinking

## Somerset Council's '4 foundations of wellbeing'

### Mental Wellbeing

Understanding, managing, and sustaining your mental wellbeing to meet the demands of everyday life and be able to thrive.

- Create a culture which openly recognises psychological safety and is based on trust, collaboration and support and encourages open discussion around mental health and stress.
- Assist individuals to understand their psychological wellbeing and how this impacts personal resilience.
- Provide signposting to support, advice and guidance.
- Encourage individuals to realise their own potential by taking responsibility for personal learning and growth.
- Provide and promote opportunities for self-development.

### Physical Wellbeing

Recognising the importance of a healthy lifestyle including physical activity, good nutrition, balanced sleep, nurturing physical health.

- Support individuals and teams to take care of themselves and make positive steps towards physical health.
- Establish specific support programmes where evidence shows there is a need for improvement.
- Highlight and communicate appropriate links to healthy living groups, sites, and activities across Somerset.
- Encourage and support corporate team activities leading to increased collaboration and sharing of healthy lifestyles.

### Financial Wellbeing

Educating and empowering employees to become aware of their finances and make positive choices.

- Establish specific support programmes in line with societal pressures.
- Signpost to support, advice, and guidance on financial topics.

- Promote employment practices which offer fair pay, reasonable contracts and job security whilst also meeting organisational requirements.
- Ensure reward, recognition and benefits are relevant and appropriate to employees at all stages of their lives.

### Social Wellbeing & Work Environment

Creating a working environment that supports wellbeing and encourages people to discover a sense of meaning and purpose in their lives.

- Promote 5 Ways to Wellbeing
- Encourage individuals and teams to create a workspace which allows them to maintain a good work/life balance.
- Empower individuals to build and maintain relationships based on trust, autonomy, and collaboration.
- Provide tools and workspaces which suit the needs of different job roles.
- Foster an environment where people feel safe, included, and empowered.
- Supporting individuals to develop a sense of connection, belonging and social.
- Build communities within the workforce based on collaborative, nurturing and supportive relationships.
- Encourage engagement with the wider communities of Somerset to create strong links and lead towards a representative workforce.

### Our Integrated Model – image to be added by design team

#### Measuring success

Success can be measured in a variety of ways and means different things to different people. Our approach to measuring the success of our Wellbeing Strategy will follow a process of continual collaboration, reflection, review, evaluation, and improvement.

The metrics used to measure success need to be both hard and soft to properly understand the impact that initiatives have had and where improvements can be made.

#### Hard outcomes

- Reduced sickness absence
- Reduced grievances related to wellbeing issues
- Monitoring of employee engagement scores
- Results of annual surveys producing themes and recommendations e.g., Health and Wellbeing Survey
- Results of pulse surveys – dashboards
- Recruitment and retention rates

- Benchmarking results with other local authorities
- Self-reported wellbeing scores and mood tests
- Further investigation into areas where data reports improvement needed
- Monitoring and robustly evaluating initiatives
- Relevant wellbeing information gathered from exit interviews
- Updated action plans

#### Soft outcomes

- Ongoing feedback – internally from services, activities, EAP, OH
- Enhanced reputation scores from external providers e.g., Glassdoor
- Reported improved productivity, performance, and employee satisfaction
- Improved relationships and collaboration between teams and individuals
- Uptake, monitoring and evaluation of wellbeing initiatives
- Employee support networks – what can we learn from employees
- Turnover – reasons for exit interviews
- Analysis of sickness absence reasons and resulting themes

## Appendix A - Equality Impact Assessment



### Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Somerset Council		
---------------------------	------------------	--	--

Version	V3	Date Completed	01.02.2023
---------	----	----------------	------------

#### Description of what is being impact assessed

This Wellbeing Strategy sets out our vision, aims and approach to employee wellbeing at Somerset Council and highlights key areas of focus and how we will measure success.

At Somerset Council we believe that employee wellbeing is much more than just mental health. We take the view that there are many aspects which contribute to organisational, team and individual health and wellbeing. As they are all interconnected, we are taking a person-centred approach and believe that this will lead to increased organisational resilience.

A positive and resilient workforce is vital to achieve the organisation objectives, particularly in times of change and reorganisation.

This Wellbeing Strategy has been shaped collaboratively by representatives from all the previous Somerset Councils via a Wellbeing and Ways of Working Workstream (part of the Local Government Reform programme).

A draft action plan is being developed and will be finalised once budgets have been agreed and the Wellbeing Strategy has been signed off.

Wellbeing, both emotional and physical, is now firmly front and centre when it comes to employees' priorities. It features heavily when attracting talent to an organisation and is a key factor in retaining employees. The reputation of an organisation is directly linked to the perception of how employees are cared for and valued.



## Evidence

**What data/information have you used to assess how this policy/service might impact on protected groups?** Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#),, should be detailed here

Data held on SAP and other payroll systems - Somerset Council workforce will be an amalgamation of Somerset County Council, Mendip District Council, Sedgemoor District Council, South Somerset District Council, Somerset West and Taunton Council, and new employees. Therefore, we will predominantly be drawing on the existing workforce data of these groups. Data held by Somerset Intelligence Partnership and Data from all organisations Staff Surveys.

We have used equalities data from across the five organisations to illustrate the employee demographic and potential for impacts. 18.8% of residents in Somerset reported a long-term health condition or disability, and of combined workforce, approx. 6.5-7% have declared a disability.

Females represent a greater proportion of the workforce in all but one of the Councils, but this is more pronounced in Somerset County Council (72%) and Mendip (77%). Sedgemoor District Council have a higher proportion of males (59%) to females.

11% of the population of Somerset identify as unpaid Carers. Of a sample 55% of Somerset County Council workforce (excluding Schools) who answered the 2021 Staff Survey 22% of respondents indicated that they provide care for someone who has a disability, long or terminal illness.

48% of the population of Somerset live in areas classed as rural. Of a sample 55% of Somerset County Council workforce (excluding Schools) who answered the 2021 Staff Survey 32 % of respondents stated they did not live in a town or city.

Please note, not all Councils hold data for all protected characteristics. For the full data available, please see the reports attached.

We intend to consider the impact of and include data from the Health and Wellbeing Survey pilot that took place in Nov/Dec 2022 once this has been collated.

**Who have you consulted with to assess possible impact on protected groups?** If you have not consulted other people, please explain why?

HR Colleagues from LGR Ways of Working & Wellbeing Workstream & Cross Cutting Group - Property, FM, ICT, Customers & Partners. Equality & Inclusion Workstream, All People Workstream Leads. TU Representatives, SCC Employment Equalities Officer, Peer Support Networks – Working Well Together, Culture Navigators

Other workstream leads, staff bodies (Networks) are being consulted and the Strategy and EIA will be amended accordingly

We have consulted with employees on their health and wellbeing by undertaking a Health and Wellbeing survey during Nov/Dec 2022 across all five organisations. All staff were able to complete this Survey, but participation is voluntary. We will use the data from this to shape the new organisations wellbeing programme to ensure that we are meeting the needs and expectations of our employees. **Insight from this data will be added once it is available**

#### Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> <li>Some professional terminology may not be familiar with by younger workers.</li> <li>Younger workers starting their careers may be on lower salaries than other council colleagues and may benefit from increased budgeting and financial advice. As would older workers considering flexible retirement.</li> <li>A percentage of the workforce will be at retirement age and may</li> </ul>	☒	☐	☐

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
	<p>experience more anxiety around learning new skills and adapting to change. They will also need advice on financial planning when taking retirement.</p> <ul style="list-style-type: none"> <li>Employees in higher age groups may have increased risk of age-related health conditions such as back pain, diabetes, respiratory or arthritis etc. and therefore access to physical wellness campaigns could be compromised.</li> </ul>			
<b>Disability</b>	<ul style="list-style-type: none"> <li>Some staff with physical disabilities may struggle to participate in some of our wellness campaigns that involve physical activity such as Tour de Somerset.</li> <li>Neurodiverse employees may struggle with language used.</li> <li>A period of unease such as change and restructure within the new organisation could add additional anxiety to those with existing mental, or physical health conditions.</li> </ul>	☒	☐	☐
<b>Gender reassignment</b>	<ul style="list-style-type: none"> <li>Employees who are transitioning may feel additional anxiety whilst going through the transition process and a change of manager change of work location, or job role may add to this.</li> </ul>	☒	☐	☐
<b>Marriage and civil partnership</b>	<ul style="list-style-type: none"> <li>We have a number of married and civil partnership couples who work across the Council who's wellbeing could be impacted by the change process due to restructures, possible changes in income, conflicts of interest, or change in work locations.</li> <li>Unable to have confidential conversations (such as EAP) as married couples or civil partners could be working in the same location (i.e. home office).</li> </ul>	☒	☐	☐

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
<b>Pregnancy and maternity</b>	<ul style="list-style-type: none"> <li>Staff may be feeling anxious in taking time for maternity/paternity leave and also those returning to the workplace after taking leave.</li> <li>Staff may need financial support if they are taking maternity/paternity leave or returning to work and reducing their hours.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Race and ethnicity</b>	<ul style="list-style-type: none"> <li>The data concerning staff accessing training &amp; support through the Enhanced Occupational Health &amp; Wellbeing Board initiatives suggest that staff from BME group were less likely to use these resources. This may mean that staff from BME groups are less likely to engage with other Wellbeing offers in the workplace.</li> <li>Some people from BME groups are disproportionately affected by some health conditions. For example, high blood pressure, Sickle Cell disease &amp; diabetes.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Religion or belief</b>	<ul style="list-style-type: none"> <li>Individual wellbeing could be impacted if allowances are not made to practice beliefs, or respect cultural holidays.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Sex</b>	<ul style="list-style-type: none"> <li>Where Wellbeing initiatives are not presented as inclusive this may negatively impact upon an individual's or group's wellbeing.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Sexual orientation</b>	<ul style="list-style-type: none"> <li>Lack of understanding of how employees identify.</li> <li>Members of this group have higher incidents of mental health illness and may face barriers to accessing support.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other, e.g. carers, veterans, homeless, low income,</b>	<ul style="list-style-type: none"> <li>Employees with caring responsibilities may have heightened anxiety.</li> <li>Low-income earners are likely to be impacted by the rise in cost of living</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
<b>rurality/isolation, etc.</b>	<ul style="list-style-type: none"> <li>Isolation can impact on personal wellbeing and access to support.</li> <li>Rurality – access to Broadband and public transport will present access challenges for some.</li> <li>Those joining the Council from the Armed Forces may need time to readjust to civilian life and may also suffer with PTSD.</li> </ul>			
<p><b>Negative outcomes action plan</b> Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.</p>				
<b>Action taken/to be taken</b>	<b>Date</b>	<b>Person responsible</b>	<b>How will it be monitored?</b>	<b>Action complete</b>
<b>Actions that support each of the protected groups are</b>				
Ensure the following reports are reviewed quarterly to identify any necessary actions. Reports include OH, EAP, wellbeing data, sickness absence data and turnover.	Quarterly ongoing	Wellbeing Lead	Health and safety steering group meetings	<input type="checkbox"/>
To produce a comms plan to ensure promotion of staff networks and the wellbeing offer is regularly promoted to all staff. This plan will be reviewed updated quarterly.	Quarterly commencing from 01/04/23	Wellbeing Lead/ Comms Officer	Through quarterly review	<input type="checkbox"/>
Provide Lunch & Learn opportunities around Wellbeing and ED&I matters. ...	Ongoing	Wellbeing Lead & Equality in Employment Lead	Review uptake and feedback data	<input type="checkbox"/>

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Continued provision of employee support services including EAP, Occupational Health & Rapid Access to Physio	Ongoing	OD Service Manager & Policy Team	Through review and analysis of the providers quarterly reports	<input type="checkbox"/>
Continued provision of financial support for all staff which will include information and support around budgeting, retirement, pensions and link to My Staff Shop & Salary Finance.	Ongoing	HRAP Strategic Manager & Comms Officer	Quarterly reporting Staff feedback, attendance numbers	<input type="checkbox"/>
The inclusion of wellbeing in the Young People's Strategy.	01/01/2023	OD Service Manager	Strategy review	<input checked="" type="checkbox"/>
Ensure that the Wellbeing Ambassadors are representative of the workforce.	Ongoing	Wellbeing Lead	Monitoring Equalities data	<input type="checkbox"/>
To ensure all resources and comms are accessible, are written in plain English and are inclusive	Ongoing	Wellbeing Lead & Comms Officer	Employee feedback	<input type="checkbox"/>
To promote and encourage managers to have open conversations around wellbeing in all 1-2-1s and supervisions	Ongoing	Wellbeing Lead, HR Advisory & Comms officer	Feedback from HR Advisory, Annual appraisals and	<input type="checkbox"/>

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
			survey data Staff network feedback	
To provide an offer of bespoke training to managers and teams around wellbeing matters	Ongoing	Wellbeing Lead	Quarterly review or wellbeing training data	<input type="checkbox"/>
To encourage teams to hold regular team meetings	Ongoing	Wellbeing Lead/Comms Officer	Monitor employee feedback from staff surveys, appraisals, and focus groups.	<input type="checkbox"/>
To ensure that support resources are available in different formats and take account that some staff do not have IT access.	Ongoing	Wellbeing Lead	Quarterly analysis of training take-up data	<input type="checkbox"/>
Ensure we have an up to date New and Expectant Mothers at Work Policy and risk assessment.	Select date	Health & Safety Manager	Policy review schedule	<input type="checkbox"/>
To provide support for parents returning to work. This includes staff returning back from adoption and fostering leave.	Select date	Wellbeing Lead/Managers	Parents peer support network feedback.	<input type="checkbox"/>

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
			HRO feedback	
The provision and delivery of Equality, Diversity and Inclusion training for all staff.	Ongoing	Equality Leads	Feedback and data collection from training	<input type="checkbox"/>
Managers should be flexible in supporting staff with requests around Equality, Diversity and Inclusion.	Ongoing	Equality Lead/HR Advisory and Line Managers	Staff network feedback, HRO feedback	<input type="checkbox"/>
The provision of a quiet room in each main office hub that can be used for reflection, meditation, prayer or quiet time away from the office	28/02/2023	Facilities Management	Monthly meetings arranged to review progress	<input type="checkbox"/>
Continuation of Men's Health & Women's Health Networks.	Ongoing	Wellbeing Lead	Monitor membership numbers and activities of the group	<input type="checkbox"/>
Review the current offer of employee health groups to ensure inclusion of staff identifying as non-binary	By the end of March 2023	Wellbeing & EDI sub workstreams	Through regular existing sub workstream meetings	<input type="checkbox"/>



Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
<p>To continue the Fostering Friendly Accreditation scheme</p> <p>Continue to offer the guaranteed interviews for carers scheme.</p>	Ongoing	HR Policy team	Monitored annually	
	Ongoing	Recruitment team/ recruiting managers	Annual Equalities data capture	<input checked="" type="checkbox"/>
<p>To continue to provide guaranteed interviews for veterans who meet the minimum criteria for a role</p> <ul style="list-style-type: none"> <li>Maintain Military Peer Support Group and Military Covenant with a view to working towards and achieving gold status once we are invited to do so.</li> </ul>	Ongoing	Recruitment Team	<p>Annual Equalities data capture</p> <p>Staff network feedback</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<ul style="list-style-type: none"> <li>Provide both face to face and online training to meet the needs of staff</li> </ul>	Ongoing	WOW task force	<p>Collect feedback from attendees of training and review.</p> <p>Assess the training need by holding focus groups.</p>	<input type="checkbox"/>
<p><b>If negative impacts remain, please provide an explanation below.</b></p>				

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
<b>Completed by:</b>	<b>Sophie Chivers</b>			
<b>Date</b>	<b>19.01.23</b>			
<b>Signed off by:</b>	<b>Amanda Kotvics</b>			
<b>Date</b>	<b>19.01.23</b>			
<b>Equality Lead/Manager sign off date:</b>	<b>Michelle Anderson 01/02/2023</b>			
<b>To be reviewed by:</b> (officer name)	<b>Sophie Chivers</b>			
<b>Review date:</b>	<b>20.02.23 – Feedback from JNF held on 08.02.23 27.02.23 – Feedback from HR Committee held on 21.02.23</b>			

# Working Well Together

## DRAFT Communications Activity Overview 2023



This plan outlines the main themes and activities that will support roll out of the Wellbeing Strategy. The primary aims of Working Well Together are to support:

- Healthy lifestyles and physical wellbeing.
- Managing stress and mental wellbeing.
- Financial wellbeing.
- Social wellbeing and work environment.

These aims were identified following feedback from staff wellbeing surveys. The aims will be reviewed quarterly by the Health Safety and Wellbeing Steering Group.

Volunteers are at the heart of the Working Well Together programme and will help to promote these activities within their teams and the wider workplace by:

- Highlighting campaigns and activities at team meetings and signposting to Our Somerset articles and the Working Well SharePoint site.
- Putting up posters and distributing leaflets (when available).
- Volunteering to help organise and staff events and activities.
- Including the Working Well logo and SharePoint link in your email signature and updating Delve to include your Champion status.
- Writing staff blogs on wellbeing.
- Delivering training and lunch and learn workshops.
- Providing peer support through clubs, networks, and one-to-one confidential conversations.

This work is supported by an extensive wellbeing SharePoint site and a wellbeing mailbox that is monitored by the HR team. We will also work closely with relevant Somerset charities to promote the work they do.

The draft activity plan outlines our proactive work, but we will adapt the plan on a rolling basis to respond to situations and employee feedback as needed.



## April

Main focus: promoting our resources and ensuring equity of access

Related themes:

- WRAP (Wellbeing Recovery Action Plan) training for managers
- Care first – confidential support for staff and managers
- Rapid Access to Physio – how stress can lead to aches and pains
- Central Somerset Physiotherapy (CSP) demos/appointments for staff
- Salary Finance – addressing financial worries
- Somerset Emotional Resilience Hub
- Employee benefits – Pensions, Salary Finance, My Staff Shop

## May

Main focus: managing change

Related themes:

- Dedicated SharePoint page signposting policies and resources
- Care first – support and advice for carers
- Flexible working and HR policies
- Employee support groups and clubs
- Promoting training including MHFA, Connect 5
- Menopause and Managers event run by the Menopause Matters staff group
- Walk this May wellbeing challenge

## June

Main focus: ways of working

Related themes:

- Collaboration spaces and resources
- Promoting better working habits to prevent burnout and overwhelm
- Signposting to resources for managing stress and mental wellbeing
- Rapid Access to Physio – checking your posture and workspace setup
- Working Well Champion recruitment
- Wellbeing spaces and facilities, e.g. quiet rooms, breastfeeding room, prayer spaces



## July

Main focus: organisational values and culture

- Promoting an open culture of honesty and feedback
- Review champion training offer
- Review organisational pledges, e.g. Mindful Employer, Menopause Workplace Pledge
- Tour de Somerset cycling challenge
- Volunteering policy

## August

Main focus: healthy lifestyles

Related themes:

- Public Health campaigns and health checks
- Healthy Somerset Website
- Somerset Activity and Sports Partnership
- My Staff Shop discounts
- Gloji virtual gym

## September

Main focus: fairness, equality and inclusion

- Neurodiversity
- Bullying and whistleblowing
- Talks from staff to improve understanding and case studies on importance of using the right language
- Employee Support Networks
- Guest speakers from Somerset charities
- Equalities training

This page is intentionally left blank