

# Agenda

Dorset County Council



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Meeting: Staffing Committee  
Time: 10.00 am  
Date: 13 September 2017  
Venue: Committee Room 3, County Hall, Colliton Park, Dorchester, DT1 1XJ

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Rebecca Knox (Chairman)  
Andy Canning  
Steven Lugg

Hilary Cox (Vice-Chairman)  
Andrew Cattaway  
Andrew Parry

Ray Bryan  
Janet Dover

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## Notes:

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### Public Speaking

Members of the public can ask questions and make statements at the meeting. The closing date for us to receive questions is 10.00am on 8 September 2017, and statements by midday the day before the meeting.

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**Debbie Ward**  
Chief Executive

Contact: Fiona King, Senior Democratic Services Officer  
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Date of Publication:  
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## 1. Apologies for Absence

To receive any apologies for absence.

## 2. Code of Conduct

Councillors are required to comply with the requirements of the Localism Act 2011 regarding disclosable pecuniary interests.

- Check if there is an item of business on this agenda in which the member or other relevant person has a disclosable pecuniary interest.
- Check that the interest has been notified to the Monitoring Officer (in writing) and entered in the Register (if not this must be done on the form available from the clerk within 28 days).
- Disclose the interest at the meeting (in accordance with the County Council's Code of Conduct) and in the absence of a dispensation to speak and/or vote, withdraw from any consideration of the item.

The Register of Interests is available on Dorsetforyou.com and the list of disclosable pecuniary interests is set out on the reverse of the form.

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| <p><b>3. Minutes</b></p> <p>To confirm and sign the minutes of the meeting held on 10 April 2017.</p>  | <p>3 - 10</p>  |
| <p><b>4. Public Participation</b></p> <p>(a) Public Speaking</p> <p>(b) Petitions</p>  |                |
| <p><b>5. Terms of Reference and Role of the Staffing Committee</b></p> <p>The consider a report from the Head of Organisational Development.</p>   | <p>11 - 16</p> |
| <p><b>6. Headcount and FTE and Non-Directly Employed Contract Workforce - Quarter 1 2017/18</b></p> <p>To consider a report by the Head of Organisational Development.</p>   | <p>17 - 28</p> |
| <p><b>7. Management of Attendance 2017/18 - Quarter 1</b></p> <p>To consider a report by the Head of Organisational Development.</p>   | <p>29 - 38</p> |
| <p><b>8. Sickness Monitoring in the Adult and Community Services Directorate</b></p> <p>Following a request from the Staffing Committee at its meeting held on 24 March 2015 to provide a focus from each Directorate on sickness absence, members will receive a verbal update in relation to Adult and Community Services.</p> |                |
| <p><b>9. Alcohol and Substance Misuse Policy</b></p> <p>To consider a report from the Head of Organisational Development.</p>  | <p>39 - 56</p> |
| <p><b>10. Local Government Pension Scheme (LGPS) Employer Discretions</b></p> <p>To consider a report from the Head of Organisational Development.</p>   | <p>57 - 72</p> |
| <p><b>11. Questions from County Councillors</b></p> <p>To answer any questions received in writing by the Chief Executive by not later than 10.00am on 8 September 2017.</p>   |                |



### Staffing Committee

Minutes of the meeting held at County Hall, Colliton Park,  
Dorchester, DT1 1XJ on Monday, 10 April 2017

**Present:**

Robert Gould (Chairman)  
Peter Finney, Trevor Jones, David Mannings and Andrew Parry

Officers Attending: Debbie Ward (Chief Executive), Jonathan Mair (Head of Organisational Development - Monitoring Officer), Sheralyn Huntingford (Head of HR and Organisational Development), Natalie Adam (HR and OD Service Manager), Sara Collinson (HR & OD Business Partner), Vanessa Glenn (Assistant Director for Care and Protection), Paul Loach (HR and OD Business Partner), Fiona E King (Communications Officer), Patrick Myers (Assistant Director - Design and Development), Rick Perry (Senior Manager for Change Management and Planning) and Fiona King (Senior Democratic Services Officer).

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Staffing Committee to be held on **Monday, 10 July 2017**.)

**Apologies for Absence**

16 Apologies for absence were received from Andrew Cattaway and Peter Richardson.

**Code of Conduct**

17 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

**Minutes**

18 The minutes of the meeting held on 30 January 2017 were confirmed and signed.

**Public Participation**

19 Public Speaking

There were no public questions received at the meeting in accordance with Standing Order 21(1).

There were no public statements received at the meeting in accordance with Standing Order 21(2).

Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

**Management of Attendance 2016/17 - Quarter 3**

20 The Committee considered a report by the Head of Human Resources and Organisational Development which highlighted a mixed set of sickness results for Quarter 3 to December 2016 as absence rates remained relatively unchanged at 8.79 days per FTE.

Members were advised that the data used in future reports on the management of attendance would be gathered from the new Management Dashboard data which would exclude data from those employees who had left the Authority in the last twelve months.

The HR and OD Business Partner drew members' attention to the new Health and Wellbeing intranet site which hosted a range of materials, including videos and training which would be particularly helpful for people with mental health issues. Following a question from the Vice-Chairman about the number of 'hits' on the get active elements of the new Health and Wellbeing site, the HR and OD Business Partner undertook to provide this information outside of the meeting.

The case study focus was a report on Dorset Passenger Transport which had sickness levels of 13.62 days and the plans to resolve this were highlighted. The HR and OD Business Partner undertook to update members at a future meeting on the progress of the implementation of the proposed changes.

Following a discussion about sickness rates for Passenger Transport Assistants, one member queried if there was anything proactive that could be changed in their working arrangements to try to improve this absenteeism e.g. vehicle design. The HR and OD Business Partner undertook to look into this and report back. He added that some of the older workforce struggled with restraining those children who tried to get out of the vehicle. This had highlighted the need for a reasonable test of people's fitness at the application stage. One member suggested that a series of exercises, e.g. Pilates, for people in certain roles could be helpful.

In response to a question from the Chief Executive about the new style of reporting, members felt it seemed much improved and more relevant and gave them a better insight into what was going on in respect of attendance within the organisation.

One member noted that as part of his recent induction he had requested to meet with the Manager of Dorset Direct and felt it would be really helpful for other members to see them in action in order to understand the range of issues that came through Dorset Direct. Reference was also made to buddying/shadowing system for members where they spent time with a professional which had proved to be very useful.

### **Resolved**

1. That the learning from Dorset Direct be communicated widely to all DCC managers as a case study to assist other services in managing sickness.
2. That Dorset Passenger Transport produces a follow up report to the Staffing Committee, to include the new system for reporting PA absence and managing return to work interviews.
3. That a representative from Adult and Community Services attend to update members of the Staffing Committee at their next meeting on 10 July 2017. Finance and Governance and Assurance Services be also asked to produce a written commentary on their high absence levels including their proposals to resolve.

### **Reason for Decisions**

To ensure the effective management of attendance within the Authority.

### **Sickness Monitoring in the Children's Services Directorate**

21 The Assistant Director for Care and Protection in Children's Services attended to update members on their current sickness levels.

She highlighted the historical aspect and recent structure changes within the service. The Care and Protection service were currently seeing a decline in sickness levels. She advised that there were currently 47 agency social workers but by the end of May there would be just 26. All team manager posts had also now been recruited to.

From September to March 2017 the headcount figure in Children's Services was 483. During this period there were 3512 sickness days lost and the Assistant Director gave members a breakdown of the different service areas highlighting that Care and

Support accounted for 14.92%.

Following a question from the Vice-Chairman about rates of pay for social workers in the age 0-12 service, the Assistant Director advised that it was the same as for other social workers. She added that the authority was now beginning to attract more social workers as a result of a number of initiatives that had been undertaken recently.

In response to a question from a member about the safeguards taken to ensure social workers were not overworked again, the Assistant Director advised that all social workers now received formal supervision and they all had a support plan in place around their development. In respect of stress related issues officers were actively seeking ways to offer more support by doing things differently in a safe and supported way. She added that all social workers undertook continuing professional development.

Following a question from a member about what had been done to bring about a change in social workers wanting to work for Dorset, the Assistant Director advised that a recruitment day had been held and that the profile of the County Council was now higher nationally than it was before. They had recently had a successful innovation bid with the Department for Education (DfE). Training and development that was now offered was focussed on improving outcomes for the social workers and for Dorset Children. The Chief Executive added that employees were starting to feel better supported in these areas and officers were now seeing the benefit of work that started some 18 months ago.

One member asked if staff, who were off sick, were encouraged to return to work early and perhaps perform different duties. The Assistant Director advised that there had to be a balanced approach and that it depended on the role of the individual. She added that a flexible approach was taken when supporting employees to return to work, including reasonable adjustments and working with the Occupational Health team.

In response to a question regarding relations with the local media, the Assistant Director advised that there had been a number of challenges in this regard but there were good communications in place to try and develop contact with the local media.

The Chairman thanked the Assistant Director for her helpful and interesting presentation.

### **Noted**

#### **Performance and Development Reviews (PDRs) - update from Children's Services**

22 The Assistant Director for Design and Development from Children's Services and the Service Manager for Change Management and Planning, attended to highlight to members the specific problems with the completion of PDRs in certain areas of their service.

The Service Manager for Change Management and Planning assured members that PDRs were taken very seriously and he highlighted the work that had been undertaken to try and improve the PDR statistics.

He highlighted the major restructure that had taken place in Children's Services last year and that at the time of PDRs many staff were post preferencing and therefore targets had not at the time been set. This year teams were established and there was a clear sense of direction. To date 53% of staff had so far completed their PDRs with three weeks still to go before the deadline. The quality of PDRs had also been taken into account. HR and OD Business Partner advised members that the PDR process

for managers was now a much simpler and shorter process and the recent survey on the quality of PDRs had been very reassuring. The aim was to continue the survey at the end of the year to ensure this was continued.

The Assistant Director highlighted that learning points from this process included the importance of keeping up business as usual during periods of transformation. Dashboard information was proving very useful and periodically targets were looked at throughout the year rather than wait for mid-year reviews. Where areas of inconsistency had been found they were being addressed.

Following a question from a member about the consequences for managers that hadn't delivered their PDRs on time, the Assistant Director advised there were routes that could be taken to help people understand what their responsibilities were. He undertook to report back to members after the mid-year review for completeness.

### **Resolved**

That members of the Staffing Committee receive an update following the mid-year period.

## **Headcount and FTE Figures and Non-Directly Employed Contract Workforce - Quarter 3 2016/17**

- 23 The Committee considered a report by the Head of Human Resources and Organisational Development which highlighted the flexible approach taken to ensure that the people with the right skills were in the right place at the right time to deliver services effectively.

Members were advised on the continuing reduction in directly employed staff with a reduction of 1,446.72FTE (excluding schools) since June 2010. This included 743.5 FTE transferred to Tricuro in July 2015.

Whilst there had been a decrease in the agency spend overall within the County Council since Quarter 2 and a decrease in spend on consultancy fees across the Council for the same period, the overall spend for agency staff for Quarter 3 was £1.85m. The amount spent on consultants for the same period was £413,000, with the greatest spend being in the Environment and Economy Directorate and Children's Services.

### **Noted**

## **Equality and Diversity Policy**

- 24 The Committee considered a report by the Head of Human Resources and Organisational Development which reviewed the Equality and Diversity Policy to ensure it reflected the council's commitment to equality and diversity in a modern workplace.

### **Resolved**

That the revised Policy be approved to take effect from 1 May 2017.

### **Reason for Decision**

The Staffing Committee oversee matters relating to staff terms and conditions and people management policies.

## **Redundancy Costs - Quarterly Report**

- 25 The Committee considered a report by the Head of Human Resources and Organisational Development which highlighted the costs for redundancy dismissals effective from 1 January to 31 March 2017.

In response to a question from a member about the regulations in respect of Exit payments, the HR and OD Service Manager advised there was no further information available at present and officers were awaiting detailed guidance.

**Noted**

**Questions from County Councillors**

26 No questions were asked by members under Standing Order 20(2).

**Exempt Business**

27 **Resolved**

That in accordance with Section 100 A (4) of the Local Government Act 1972 to exclude the public from the meeting in relation to the business specified in minutes 28 to 30 as it was likely that if members of the public were present, there would be disclosure to them of exempt information as defined in paragraphs 1,2, 4 and 5 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

**Pay for Adoption Leave**

28 The Committee considered an exempt report by the Head of Human Resources and Organisational Development which provided further detail in relation to benefits and risks of the different options available to the Council.

The HR and OD Service Manager highlighted the close alignment with the maternity scheme and adoption leave. There was no provision proposed to provide any enhanced pay for shared parental leave at this stage.

Following a question from a member regarding foster carers, the HR and OD Service Manager advised that provision was not made in the legislation for foster carers but explained that other leave may be accessed for this purpose.

In relation to letters of support for employees experiencing a family bereavement, members understood this would now be undertaken. The Chief Executive added that it was timely to look at the courtesy of all of the authority's letters to employees in this situation.

**Resolved**

That the option to provide occupational adoption pay to mirror occupational maternity pay be approved.

**Reason for Decision**

The Staffing Committee oversee matters relating to staff terms and conditions.

**Modernising Employment Policies (MEPP) Review**

29 The Committee considered an exempt report by the Chief Executive which provided members with further details on the outstanding elements of the proposal which was considered by members at their meeting on 30 January 2017. The report also provided members with an update in respect of the previous decision to postpone an equal pay review.

In respect of the proposed changes to travel rules, one member felt that this should also be presented to the Staff Consultative Panel for information. The Chairman suggested that members approve this element of the proposals today and the outcomes be presented to the Staff Consultative Panel for information, following the detailed discussions that had already taken place with trade union representatives.

Following a comment from a member about budgetary issues relating to the travel changes, the HR and OD Service Manager explained that there would be some gains

and some losses but more importantly claims would be HMRC compliant.

### **Resolved**

1. That the elements of the package of changes to policies and practices for implementation as set out at paragraphs 2, 3, 4, 5 & 6 of the Chief Executive's report be approved;
2. That a minimum reference salary for redundancy payments back dated to 1 April 2017 be introduced;
3. That pay be accredited first aiders based on need, phasing out the current approach and payments, from 10 April onwards and amending the payment level;
4. That the home to work travel rules from 1 August 2017 and provisions for home workers be updated;
5. That there be a moratorium on whole authority terms and conditions and pay changes until April 2019 unless legislative or extreme financial pressure dictates;
6. That the provision for trade union facilities to align with future needs be amended.
7. That for Dorset Schools (where the Council was the employer) governing bodies were recommended to adopt the relevant policy and practice changes and that TUPE protected staff would retain their transfer protections unless council policies and practices were applicable;
8. That the Equal Pay Review be postponed for 2 years.

### **Reason for Decisions**

To enable the modernisation of employment policies and practices which will in turn secure some financial savings for the Council.

### **Senior Structures**

30 (Note: The Monitoring Officer left the meeting for this item.)

The Committee considered an exempt report by the Chief Executive which asked members to agree to a number of changes to the existing senior management structure in order to provide a more flexible senior management resource.

The proposals aimed to align skills and resources to the council's Strategic Priorities and would provide the capacity needed to support effective change management.

The Chief Executive highlighted that the statutory roles for Children and Adult services would be held by one Director, subject to member approval. The Chief Executive confirmed that the IR35 change in responsibility had been properly considered in making the recommendations. The current Director for Children's Services would hold the Corporate Director role.

Following a question from a member about consultation with the persons concerned, the Chief Executive advised that this had been discussed with the Directors and their portfolio leads who were all in agreement with the changes. The Chief Executive proposed to report back to Staffing Committee at their meeting on 10 July 2017 following a review of the changes prior to a proposal being brought to a meeting of the County Council on 20 July 2017.

The Chief Executive confirmed that there was no intention to regrade any posts as a result of this change. She explained that the review planned for June would be to ensure that the arrangements were working, prior to a final decision being made. One member felt it would be useful for members at their next meeting on 10 July 2017 to have a discussion to ensure there was enough managerial capacity following the changes. The Chairman confirmed the importance of ensuring there was proper capacity and more would be known in respect of LGR by June.

The Chief Executive highlighted the Programme Director roles and explained she was looking for a resource to bring in without them being formal Directors, and this resource would be shared with the Dorset Councils Partnership (DCP).



In response to a question from a member regarding agreements from the Districts/Boroughs, the Chief Executive confirmed this had been discussed with the Chief Executives and Leaders of the relevant authorities.

One member felt it would be useful to ask the Auditors to monitor the performance of the Authority in respect of any potential service failure as a result of less people.

### **Resolved**

1. That the existing Director roles become Corporate Director roles with flexibility of portfolios of responsibility be agreed.
2. That the statutory roles for Children and Adult Services be held by one Director and Sara Tough become the Corporate Director for Children and Adult Services, be agreed, pending a review in June 2017.
3. That members agreed to the extended management responsibilities of the Monitoring Officer with the title of Head of Organisational Development.
4. That the deletion of the posts of Assistant Chief Executive, Head of Policy, Partnerships and Communications and Head of Corporate Development be agreed (all three posts held vacant and savings had been yielded).
5. That the use of short term appointments through appropriate formal procurement rules to support the essential transformation programmes around Health and Social Care and Business Transformation including Local Government Organisation, Medium Term Financial Plan and Sustainability and Transformation Plan be agreed. These to be designated as Programme Director roles with defined responsibility.
6. That members agreed to these changes taking immediate effect and being subject to review in June 2017. The outcome of the review to be reported to the Staffing Committee on 10 July 2017 and then to County Council on 20 July 2017. Members noted that once this had been recommended to the County Council the changes would be subject to Article 12 of the Council's Constitution, subject to the recommendations of the Audit and Governance Committee.

### **Reason for Decisions**

To facilitate the realisation of the County Council's Corporate Plan, Medium Term Financial Plan and ambition within the available resources.

As this was the last Staffing Committee meeting for Cllr Trevor Jones, as he was not seeking re-election, the Chairman took the opportunity to thank him for all his contributions to the work of the Committee over a number of years.

Meeting Duration: 10.00 am - 12.30 pm

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# Staffing Committee

**Dorset County Council**



Date of Meeting	13 September 2017
Officer	Head of Organisational Development
<b>Subject of Report</b>	<b>Terms of Reference and Role of the Staffing Committee</b>
Executive Summary	<p>As this is the first meeting of the Staffing Committee since the County Council elections in May 2017 the new Committee are invited to review their terms of reference.</p> <p>The current terms of reference of the Committee are included as appendix 1. These reflect legal requirements that the overall terms upon which staff hold office are decided by councillors and that councillors only take an active part in individual staff appointments and discipline when this concerns the most senior managers.</p> <p>The agenda sheets for the last three meetings are included as appendix 2. These agenda sheets serve to illustrate that the role of the Staffing Committee has already extended beyond its strict terms of reference to include:</p> <ul style="list-style-type: none"> <li>• the monitoring of headcount and the cost of the non directly employed workforce and</li> <li>• holding senior managers to account for the effective management of staff attendance.</li> </ul> <p>Appendix 3 sets out suggested revised terms of reference for the Committee to consider. These include a very specific focus upon proactive workforce planning to ensure that the Council has the right people with the right skills and the correct balance between directly and non directly employed staff.</p> <p>Whilst terms of reference provide a framework and scope within which the Committee may operate there is also a need to develop a clear programme of work for the Committee. Members are invited to indicate their priorities and focus for the work of the Committee, for officers to develop into a proposed programme of work.</p>
Impact Assessment:	<p>Equalities Impact Assessment:</p> <p>None.</p>

## Terms of Reference and Role of the Staffing Committee

<p><i>Please refer to the <a href="#">protocol</a> for writing reports.</i></p>	<p>Use of Evidence:</p> <p>This report seeks to develop the role of the Staffing Committee, drawing upon the terms of reference for similar committees in other principal local authorities.</p>
	<p>Budget:</p> <p>There are no direct budget implications.</p>
	<p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as:            Current Risk: MEDIUM            Residual Risk MEDIUM</p>
	<p>Other Implications:</p> <p>None.</p>
Recommendation	Members are invited to review proposed new terms of reference for the Staffing Committee and to indicate their priorities and focus for the work of the Committee
Reason for Recommendation	To provide a focus for the work of the Committee, updating terms of reference adopted .. years ago and providing a focus upon workforce planning to meet the needs of the Council.
Appendices	<ol style="list-style-type: none"> <li>1. Current terms of reference of the Staffing Committee:  <a href="http://dorset.moderngov.co.uk/mgCommitteeDetails.aspx?ID=139">http://dorset.moderngov.co.uk/mgCommitteeDetails.aspx?ID=139</a></li> <li>2. Agenda sheets for previous meetings of the Committee  <a href="http://dorset.moderngov.co.uk/ieListMeetings.aspx?Committeeld=139">http://dorset.moderngov.co.uk/ieListMeetings.aspx?Committeeld=139</a></li> <li>3. Suggested new terms of reference</li> </ol>
Background Papers	None
Officer Contact	Name: Jonathan Mair, Head of Organisational Development Tel: 01305224181 Email: <a href="mailto:j.e.mair@dorsetcc.gov.uk">j.e.mair@dorsetcc.gov.uk</a>

### **Appendix 1 - Current terms of reference of the Staffing Committee**

- (a) To determine the terms and conditions on which staff hold office (including procedures for dismissal).
- (b) To appoint Directors, Assistant Chief Executive and Heads of Service and to deal with the appointments process and recommend an appointee for the posts of Chief Executive, Monitoring Officer or Section 151 Officer.
- (c) To deal with issues relating to redundancy, disciplinary action or capability in respect of the Chief Executive, Directors, Statutory Officers and Heads of Service.
- (d) The award of discretionary payments under various Local Government and pension scheme regulations which involve the early introduction of pension benefits, at a cost to the county council, for business reasons or on compassionate grounds, in respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service. This includes benefits arising from retirements or redundancy.
- (e) In the case of discretionary payments awarded under Local Government Pension Scheme regulations, to take decisions in accordance with the county council's '[Statement of Policy](#) on the Local Government Pension Scheme 2014 Discretions'.

Note: The Officer Employment Procedure Rules shall apply in respect of terms of Reference b and c above.

Membership: As a departure from the rules requiring political balance for this Panel, its membership will include:-  
8 members to include the Chairman of the County Council, Leader of the Council and 6 other members (to be nominated by the Group Leaders).

Note: When sitting as an appointments panel or as a disciplinary panel:

- (a) For the appointment of or conducting a disciplinary hearing into the conduct of or hearing an appeal by the Chief Executive, Directors, Deputy Chief Executive, Monitoring Officer or Section 151 Officer or recommendations to Council for the appointment of Chief Executive, Monitoring Officer or Section 151 Officer, its membership will be varied to comprise the Chairman and Leader of the County Council or their nominees and three other members to be nominated by the Group Leaders on each occasion (one of whom should be the relevant Cabinet member).
- (b) For the appointment of or a hearing into the conduct of the Assistant Chief Executive and Heads of Service, its membership will be varied to comprise three members to be nominated by the Group Leaders on each occasion (one of whom should be the relevant Cabinet member).

Further note: the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 provide that the Head of Paid Service, Monitoring Officer and Chief Finance Officer may not be dismissed unless a procedure set out in the regulations has been followed. That procedure includes obtaining advice from a panel, the membership of which must include independent persons appointed under section 28(7) of the Localism Act 2011. Accordingly in relation to these officers the Staffing Committee may not impose the sanction of dismissal as this is a matter for the full County Council following advice from the Statutory Officer Panel.

## **Appendix 2 – Items included on Past Agendas**

### **10 April 2017**

- Management of Attendance 2016/17 – Quarter 3
- Sickness Monitoring in the Children’s Services Directorate (presentation)
- Headcount and FTE Figures and Non-Directly Employed Contract Workforce – Quarter 3 2016/17
- Equality and Diversity Policy
- Redundancy Costs – Quarterly Report
- Pay for Adoption Leave
- Modernising Employment Policies Review
- Senior Structures

### **30 January 2017**

- Apprentice Scheme from April 2017
- Violence, Aggression and Harassment at Work Policy
- Revision to Alcohol, Drugs and Substance Misuse Policy
- PDR: Completion Rates and Quality of PDR Survey
- Pay Policy Statement 2017/18
- Redundancy Costs – Quarterly Report
- Adoption Leave – Review of Approach to Pay
- Social Work Recruitment and Retention
- Modernisation of Employment Policies and Practices

### **22 November 2017**

- Headcount and FTE Figures and Non-Directly Employed Contract Workforce – Quarter 2 2016/17
- Management of Attendance 2016/17 – Quarter 2
- Sickness Monitoring in the Dorset Waste Partnership (presentation)
- Redundancy Costs – Quarterly Report
- Social Networking Policy
- Review of the Staff Code of Conduct
- Apprenticeships update
- Statutory Officer Panel Terms of Reference (Disciplinary Investigation Process for the Chief Executive and Statutory Officers)
- Senior Officer Pay, Terms and Conditions – Lessons Learned
- Review of Terms and Conditions

## **Appendix 3 - Proposed revised terms of reference of the Staffing Committee**

- (a) To lead on workforce planning, proactively identifying the Council’s staffing and staff development needs and how these will be met.
- (b) To determine the terms and conditions on which staff hold office (including procedures for dismissal).
- (c) To hold senior managers to account for the effective management of staff, including management of attendance.
- (d) To appoint Corporate Directors and any other staff employed on “white book” terms and conditions and to recommend to the full Council appointees to the posts of Chief Executive, Monitoring Officer and Section 151 Officer.
- (e) To deal with issues relating to redundancy, disciplinary action or capability in respect of the Chief Executive and the other most senior officers conditioned to the “white book”.

## Terms of Reference and Role of the Staffing Committee

- (f) To decide upon any request for the award of discretionary payments involving the early introduction of pension benefits at a cost to the county council in respect of the Chief Executive and the other most senior officers conditioned to the “white book”.

8 members to include the Chairman of the County Council, Leader of the Council and 6 other members (to be nominated by the Group Leaders).

Note: When sitting as an appointments panel or as a disciplinary panel its membership will be varied to comprise:

(a) the Chairman and Leader of the County Council or their nominees and three other members to be nominated by the Group Leaders for any matter concerning the Chief Executive, a Corporate Director, the Monitoring Officer or the Section 151 Officer and

(b) three members to be nominated by the Group Leaders on each occasion (one of whom should be the relevant Cabinet member) for any matter concerning one of the other most senior managers conditioned to the “white book”.

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Agenda Item:

# Staffing Committee

## Insert Item No.

**Dorset County Council**



Date of Meeting	13 September 2017
Officer	Head of Organisational Development
<b>Subject of Report</b>	Head Count and FTE and Non-Directly Employed Workforce – Quarter 1 2017/18
Executive Summary	<p>The Council has a flexible approach to ensuring it has people with the right skills, in the right place at the right time to deliver services effectively. Operational needs are delivered using a combination of directly employed staff, casual workers, agency staff and specialist workers.</p> <p>Agency workers or external advisors (consultants) are used when there are work peaks or capacity issues, where there is a short term funded need or to provide specific expertise or skills which are not available within the directly employed workforce.</p> <p>The Council has seen a continuing reduction in directly employed staff with a reduction of 1,452 full time equivalents (FTE) (excluding schools) since June 2010. It should be noted that this reduction includes 743.5 FTE which transferred to Tricuro in July 2015.</p> <p>As requested by Staffing Committee Appendix 1 shows infographics which illustrate headcount (full time equivalents) and spend on agency and consultancy workers within different Directorates over the period 1 July 2016 to 30 June 2017.</p> <p>The Council's annual spend on direct employees in 2016/17 was £111M (including on costs such as national insurance). Agency staff costs over the last 12 months up to June 2017 have been £10.04 million which represents around 9% of these annual direct staffing costs, and on consultancy £2.7M representing 2.4% of the total spend on direct employees.</p>

	<p>There has been a decrease in agency spend overall within the County Council since Quarter 4 (by £904K) and a decrease in spend on consultancy fees across the Council compared to Quarter 4 (by £342K).</p> <p>On agency staff, overall spend within the Council in Quarter 1 has been £1.5 million the areas of greatest spend were in Children’s Services (43.5% of spend), Dorset Waste Partnership (34.5.5% of spend) and Adult and Community Services (14.5% of spend). Agency costs have been incurred to meet operational priorities (e.g. to support good performance in hospital discharge management) and to cover sickness and vacancies. Spend on agency staff in Children’s Services dropped by 56% between Quarter 4 and Quarter 1 which reflects improved recruitment within Children’s Social Work.</p> <p>On consultants, spend in Quarter 1 has been £286K which represents a 45% reduction in spend compared to Quarter 4. The areas of greatest spend in this area are within the Adult and Community Services Directorate (33.5%), Children’s Services (28.5%) and Environment and the Economy (29%).</p> <p>Across all Directorates spend on agency staff or external advisors should be funded by staffing budgets, income, fees or grants or through funding on an invest to save basis</p> <p>Across all areas consultants are used to supply specific skills either to support project delivery (e.g. specialist buildings and construction advice) or to provide specific expertise to deliver transformation and specific outcomes on an invest to save basis.</p>
<p>Impact Assessment:</p>	<p>Equalities Impact Assessment: Not applicable.</p> <hr/> <p>Use of Evidence:</p> <p>Staffing and financial data extracted from DES for the period 1 July 2016 to 30 June 2017.</p> <p>Agency spend information provided by Comensura.</p> <hr/> <p>Budget: Not applicable.</p> <hr/> <p>Risk Assessment: Having considered the risks associated with this decision using the County Council’s approved risk management methodology, the level of risk has been identified as:</p> <p>Current Risk: LOW Residual Risk LOW</p>

	Other Implications: None
Recommendation	<p>Staffing Committee are asked to consider their future role in monitoring and reviewing staffing establishment and spend on directly employed staff and agency and consultancy personnel.</p> <p>Staffing Committee may wish to seek additional information and to consider recommending that Directorates apply the following principles for reference in future reports to the Committee.</p> <ul style="list-style-type: none"> <li>• Across all Directorates spend on direct employees, agency staff or external advisors/consultants should be funded by staffing budgets, income, fees or grants or specific funding approved on an invest to save basis.</li> <li>• Consultants or specialist advisors used to supply additional skills and advice to support project delivery or delivery of specific outcomes will be engaged in accordance with a clear business rationale/case. There should be monitoring of spend against performance delivery to ensure value for money and efficient use of resources.</li> </ul>
Reason for Recommendation	To ensure the Committee is kept apprised of changes in the number of staff employed by the County Council in the context of budget reductions and the Forward Together Programme and to ensure there is full transparency about the Council's use of direct and non-direct staff resources.
Appendices	<ol style="list-style-type: none"> <li>1. Infographics showing numbers of Headcount (FTE) and costs of agency and consultancy workers within Directorates over the period 1 July 2016 to 30 June 2017.</li> <li>2. Head Count and FTE Figures to 30 June 2017</li> <li>3. Summary of Agency and Consultancy Spend by Directorate up to Quarter 1 2017/18</li> </ol>
Background Papers	Not applicable.
Report Originator and Contact	<p>Name: Sara Collinson, HR Business Partner          Tel: 01305 221507          Email: <a href="mailto:s.collinson@dorsetcc.gov.uk">s.collinson@dorsetcc.gov.uk</a></p>

## **1. Introduction, Background and Recommendations**

1.1. The Council has a flexible approach to workforce resourcing and uses a combination of resourcing models to meet business needs.

1.2. Continuing reductions in the Council's directly employed workforce and a need to work differently and prepare for and implement change has an impact on Council spend on agency and consultancy workers who may be engaged for several reasons including;

- To 'buy in' short term technical or specialist skills rather than directly employing staff with these skills. This is often more cost effective than paying direct employment and/or termination costs. Often, funding for specific work is available through grants from the Government or other National or European organisations. The Council has a role in securing and administering grants and in commissioning work to ensure that the community benefits from available funding.
- From time to time specific skills are bought in to deliver expertise to deliver transformation and associated longer term savings on an invest to save basis.
- To cover short term vacancies or absences in front line areas either to manage peaks in workload or in some cases, where service and personnel changes are planned, as part of a strategy to reduce staff redundancies and to limit the associated costs of redundancy.

1.3 Detailed Headcount and full time equivalent (FTE) figures are currently produced on a quarterly basis by Human Resources (Appendix 2). Detailed analysis of spend on agency staff and consultants is produced on a quarterly basis by Finance (Appendix 3). A summary of this information is shown on an infographic (Appendix 1). The detailed information is considered and reviewed by Directorate Management Teams regularly and a commentary for each Directorate is provided in section 3 of this report

### **1.4 Recommendations**

1.4.1 Staffing Committee are asked to consider their future role in monitoring and reviewing staffing establishment and spend on directly employed staff and agency and consultancy personnel.

Staffing Committee may wish to seek additional information and to consider recommending that Directorates apply the following principles for reference in future reports to the Committee.

- Across all Directorates spend on direct employees, agency staff or external advisors/consultants should be funded by staffing budgets, income, fees or grants or specific funding approved on an invest to save basis.
- Consultants or specialist advisors used to supply additional skills and advice to support project delivery or delivery of specific outcomes will be engaged in accordance with a clear business rationale/case. There should be monitoring of spend against performance delivery to ensure value for money and efficient use of resources.

## **2 Analysis of the Trend Data for Headcount, FTE and Agency and Consultancy Spend**

- 2.1 The appendices show directly employed staff numbers (FTE) across the Council and the costs of agency and consultancy workers up to Quarter 1 2017/18.
- 2.2 Appendix 2 shows that the headcount and full time equivalent figures of directly employed staff for Quarter 1 2017/18 have reduced in most areas with an increase in Children's Services (which has seen a corresponding fall in spend on agency staff).
- 2.3 Since 2010, the County Council's FTE count has reduced by 1,452 FTE (excluding schools). It should be noted that this reduction includes 743.5 FTE transferred to Tricuro in July 2015.
- 2.4 Appendix 3 shows a decrease in spend on agency staff (of £904K) between Quarter 4 and Quarter 1 with decreases in all Directorates except Chief Executives which saw a minor fluctuation upwards (spend in this area of the Council equates to only 4% of the total spend). The Directorate commentary in section 3 shows that most spend on agency staff has been to cover vacancies or to buy in additional skills or capacity to support priority areas of work. A good example of this is the use of agency staff in hospital and community teams to support discharges from hospital. This has been part of a strategy to improve performance in this area and performance improvements delivered by these teams have been recognised and commended by the Secretary of State for Health in a letter to the Council in June 2017).
- 2.5 Appendix 3 also shows a decrease in consultancy costs by £342K within most Directorates compared to Quarter 4. There has been some increase in Adult and Community Services which reflects a focus on use of consults to support specific pieces of transformation work on an invest to save basis.
- 2.6 On agency staff, overall spend within the Council in Quarter 1 was £1.5M. The areas of greatest spend were in Children's Services (43.5% of spend), Dorset Waste Partnership (34.5.5% of spend) and Adult and Community Services (14.5% of spend). Agency costs have been incurred to meet operational priorities (e.g. to support good performance in hospital discharge management) and to cover sickness and vacancies. Spend on agency staff in Children's Services dropped by 56% between Quarter 4 and Quarter 1 which reflects improved recruitment within Children's Social Work.
- 2.7 On consultants, spend in Quarter 1 has been £286K which represents a 45% reduction in spend compared to Quarter 4. The areas of greatest spend in this area are within the Adult and Community Services Directorate (33.5%), Children's Services (28.5%) and Environment and the Economy (29%).
- 2.8 The Council's annual spend on direct employees in 2016/17 was £111M (including on costs such as national insurance). Agency staff costs over the last 12 months up to June 2017 have been £10.04M which represents around 9% of these annual direct staffing costs, and on consultancy £2.7M representing 2.4% of the total spend on direct employees. The areas of greatest spend on agency staff within the Council remain in Dorset Waste Partnership (DWP) and Children's Services. Agency costs in DWP are incurred to meet operational needs arising through vacancies and staff absence for leave and sickness. In Children's Services the commentary explains that agency workers are being used predominantly in Children's Social Work where there are many vacancies and to cover staff absence. The commentary describes the work

underway to respond to national recruitment difficulties in this area and the figures show that there have been recent improvements in this area.

### **3 Headcount & FTE Figures, Agency and Consultancy Spend, Quarter 1 2017/18 Directorate Commentary**

#### **3.1 Public Health**

3.1.1 Public Health is a merged service, hosted by the County Council on behalf of the three local authorities - Bournemouth, Poole and Dorset.

3.1.2 Quarter 1 shows a minor fluctuation in headcount. The spend within public health on agency staff and consultants reduced to zero in both areas in Quarter 1.

#### **3.2 Adult and Community Services**

3.2.1 There has been a decrease in directly employed staff of 9.5 FTE between Quarter 4 and Quarter 1. Recruitment is ongoing in adult care to ensure we have the right capacity to deliver the work required with vacancies in all areas being held where necessary and appropriate to ensure budget savings.

3.2.2 Agency spend has decreased in Quarter 1 to £220K for the quarter Consultancy spend has increased to £95K for the quarter.

3.2.3 Agency costs were incurred for an Interim Executive for Strategic Commissioning (to 26 July 2017) – to lead strategic commissioning for Support at Home, Residential and Nursing Care Home services, Tricuro stabilisation, prevention work and oversight for the Better Care Fund. There were 34 other agency assignments running during the period 1 April to 30 June 2017 including 23 in Social care locality and Hospital teams as part of a planned resourcing approach to target priority areas and to cover vacancies and sickness in key pressure areas to ensure maintenance of services. There were a further 10 assignments in Business support to support adult care locality teams (to cover vacancies) and to support the finance team to maintain income collection.

3.2.4 The total spent on consultancy and specialist services for Adult and Community Services has risen from £73k for Quarter 4 to £96k in Quarter 1. The increase primarily relates to spend on consultancy services to support the Forward Together Delivery Programme for Adult and Community Services. This trend is likely to continue as an invest to save approach. There has also been spend in this quarter to support trading standards, libraries, museums and archives projects, to provide specialist adult care advice and safeguarding consultancy.

3.2.5 The use of agency and agency spend is regularly monitored and continues to be reported and monitored by the Adult and Community Directorate Management Team (DMT) monthly.

#### **3.3 Chief Executive's Department**

3.3.1 This area includes Finance, Legal and Democratic Services HR and the Councils Programme Office (a total of 302 FTE or 9.5% of the directly employed Council workforce), Agency spend has been £59K for the quarter mainly to cover vacancies and peaks in workload. Consultancy spend has decreased to £24.5K for Quarter 1.

#### **3.4 Environment and the Economy**

- 3.4.1 Overall, directly employed staff in the Directorate have decreased by 18.5 FTE between Quarter 4 and Quarter 1. Agency spend has decreased to £54.4K for the quarter with a further decrease in spend on consultancy which was £83K for the period.
- 3.4.2 Agency costs have been incurred to support the Dorset Travel Team to cover vacancies and to cover workload peaks and vacancies in business support, the Customer Access Team, Highways and Buildings and Construction.
- 3.4.3 Consultants have been used in the Directorate for a range of work requiring specialist skills and knowledge for short term or one off pieces of work. Examples include school travel census, public surveys, CCTV, Dorset Highway Framework, to support the Urban Heath Database, and landscape design.

### **3.5 Children's Services**

- 3.5.1 The headcount for Quarter 1 2017-18 has increased by 17.35 FTE since Quarter 4. This is due to some vacancies being filled.
- 3.5.2 Agency staff continue to be used in all parts of Children's Services and a small number of agency spend is budgeted for each year. However, most agency spend remains within Care & Protection. This is due to the on-going difficulty to recruit to some social worker posts. This continues to be a national issue and Dorset, along with other authorities, has been affected. Children's Services continues to employ several agency social workers to meet safeguarding requirements.
- 3.5.3 In the last quarter, there has been a decrease in agency spend of £514K down to £656K for Quarter 1 2017-18. This has been due to on-going successes with the ongoing recruitment drive. There continues to be a significant number of vulnerable families that Children's Services are working with, the need for social workers to work with these families, and a continuing difficult recruitment market. The on-going recruitment issues have meant that agency workers have remained part of the social work teams. However, there has been significantly higher interest in recent permanent posts that have been advertised and it is anticipated that this downward trend for agency workers will continue.
- 3.5.4 The most recent data shows that there were 39.5 agency social workers during May 2017 and that this has further reduced to 37.0 in June, all engaged by the Children's Field Social Worker team. They are being used to cover vacancies, maternity leave, longer term sickness and to help manage and reduce caseload numbers.
- 3.5.5 A range of strategies continue to be used to combat the on-going challenges with recruiting social workers. Children's Services is continuing to use the dedicated recruitment site for Social Workers for Children's Services which was set up last financial year. In addition to this, Children's Services are continuing to participate in the Department for Education's Step Up to Social Work campaign which fast tracks the development of qualified social workers. Work is continuing the development of a Pan-Dorset Health & Social Work and Health Care Academy with Bournemouth & Poole to help develop further social workers. Children's Services has also had a presence at key events to promote working and living in Dorset such as the Community Care Roadshow. Children's Services have also successfully secured a major bid from the Department for Education called Reinvigorating Social Work. It is anticipated that this will help in improving retention of social workers and this is being launched in September.
- 3.5.6 Agency staff are only sourced on a critical needs basis. For Children's Services this includes ensuring adequate resources for safeguarding children and meeting

statutory requirements. Budget is identified and monitored and agency requests and orders are subject to approval by senior managers.

3.5.7 The use of agency staff and agency spend is regularly monitored by the Children's Services Leadership Team and approval for agency workers is from the Assistant Director.

3.5.8 Children's Services consultancy costs have reduced by £103K from Quarter 4 2016/2017 to £81.38K for Quarter 1 of 2017/18.

3.5.9 The directorate currently has an assistant director vacancy. This post is currently being filled by a consultant and accounts for a significant part of the consultancy costs. In addition, the directorate is using a consultant to run the Reinvigorating Social Work Programme. The programme is focussed on improving social work practice and includes adopting an outcome based approach focussing on the best outcomes for children and young people. This approach is now being rolled out across the directorate and the council.

### **3.6 Dorset Waste Partnership**

3.6.1 Dorset Waste Partnership (DWP) has seen minor fluctuations in headcount between Quarter 4 and Quarter 1.

3.6.2. DWP are now close to fully filling most vacancies with permanent staff rather than using agency. Agency staff are still required on a regular basis to cover sickness and general turnover. Consultancy spend has been minimal at £0.9K for the Quarter for one off projects.

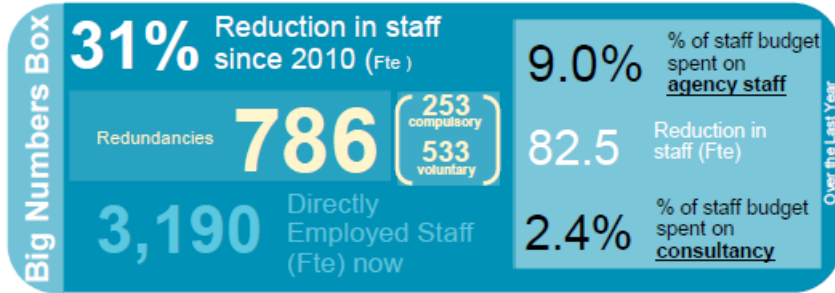
**Jonathan Mair**  
**Head of Organisational Development**

August 2017



Q1 April-June 2017

## DCC Staffing SNAPSHOT



Spent on direct employees, agency staff and consultancy over the last year

... **£111.0M**

Spent on direct employees\*

.... **£10.0M**

Spent on Agency Staff

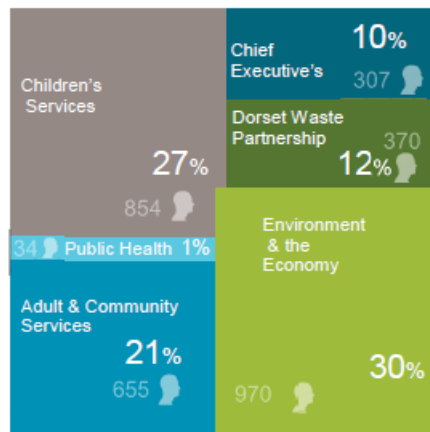
.... **£2.7M**

Spent on Consultancy



Source: 2016/17 and 2017/18 for direct employees, Agency and Consultancy Q2 to Q4 2016/17 and Q1 2017/18

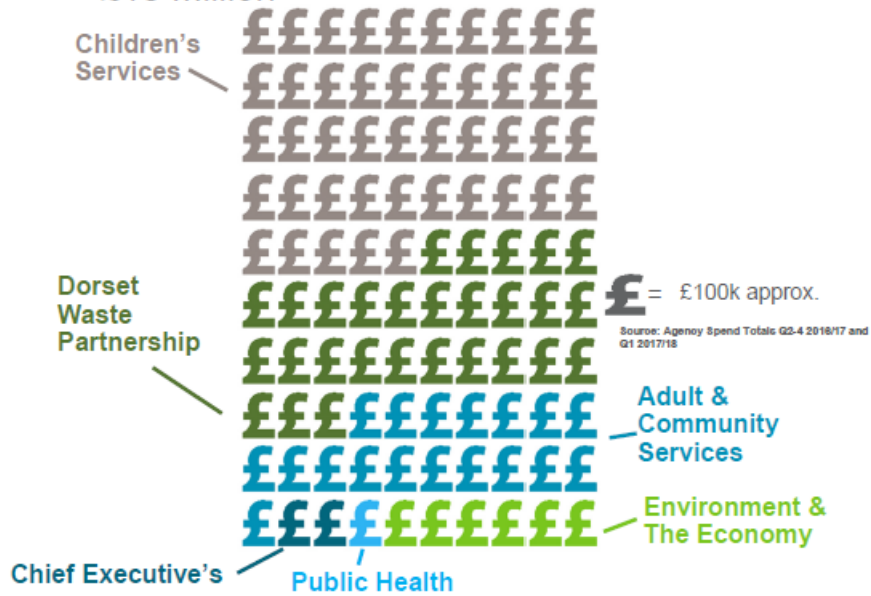
\* 2016/17 pay bill figure



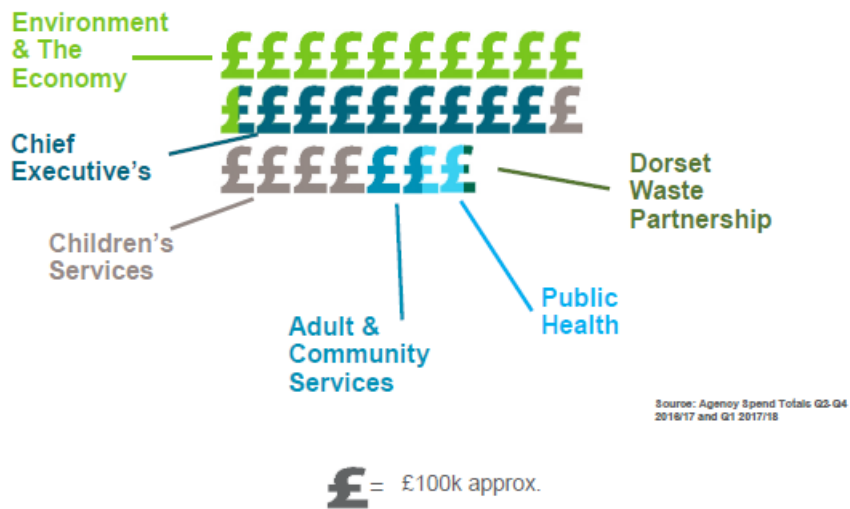
Directly Employed Staff by directorate (FTE's)  
**3,190 total staff**

Source: Headcount Q1 2017/18 by directorate. Figures may not sum due to rounding

Current **AGENCY** spend  
over the last year—by directorate  
£10 Million



Current **CONSULTANCY** spend  
over the last year—by directorate  
£2.7 Million



## Appendix 2

**DCC - Monthly Figures**  
**Headcount & FTE - Q4 2016/17**

Figures exclude elected members, casual workers, contractors, agency and freelance workers.

Directorate	Service	31 Mar 2017		30 Apr 2017		31 May 2017		30 Jun 2017	
		Headcount	FTE	Headcount	FTE	Headcount	FTE	Headcount	FTE
Adult & Community Services	Adult & Community Services Director and PA	1	1.00	1	1.00	1	1.00	3	2.33
	Adult Care	431	359.14	428	358.89	427	357.64	424	358.18
	Early Help & Community Services	408	208.83	407	206.49	408	207.86	407	204.94
	Partnerships and Performance	0	0.00	0	0.00	0	0.00	0	0.00
	Business Development and Performance	40	32.55	38	30.21	38	30.29	37	30.28
	Care Act Programme	0	0.00	0	0.00	0	0.00	0	0.00
	Commissioning - Adult Care and Carers	22	21.81	21	20.81	21	20.81	20	19.81
	Commissioning - LD, MH, Housing & Prevention	7	6.43	7	6.43	7	6.43	6	5.43
	Safeguarding and Quality	39	34.72	39	34.53	38	33.53	38	33.53
<b>Adult &amp; Community Services Total</b>	<b>948</b>	<b>664.48</b>	<b>941</b>	<b>658.36</b>	<b>940</b>	<b>657.56</b>	<b>935</b>	<b>654.50</b>	
Children's Services	Children's Services Director and PA	1	1.00	1	1.00	2	2.00	1	1.00
	Learning and Inclusion	0	0.00	0	0.00	0	0.00	0	0.00
	Strategy, Partnerships & Performance	0	0.00	0	0.00	0	0.00	0	0.00
	Family Support	0	0.00	0	0.00	0	0.00	0	0.00
	Care and Protection	481	343.08	717	525.53	522	385.33	515	386.52
	Design & Development	101	87.61	106	92.20	313	242.31	315	245.64
	Partnerships & Prevention	540	404.00	297	218.95	298	219.81	297	219.88
	South West ADCS Project	1	0.62	1	0.62	1	0.62	1	0.62
<b>Children's Services Total</b>	<b>1,124</b>	<b>836.31</b>	<b>1,122</b>	<b>838.30</b>	<b>1,136</b>	<b>850.07</b>	<b>1,129</b>	<b>853.66</b>	
Chief Executive	Chief Executive, Assistant Chief Executive and PAs	3	2.76	3	2.76	3	2.76	3	2.76
	Emergency Planning	0	0.00	0	0.00	0	0.00	0	0.00
	ICT and Customer Services (Moved to E&E)	0	0.00	0	0.00	0	0.00	0	0.00
<b>Chief Executive Total</b>	<b>3</b>	<b>2.76</b>	<b>3</b>	<b>2.76</b>	<b>3</b>	<b>2.76</b>	<b>3</b>	<b>2.76</b>	
Finance & Procurement	Financial Services	124	111.25	127	113.61	126	112.60	126	112.61
	<b>Finance &amp; Procurement Total</b>	<b>124</b>	<b>111.25</b>	<b>127</b>	<b>113.61</b>	<b>126</b>	<b>112.60</b>	<b>126</b>	<b>112.61</b>
Organisational Development	Corporate Development (Moved to Programme)	53	45.15	0	0.00	0	0.00	0	0.00
	Democratic Services	8	7.21	13	10.46	13	10.46	13	10.46
	Governance & Assurance Services	7	6.95	8	7.45	9	8.45	9	8.45
	Human Resources & Organisational Development	129	107.31	124	102.30	122	100.85	0	0.00
	HR Operations	0	0.00	0	0.00	0	0.00	80	64.46
	HR Specialist Services	0	0.00	0	0.00	0	0.00	39	33.94
	Legal Services	37	32.93	37	32.97	37	33.32	35	32.02
	Organisational Development	0	0.00	3	1.96	3	1.96	3	1.96
<b>Organisational Development Total</b>	<b>234</b>	<b>199.55</b>	<b>185</b>	<b>155.14</b>	<b>184</b>	<b>155.03</b>	<b>179</b>	<b>151.29</b>	
Environment & the Economy	Environment & the Economy Director and PA	2	2.00	2	2.00	2	2.00	2	2.00
	Business Improvement Team	5	4.09	5	4.09	5	4.08	5	3.63
	Economy	485	297.56	485	294.15	474	283.49	470	280.75
	Environment	235	217.68	231	215.23	228	212.28	229	212.91
	Dorset Highways	278	268.26	273	263.26	289	279.26	288	277.05
	ICT and Customer Services	214	199.74	204	190.93	210	196.47	208	194.38
<b>Environment &amp; the Economy Total</b>	<b>1,219</b>	<b>989.33</b>	<b>1,200</b>	<b>969.66</b>	<b>1,208</b>	<b>977.57</b>	<b>1,202</b>	<b>970.72</b>	
Programme	Programme Director	0	0.00	46	40.71	46	40.97	46	40.95
	Corporate Development	0	0.00	1	0.54	1	0.54	1	1.00
<b>Programme Total</b>	<b>0</b>	<b>0.00</b>	<b>47</b>	<b>41.25</b>	<b>47</b>	<b>41.51</b>	<b>47</b>	<b>41.49</b>	
<b>DCC TOTAL (Excluding Dorset Waste Partnership &amp; Public Health)</b>		<b>3,652</b>	<b>2803.68</b>	<b>3,625</b>	<b>2779.08</b>	<b>3,644</b>	<b>2797.11</b>	<b>3,621</b>	<b>2787.03</b>
Dorset Waste Partnership*		371	365.12	372	365.42	375	367.03	378	369.06
Public Health*		43	38.42	41	36.03	39	34.42	39	34.70
<b>DCC TOTAL (Including Dorset Waste Partnership &amp; Public Health)</b>		<b>4,066</b>	<b>3,207.22</b>	<b>4,038</b>	<b>3,180.53</b>	<b>4,058</b>	<b>3,198.55</b>	<b>4,038</b>	<b>3,190.79</b>
<p><b>Key:</b> Figures in <b>Red</b> indicate an increase month-on-month; figures in <b>Blue</b> indicate a decrease; figures in <b>Green</b> indicate a decrease in FTE figures.</p> <p>*Support capacity for the Dorset Waste Partnership &amp; Public Health in areas such as HR/Payroll appears</p> <p>**Due to the number of restructurings and reorganisations since 2010, figures for June 2010 are shown in <b>Blue</b>. Further information regarding changes to headcount and FTE figures can be found in the 'Commentary' section.</p>									
Schools - Teaching		2,194	1,862.21	2,198	1,863.03	2,175	1,843.98	2,107	1,789.70
Schools - Support		4,385	1,890.17	4,353	1,883.22	4,344	1,876.58	4,154	1,807.65
<b>SCHOOLS TOTAL</b>		<b>6,579</b>	<b>3,752.38</b>	<b>6,551</b>	<b>3,746.25</b>	<b>6,519</b>	<b>3,720.56</b>	<b>6,261</b>	<b>3,597.35</b>
<b>DCC &amp; SCHOOLS TOTAL</b>		<b>10,645</b>	<b>6,959.60</b>	<b>10,589</b>	<b>6,926.78</b>	<b>10,577</b>	<b>6,919.12</b>	<b>10,299</b>	<b>6,788.14</b>

<b>CONSULTANCY</b>												
	Q1 2015-16	Q2 2015-16	Q3 2015-16	Q4 2015-16	Q1 2016-17	Q2 2016-17	Q3 2016-17	Q4 2016-17	Q1 2017-18	Q2 2017-18	Q3 2017-18	Q4 2017-18
<b>Directorate</b>	£K	£K	£K	£K	£K	£K	£K	£K	£K	£K	£K	£K
Adult & Community	150.4	208.2	91.2	98.4	0.6	20.2	-15.9	73.4	95.84			
Chief Executives & Cabinet Including Corporate Resources	11.9	96.6	241.3	53.6	73.8	261.5	431.4	104.4	24.52			
Childrens Services - non schools budget	89.2	54.6	100.5	192.1	93.6	81.4	158.4	184.2	81.38			
Environment	57.1	239.3	142.1	612.3	279.5	192.3	551.7	218.0	83.43			
<b>Sub total</b>	<b>308.6</b>	<b>598.7</b>	<b>575.1</b>	<b>956.4</b>	<b>447.5</b>	<b>555.4</b>	<b>1,125.6</b>	<b>580.0</b>	<b>285.18</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Dorset Waste Partnership	67.0	17.6	52.5	55.3	8.5	4.8	12.0	18.0	0.92			
Public Health	2.3	31.7	14.4	12.1	29.4	9.0	91.3	30.0	0.00			
<b>Total</b>	<b>377.9</b>	<b>648.0</b>	<b>642.0</b>	<b>1,023.8</b>	<b>485.4</b>	<b>569.2</b>	<b>1,228.9</b>	<b>628.0</b>	<b>286.09</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>AGENCY</b>												
	Q1 2015-16	Q2 2015-16	Q3 2015-16	Q4 2015-16	Q1 2016-17	Q2 2016-17	Q3 2016-17	Q4 2016-17	Q1 2017-18	Q2 2017-18	Q3 2017-18	Q4 2017-18
<b>Directorate</b>	£k	£k	£k	£k	£k	£k	£k	£k	£K	£K	£K	£K
Adult & Community	273.8	226.1	189.8	309.2	264.2	325.9	695.3	524.2	219.84			
Chief Executives & Cabinet Including Corporate Resources	15.5	26.7	63.6	95.3	40.2	67.7	-11.8	49.1	59.83			
Childrens Services - non schools budget	522.5	713.2	597.1	794.2	644.2	938.5	1774.4	1169.7	655.94			
Environment	106.2	143.0	86.2	57.7	89.4	106.6	327.6	122.5	54.54			
<b>Sub total</b>	<b>918.0</b>	<b>1,109.0</b>	<b>936.6</b>	<b>1,256.5</b>	<b>1,038.0</b>	<b>1,438.7</b>	<b>2,785.5</b>	<b>1,865.5</b>	<b>990.15</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Dorset Waste Partnership	582.4	752.4	481.5	574.5	563.6	624.5	1189.4	521.0	518.97			
Public Health	5.8	0.0	0.0	1.8	1.0	27.6	54.8	27.6	0.00			
<b>Total</b>	<b>1,506.2</b>	<b>1,861.4</b>	<b>1,418.1</b>	<b>1,832.7</b>	<b>1,602.6</b>	<b>2,090.8</b>	<b>4,029.7</b>	<b>2,414.1</b>	<b>1509.12</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

# Staffing Committee

**Dorset County Council**



Date of Meeting	13 September 2017
Officer	Head of Organisational Development
<b>Subject of Report</b>	<b>Management of Attendance 2017/18 – Quarter 1</b>
Executive Summary	<p>Sickness rates across DCC have remained relatively unchanged over the last quarter, with a slight increase from 8.35 to 8.44 days absence per fte.</p> <p>The most significant falls in sickness this quarter have been in Adult Care, from 9.51 to 8.54 days. Adult Care were highlighted as an area of focus at the last Staffing Committee. Finance and Procurement have also achieved a significant fall in their sickness absence rates of around 4 days per fte over 12 months. This was due to an additional focus on one team who had very high sickness levels.</p> <p>Dorset Waste Partnership sickness has reduced from 12.9 to 12.18 days absence this quarter. Public Health sickness remains relatively unchanged at 8.07 days and over its target of 4.5 days per fte.</p> <p>Children’s Services reports a rise in sickness in all services, with the exception of Prevention and Partnerships. Similarly, Economy and Environment reports rises in sickness in all services, with the exception of Environment, but remain within their sickness target.</p> <p>The new manager’s sickness reports have been rolled out throughout DCC and will be demonstrated to members at today’s meeting.</p>
Impact Assessment:	<p>Equalities Impact Assessment:</p> <p>No separate EqIA has been conducted / is required although the Council’s policy on the management of attendance is itself subject to EqIA considerations.</p>

**Management of Attendance 2017/18 – Quarter 1 – April to June 2017**

	<p>Use of Evidence:</p> <p>The report is wholly evidence based. Sickness targets have been established on a common basis applicable to all categories and groups of staff.</p> <p>Budget:</p> <p>There are no direct cost implications arising from this report. The rolling 12 month sickness absence figures show an annual cost of £2.449 million for DCC (excluding schools) based on current reporting. This amount does not include the cost of additional temporary staff to provide cover where necessary.</p> <p>Risk Assessment:</p> <p>No specific decision is requested in the relation to this report. The associated risk is low.</p> <p>Other Implications:</p> <p>Not applicable.</p>
<p>Recommendation</p>	<p>It is recommended that Staffing Committee:</p> <ul style="list-style-type: none"> <li>i) Note the new sickness report which uses active (intelligent) data</li> <li>ii) Request a review of the preventative measures DCC adopts to minimise musculoskeletal related absence.</li> </ul>
<p>Reason for Recommendation</p>	<p>To provide a focus for the effective management of attendance within the Council</p>
<p>Appendices</p>	<p>Appendix: DCC Management Dashboard as 1.7.17</p>
<p>Background Papers</p>	<p>None</p>
<p>Officer Contact</p>	<p>Name: Paul Loach, HR Business Partner          Tel: 01305 225189          Email: paul.loach@dorsettcc.gov.uk</p>

## Management of Attendance 2017/18 – Quarter 1 – April to June 2017

### 1. Introduction

- 1.1 This report considers quarter 1 sickness data (April 2017 to Jun 2017) and makes reference to the Council's quarterly and annual sickness data trends.

### 2. DCC sickness absence: a yearly perspective

**Table 1: Sickness absence in DCC for the last year.**

Date	DCC Non Schools (incl. Dorset Waste Partnership (DWP) and Public Health (PH) ) average days lost per full time equivalent (FTE)
June 2016	9.35 *
September 2016	9.53 *
December 2016	9.55 *
March 2017	8.35
<b>June 2017</b>	<b>8.44</b>

**Note:** where indicated \*, the data report parameters included sickness data from leavers. The new sickness reports excluded leaver's sickness absence from March 2017.

### 3. Long Term v Short Term sickness absence within DCC

**Table 2: Long v Short Term Sickness – Q1 2017/18**

Directorate	Pro Rata Days Lost Short Term	Pro Rata Days Lost Long Term
DCC	2,618	3,232
CEX Programme Office	13	0
Environment & Economy	752	832
Finance & Procurement	78	37
Organisational Development	161	140
Public Health	30	32
Children's Services	643	723
Adult & Community Services	583	513
Dorset Waste Partnership	360	954
<b>Grand Total</b>	<b>5,236</b>	<b>6,463</b>

## **Management of Attendance 2017/18 – Quarter 1 – April to June 2017**

- 3.1 Levels of long term sickness continue to exceed short term sickness in most parts of the Council. This differential is more pronounced for the Loaders and Drivers roles in Dorset Waste Partnership
- 3.2 The highest ratios of long term sickness (as compared to short term) are in Dorset Waste Partnership, Children's Services and Environment and Economy
- 3.3 The highest ratios of short term sickness absence (as compared to long term) are in Finance and Procurement.

### **4. Ill health retirements and dismissals**

- 4.1 For the twelve month period ending Q1 2017/18, the Council dismissed 18 staff due to medical incapability plus 5 ill health retirements. This compares with 24 medical incapability dismissals and 4 ill health retirements for the previous twelve month period ending Q4 2016/17. For each individual directorate:-

- Adult and Community Services dismissed 1 due to medical incapability, 3 ill health retirement.
- Children's Services dismissed 6 due to medical incapability, 1 ill health retirement.
- Economy and Environment dismissed 8 due to medical incapability, 1 ill health retirement.
- Chief Executives dismissed 1 due to medical incapability but no ill health retirements.
- Dorset Waste Partnership (DWP) dismissed 2 due to medical incapacity but no ill health retirements.



## Management of Attendance 2017/18 – Quarter 1 – April to June 2017

5. **Table 2: Reasons for sickness absence: (Q1: April 2017 to June 2017).  
All DCC (excl. Tricuro and Schools).**

Sickness Reason	Sickness Cost £ (salary only)	Pro-Rata Days lost per FTE
ANXIETY/DEPRESSION	55,266	648
CANCERS/TUMOURS	17,102	224
CARDIOVASCULAR	17,957	171
CARPAL TUNNEL SYNDROME	3,316	61
DIGESTIVE SYSTEM	64,022	770
EAR,NOSE, THROAT	31,688	385
ENDOCRINE/GLANDULAR	1,171	18
FROZEN SHOULDER	474	5
INFECTIOUS DISEASES	4,204	52
MISCELLANEOUS	3,763	50
NECK/BACK PROBLEMS	41,844	459
NERVOUS SYSTEM	20,786	287
OTHER MENTAL HEALTH	6,569	94
OTHER MUSCLOSKELETAL	74,717	955
REPRODUCTIVE AND URINARY	23,219	275
RESPIRATORY	30,140	344
RHEUMATISM/ARTHRITIS	1,759	26
RSI/UPPER LIMB DISORDERS	1,183	17
SKIN RELATED	1,863	29
STRAINS/SPRAINS	12,216	158
STRESS	83,397	825
<b>Grand Total</b>	<b>496,658</b>	<b>5,850</b>

The costs of absence depends on the salary levels of absent employees during the quarter.

6. Area of Focus: Musculoskeletal related sickness

**Table 3: Musculoskeletal sickness absence by Directorate: July 2016 – June 2017 (excluding Tricuro)**

Directorate	Sum Pro Rata days lost pa	Sum Pro rata days lost pa (short term only)	Sum of Pro Rata days lost pa (long term only)	Sum of Sickness Cost pa
Adult & Community Services	452	109	343	39,780
Chief Executive	12	12	0	771
Chief Executive 1	6	6	0	336
Children's Services	1,206	269	937	117,535
Dorset Waste Partnership	1,328	306	1,021	90,531
Environment & Economy	978	325	654	64,853
Finance & Procurement	41	15	26	2,856
Organisational Development	149	66	82	12,833
Public Health	1	0	1	75
<b>Grand Total</b>	<b>4,173</b>	<b>1,109</b>	<b>3,064</b>	<b>329,569</b>

**Table 4: “Other Musculoskeletal” sickness absence ranked highest by role: July 2016 – June 2017 (excluding Tricuro)**

Role	Pro-rata days lost
DWP Loader	603
DWP Driver	293
Social Worker	172
Childcare Supervisor	170
Locality Worker	134
Passenger Assistant	132

- 6.2 Musculoskeletal related absence continues to be the second highest single reason for absence, other than mental health related absence. Predictably, this absence type is more prevalent in roles which involve lifting, moving and handling; for example DWP and the caring professions.
- 6.3 DCC runs an extensive programme of lifting and handling training. In addition, lifting and handling is promoted in induction and regular health and safety briefings.
- 6.4 Musculoskeletal related absence is one of the top three reasons for absence in nearly all other local authorities. It's timely however to review the data with Occupational Health and local managers with a view to making changes where needed. Further details will follow in a future report.

**7. Update on previous area of focus: Pensions**

- 7.1 In the Staffing Committee Report of May 2017, Pensions were highlighted as a service with high sickness levels throughout the structure, with an average of 14.27 days sickness per annum. This is almost three times higher than the average for office based roles.

Since that time, there have been changes in staffing and sickness has dropped by 30% in three months. Further monitoring is required to ensure sickness continues to fall and employees are making use of the range of wellbeing services that are available.

**8. Organisational initiatives to reduce sickness absence**

- 8.1 The active data reporting software was reported in the previous Staffing Committee paper and will be demonstrated at this Staffing Committee meeting. These new reports have been designed by ICT after extensive consultation with managers and Human Resources and Organisational Development (HR+OD).

- 8.2 A brief resume of the active data reporting software is reported below:-

The newly designed reports move away from “passive data”, i.e. reports which require managers to choose to run, to “active data”. Active data is data which presents itself to managers when they first access their dashboard, without needing to run any reports. This data is tailored to their team, and the actions that managers need to take today or in coming days. For example:-

- John Smith, Admin Assistant, needs to supply a doctors fit note from next Monday.
- Mary Williams return to work interview is overdue.
- A manager has three employees who have hit sickness trigger points.

- 8.3 In addition, a new range of reports have been designed including:-

- Analysis of sickness by day of the week (to recognise patterns in absence, such as Monday / Friday absences)
- Senior Managers can also view each team’s sickness by reason, team, triggers and cost at a touch of a button.

**9. Comment / Observation**

- 9.1 There has been considerable investment in data reports to enable managers to run intelligent sickness reports at a touch of the button. In addition, HR policies have been simplified and a comprehensive management training programme has been implemented.

- 9.2 The culture of the organisation has changed with positive results. When a manager contacts HR+OD for advice on managing a sickness situation, each decision option is explored together with their pros and cons. The manager then makes a decision on the employment situation which they consider to be right in the circumstances, but remains compliant with legislation. This coaching approach has been in place for the

## **Management of Attendance 2017/18 – Quarter 1 – April to June 2017**

last few years and is a marked shift from a stereotypical council risk averse culture. As a result, managers have grown in confidence in managing sickness.

- 9.3 It remains the case that some managers are less pro-active in managing sickness absence than others. The reasons for this variation is varied. Managers of smaller teams may rarely need to formally manage sickness, whereas absence management is a regular occurrence for other managers. Some managers feel uncomfortable and are initially reticent to have difficult conversations with their team member. There is a learning curve to go through, where confidence is gained as they manage more and more absence cases.
- 9.4 A key to reducing absence is the early and considered intervention by managers, coupled with the promotion of our Occupational Health and Wellbeing offer. HR+OD will continue to promote early intervention and wellbeing, but the manager's role remains first and central to absence reduction.

Jonathan Mair  
**Head of Organisational Development**

September 2017

## HIGH LEVEL - DCC Management Dashboard as of 1.7.17

Organisation	Manager	RTW Interviews	RTW Interviews %	Sickness Days Lost	Headcount FTE	Sickness Days Lost Per FTE 1.7.17	Sickness Days Lost Per FTE 1.4.17	Direction of Travel	Sickness Days Lost Target
DCC	Mrs Deborah Ward	4220	70%	26235.16	3108.16	<b>8.44</b>	8.35	↑	7.16
Adult & Community Services	<Vacant Position> / Ms Helen Coombes	1050	80%	5349.13	648.36	<b>8.25</b>	8.47	↓	7.11
Adult Care	Mr Harry Capron	614	80%	3039.01	355.84	<b>8.54</b>	9.51	↓	7.75
Business Development and Performance	Mrs Sally Longman	48	81%	287.12	30.29	<b>9.48</b>	7.09	↑	7.11
Commissioning - Adult Care and Carers	Mr Nigel Harvey-Whitten	28	90%	77	19.81	<b>3.89</b>	4.95	↓	7.11
Commissioning-LD, MH, Housing & Prevent	<Vacant Position>	2	50%	9	5.43	<b>1.66</b>	1	↑	7.11
Early Help & Community Services	Mr Paul Leivers	311	78%	1599.45	201.13	<b>7.95</b>	7.16	↑	5.5
Safeguarding and Quality	Mrs Sally Wernick	43	88%	318.98	33.53	<b>9.51</b>	10.31	↓	7.11
Children's Services	Ms Sara Tough	1133	72%	7555.8	840.13	<b>8.99</b>	8.76	↑	6.75
Care and Protection	Mrs Vanessa Glenn	479	65%	4124.63	374.25	<b>11.02</b>	10.12	↑	7.5
Design & Development	Mr Patrick Myers	337	73%	2068.48	244.93	<b>8.45</b>	6.71	↑	6
Prevention & Partnerships	<Vacant Position> / Mr Jay Mercer	317	84%	1311.69	218.72	<b>6.00</b>	7.99	↓	6.5
Dorset Waste Partnership	Ms Karyn Punchedard	499	71%	4496.33	369.05	<b>12.18</b>	12.9	↓	9.74
Finance and Commercial	Mr Paul Ackrill	21	100%	76.26	9.81	<b>7.77</b>	8.33	↓	9.74
Operations	Mr Michael Moon / Mr Tegwyn Jones	423	68%	4216.13	324.09	<b>13.01</b>	13.7	↓	9.74
Strategy	Mrs Gemma Clinton	54	95%	200.94	33.15	<b>6.06</b>	5.93	↑	9.74
Environment & Economy	Mr Michael Harries	1056	57%	7107.95	958	<b>7.42</b>	7.04	↑	7.65
Business Improvement Team	Mr Derek Hansford / Mrs Zoe Schofield	7	88%	50	3.62	<b>13.81</b>	11.5	↑	4.5
Dorset Highways	Mr Andrew Martin	291	60%	1948.39	276.05	<b>7.06</b>	5.96	↑	7
Economy	Mr Matthew Piles	263	38%	3332.9	277.71	<b>12.00</b>	11.45	↑	7
Environment	Mr Peter Moore	180	59%	750.33	208.26	<b>3.60</b>	4.02	↓	7
ICT and Customer Services	Mr Richard Pascoe	315	88%	1026.33	190.36	<b>5.39</b>	5.16	↑	4.25
Finance & Procurement	Mr Richard Bates	76	68%	342.28	65.48	<b>5.23</b>	6.82	↓	7
Financial Services	Mr William Mcmanus	76	68%	342.28	63.85	<b>5.36</b>	6.89	↓	7
Organisational Development	Mr Jonathan Mair	313	95%	968.58	148.17	<b>6.54</b>	5.32	↑	5
Democratic Services	Mr Lee Gallagher	31	97%	82.13	10.47	<b>7.84</b>	8.14	↓	5
Governance & Assurance Services	Mr Mark Taylor	10	77%	130.68	7.95	<b>16.44</b>	8.57	↑	4.5
HR Operations	Mr Christopher Matthews	168	98%	350.05	63.49	<b>5.51</b>	n/a *	n/a *	5
HR Specialist Services	Mrs Sheralyn Huntingford	51	91%	190.04	33.94	<b>5.60</b>	n/a *	n/a *	5.75
Legal Services	Miss Grace Evans	52	91%	213.68	30.37	<b>7.04</b>	5.47	↑	5
Programme	Mr Darran Gunter	50	89%	132.08	41.52	<b>3.18</b>	n/a *	n/a *	7.16
Corporate Development	Mrs Karen Andrews	50	89%	132.08	40.98	<b>3.22</b>	3.98	↓	7.16
Public Health	Doctor David Phillips	43	70%	280.01	34.69	<b>8.07</b>	8.11	↓	4.5
Healthcare Public Health & Bournemouth	Mr Sam Crowe	6	67%	17.78	12.06	<b>1.47</b>	1.75	↓	4.5
Office Management Team	Doctor Nicola Cleave	29	81%	113.56	13.79	<b>8.23</b>	10.53	↓	4.5
Sexual Health and Poole	Miss Sophia Callaghan	8	89%	40.67	5.09	<b>7.99</b>	8.8	↓	4.5

NOTE: where n/a\* is stated, the service has new reporting arrangements. As such, there is no data history for comparison purposes

Data extracted from DES on 01/07/2017

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# Staffing Committee

**Dorset County Council**



Date of Meeting	13 September 2017
Officer	Head of Organisational Development
<b>Subject of Report</b>	<b>Alcohol and Substance Misuse Policy</b>
Executive Summary	<p>At its meeting in January 2017, Staffing Committee agreed to introduce alcohol and substance misuse testing subject to completing Trade Union (TU) consultation and the receipt of professional advice. These actions have now been completed.</p> <p>The purpose of this paper is therefore to:-</p> <ul style="list-style-type: none"> <li>* update Staffing Committee on advice and consultations</li> <li>* present the revised policy for formal approval</li> </ul>
Impact Assessment:	<p><b>Equalities Impact Assessment:</b></p> <p>An EqIA has been completed and is attached as part of the January report, at Appendix 2.</p>
	<p><b>Use of Evidence:</b></p> <p>The policy has been updated based on a range of evidence including TU consultation, professional advice from Synlab, Chartered Institute of Personnel and Development (CIPD), Trade Union Congress (TUC) and Health and Safety colleagues.</p>
	<p><b>Budget:</b></p> <p>Estimated costs of testing were presented to the Staffing Committee in January. The costs will be met by the relevant Directorate.</p>

	<p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as:</p> <p>Current Risk: LOW Residual Risk LOW</p>
	<p>Other Implications:</p> <p>None.</p>
<p>Recommendation</p>	<p>It is recommend that the Staffing Committee approves the revised policy to take effect from 1 November 2017.</p>
<p>Reason for Recommendation</p>	<p>The Staffing Committee oversee matters relating to staff terms and conditions and people management policies.</p>
<p>Appendices</p>	<p>Appendix 1 – Revised Alcohol and Substance Misuse Policy Appendix 2 – January 2017 report to the Staffing Committee</p>
<p>Background Papers</p>	<p>None</p>
<p>Officer Contact</p>	<p>Name: Paul Loach, HR &amp; OD Business Partner Tel: 01305 225189 Email: <a href="mailto:paul.loach@dorsetcc.gov.uk">paul.loach@dorsetcc.gov.uk</a></p>



## **1. Introduction**

- 1.1 At its meeting in January 2017, Staffing Committee approved the testing for alcohol and substance misuse in specific roles and situations in DCC. This authority was subject to DCC completing TU consultation and following professional advice. The consultation process has taken several months and is now complete.
- 1.2 The January Staffing Committee report outlining the rationale for introducing testing is attached at Appendix 2.
- 1.3 A revised alcohol and substance misuse policy is attached for your consideration and approval at Appendix 1. The revised policy takes account of work that has been undertaken since January including:
- Consultation with the TU and managers of staff in safety critical roles
  - Appointment of an accredited testing laboratory, Synlab, to undertake the testing in accordance with their established procedures
  - Initial training for managers of those in safety critical roles as well as TU representatives (provided by Synlab).
- 1.4 The revised policy provides clarification on:
- Expectations of employees
  - The emphasis on encouraging employees with a problem to seek help
  - The council's aim to support employees who are dependent on alcohol and/or other substances as far as is practicable
  - The council's legal responsibilities, particularly in relation to health and safety
  - The difference between 'random testing' and when testing may take place based on 'due cause'

## **2. Trade Union Views**

- 2.1 DCC has scheduled monthly meetings with TUs at our Green Book and Soulbury Group meetings. The Alcohol and Substance Misuse Policy has been discussed with unions as a specific agenda item on seven separate occasions from September 16 to August 2017).
- 2.2 A summary of the TU's concerns and DCC responses are provided below:-
- TUs requested that any testing company is accredited to UK standards. DCC confirmed that Synlab is an accredited and leading UK laboratory and testing company.
  - TUs requested DCC provides support and advice to any employee who may have a drug or alcohol dependency. DCC confirmed it can offer advice and support, both within DCC and externally. More specifically, internally via Occupational Health, HR & Wellbeing and Live Well Dorset. Externally via two local organisations, EDP and CADAS.
  - TUs requested that DCC's policy and practice complies with the TUC advice on drug and alcohol testing in the workplace. DCC agreed to this request. This covers areas such as objective selection for testing and the right to have

another accredited laboratory independently analyse a sample. In addition, the provision of assistance to individuals to help them overcome any addiction issues.

- DCC will continue will take the opportunity to review the implementation of testing after a year of operation. We will invite discussions with unions and will subsequently update staffing committee.
- Anonymised testing data will be shared with unions to allow a shared knowledge of situations involving positive tests
- The process will be carried out in a spirit of consultation and shared learning, with the shared aim of promoting health, safety and wellbeing.

### **3. Next Steps**

3.1 The focus of the revised policy is to provide for employees who wish to come forward for help with a drug or alcohol problem. Subject to agreement of the policy amendments, a focussed communications plan will follow for all staff, particularly those in safety critical roles who would be subject to random testing. Communications will include:

- Targeted briefings to staff in safety critical roles; these are the employees whose roles will be subject to random testing.
- Information on sources of help and advice
- General communication to all staff via the all staff e-newsletter, the manager e-newsletter and a front page news item on Sharepoint
- Managers will ensure that all staff are aware of the revised policy
- The revised policy and a guidance on Sharepoint will be published in Sharepoint.

3.2 If approved, the revised policy will take effect from 1 November 2017 when random testing will commence for safety critical roles.

**Jonathan Mair**  
Head of Organisational Development

13 September 2017

## **Alcohol and Substance Misuse Policy**

### **1. Introduction**

- 1.1. This policy aims to help raise awareness of the dangers of alcohol and substance misuse and encourage those with a problem to seek help.
- 1.2. The council recognises the importance of early identification and treatment and will aim to support employees who are dependent on alcohol and/or other substances as far as is practicable. The expectation being that every effort is being made by the employee to reduce their dependency.
- 1.3. The council also recognises that alcohol and substance misuse can have a detrimental effect on work performance and behaviour and is a health and safety consideration.
- 1.4. The council has a responsibility to ensure that employees' use of either alcohol or other substances will not impair its safe and efficient running or the health, safety and welfare of its workers, customers and visitors. This includes legal responsibilities under:
  - the Health and Safety at Work Act 1974 to provide a safe and healthy working environment
  - the Misuse of Drugs Act 1971, which makes it a criminal offence for illegal drugs to be knowingly used, kept or supplied on any of the organisation's premises and for any such activities to be ignored.
- 1.5. This policy should be read in conjunction with the council's Driving at Work Policy which requires drivers to comply with the Highway Code, including not driving under the influence of alcohol, drugs or any medication that may adversely impact on the ability to drive.

### **2. Scope**

- 2.1. This policy and guidance applies to all council employees including DWP but excluding school based employees.
- 2.2. The council's testing procedure and protocol is intended to cover any persons who may undertake safety critical roles on council business including third party contractors, agency workers and volunteers.
- 2.3. While the scope of this policy does not extend to an individual's own time, employees are reminded that they need to be fully able to undertake the duties of their post without any limitations due to the use or after effects of alcohol or other substances. This may include, but is not limited to:
  - fitness to drive safely;
  - operation of machinery;
  - care of vulnerable individuals or
  - other roles which may have a significant impact on the safety of others.

Employees who undertake standby or out of hours duties need to be particularly mindful of this and ensure they are fully fit to work if required to do so at short notice.

- 2.4. Where there is an impact on the safeguarding of children or vulnerable adults, the managing allegations guidance must be followed in conjunction with this policy.
- 2.5. This policy has been developed in consultation with the council's recognised Green Book and Soulbury trade unions.

### **3. Definitions**

- 3.1. For the purposes of this policy, dependency is defined as a mental or physical reliance on alcohol and/or other substances and its withdrawal would result in distress for the individual. Dependency would need to be diagnosed by a Medical Practitioner.
- 3.2. Substance misuse for the purposes of this policy is defined as the taking of illegal drugs, the misuse of prescription and 'over the counter' medication or misuse of products with the express intention of causing an altered state of functioning, including psychoactive substances as defined in the Psychoactive Substances Act 2016 ("legal highs"), aerosols, solvents or lighter fuel.
- 3.3. For the purposes of this policy 'random testing' is defined as "the unscheduled, unannounced drug testing of randomly selected employees by a process designed to ensure that selections are made in a non-discriminatory manner."
- 3.4. For the purposes of this policy 'due cause' is defined as having reasonable belief that an employee is under the influence of alcohol or is misusing substances based on observation of patterns of behaviour that suggest such influence, or when the employee has been involved in an accident at work.

### **4. Key Principles**

- 4.1. When an employee seeks help, the matter will be treated in a confidential manner. An employee may choose to contact DCC Occupational Health or Wellbeing for advice and support. Live Well Dorset are also able to offer alcohol reduction advice and can signpost individuals to external local services such as EDP Drug and Alcohol Services or CADAS (Community Alcohol and Drug Advisory Service).
- 4.2. When an employee acknowledges and is diagnosed with a dependency problem with either alcohol or substance misuse, the council will give them every reasonable support and encouragement to seek treatment.
- 4.3. When an employee's use of alcohol or substance misuse leads to conduct or capability concerns, including if a member of staff is unfit for work, an identified dependency problem will be taken into account when determining disciplinary or capability action.
- 4.4. The council's approach towards alcohol and substance misuse is one of prevention and supporting rehabilitation. There are however situations where formal disciplinary or capability proceedings may be taken in accordance with the Councils Disciplinary and Capability procedures. Examples of which may include, but are not limited to:-
  - Inability to fulfil working duties, including stand-by and call out, due to alcohol, drugs or substance misuse

- A failure to inform the DVLA where required to do so, about any substances or medication, including prescription or 'over the counter' medication
- For safety critical roles, a failure to inform the relevant manager when taking any medication, including prescription or 'over the counter' medication, which could affect the safe or effective operation of duties
- A refusal to provide a sample for testing
- Failure to cooperate in an initial or ongoing referral or treatment, where there are conduct or capability concerns arising from an identified dependency problem
- Being in possession of illegal drugs or substances on council premises
- Where there is a positive test result for alcohol, drugs or substance misuse in relation to an individual. (A positive test result is not the same as a non-negative test result, which is one that requires further investigation and analysis)

An investigation will determine whether or not formal disciplinary or capability action is required. If formal action is required, the Council may decide to apply any sanction which could range from informal action, through to summary dismissal (and all stages in between).

- 4.5. It is the employee or contractor's responsibility to ensure their medication and dosage does not result in a health or safety risk. Advice can be sought from Occupational Health or General Practitioner (GP) or Pharmacist if unsure.
- 4.6. People managers are responsible for ensuring that this policy is clearly communicated. They are expected to deal promptly and sensitively with matters relating to alcohol or substance misuse and to provide details of sources of help.
- 4.7. The council will undertake random alcohol or drug testing for certain safety critical roles. These roles are as identified by Directors on the basis of risk assessment in order to support the council's compliance with relevant health and safety legislation. Employees will be made aware if their role is identified as safety critical. Testing will only take place in accordance with the council's testing procedure and protocol. Specific testing may also be carried out where there is due cause.
- 4.8. No samples will be taken without the informed consent of the person and never under duress.
- 4.9. Anyone who tests positive has the right of appeal. The Council will also encourage TU representation at any appeal.
- 4.10. The policy and the testing procedure and protocol will at all times be applied in accordance with the council's diversity policy, which states:

"The county council is committed to diversity and equality of opportunity so that no employee or potential employee will be subject to unlawful or unfair discrimination because of gender, age, marital or civil partnership status, colour, race, nationality, or other ethnic or national origin, religion or belief, disability, sexual orientation, gender reassignment, pregnancy or maternity, criminal background, membership or non-membership of a trades union or political beliefs".

- 4.11. The Council encourages any employee who may have a dependency on drugs, alcohol, prescription medication or other substances to seek advice and support at the earliest opportunity. Should the individual be working in a safety critical role, this disclosure must be made to Wellbeing, HR or Occupational Health without delay. The individual will then not be able to continue any safety critical aspect of their role and a discussion will take place to explore alternative duties.

## **5. Testing**

- 5.1. Testing for alcohol or other substances will be carried out in accordance with the council's testing procedure and protocol. All drug tests will be carried out by a laboratory accredited by the UK accreditation service.

## **6. Policy Review**

- 6.1. This policy will be subject to review on a periodic basis.

# Staffing Committee

**Dorset County Council**



Date of Meeting	30 January 2017
Officer	Head of Human Resources and Organisational Development
<b>Subject of Report</b>	<b>Revision to Alcohol, Drugs and Substance Misuse Policy</b>
Executive Summary	<p>The original alcohol and substance misuse policy was introduced in 2003.</p> <p>Since that time there's been a marked shift in the types of drugs and substances available coupled with a change in legislation. The development of improved drug testing technology preceded an increase in the number of drug driving offences recorded in the UK.</p> <p>DCC employs a small but significant number of people in safety critical roles, including winter gritter drivers, HGV drivers, road workers and arboriculturalists (tree surgeons who use chainsaws). We have a legal duty of care both to employees and the public to ensure that we operate our services safely.</p> <p>The Glasgow bin lorry incident reminds us of the devastating impact that can occur when attention isn't given to driver's health and wellbeing. DCC wishes to introduce alcohol, drugs and substance misuse testing in a proportionate, fair and supportive way. The aim being to prevent injury and assist individuals to make healthier life choices, rather than the primary focus being punitive. This stated our first priority will always be the protection of employees and public.</p> <p>DCC are working with industry experts in the implementation of the policy, including Occupational Health, Public Health, Trade Unions, Health and Safety, an Accredited external testing company as well as advice from other councils who have implemented a testing process.</p> <p>We wish to seek Staffing Committee approval for DCC to introduce testing for alcohol, drugs or misuse of substances in specific circumstances. If agreed, we will continue to consult with unions on the plans for implementation.</p>
Impact Assessment:	<p>Equalities Impact Assessment:</p> <p>An EQIA is included as Appendix 1, pending approval by the Directorate Equality Group</p>

	<p>Use of Evidence:</p> <p>Sources: Automobile Association, Edmund King OBE, AA President CIPD report “managing drug and alcohol use at work” Freedom of information request, BBC, 2016 THINK! Department of Transport. Legislation: Psychoactive Substances Act 2016</p>
	<p>Budget: Estimated cost for Environment and Economy is between £2k and £4k per annum. Estimated cost for DWP is £3 to £5k per annum. The costs will be met by the relevant Directorate. The final costs will depend on the type and number of tests undertaken.</p>
	<p>Risk Assessment:</p> <p>Current Risk: LOW Residual Risk LOW / VERY LOW (i.e. reflecting the recommendations in this report and mitigating actions proposed)</p>
	<p>Other Implications: Not applicable.</p>
Recommendation	<p>It is recommended that Staffing Committee:</p> <ul style="list-style-type: none"> <li>i) notes the legislative and societal reasons for introducing testing</li> <li>ii) agrees to introduce alcohol, drugs and substance misuse testing subject to completing Trade Union consultation and following professional advice</li> <li>iii) requests a revised alcohol and substance misuse policy is brought to Staffing Committee for approval</li> <li>iv) requests a review paper is brought to Staffing Committee 12 months post implementation.</li> </ul>
Reason for Recommendation	<p>To promote a healthy and safe working environment and to protect the public from harm</p>
Appendices	<p>Appendix 1: Equality Impact Assessment</p>
Background Papers	<p>None</p>
Report Originator and Contact	<p>Name: Paul Loach, HR Business Partner Tel: 01305 225189 Email: paul.loach@dorsetcc.gov.uk</p>

Sheralyn Huntingford

**Head of Human Resources and Organisational Development**

January 2017



## 1. Introduction

- 1.1 The original drugs and substance misuse policy was approved by Staffing Committee in 2003. A revised policy is being prepared to reflect societal and legislative changes in relation to drugs and substance abuse
- 1.2 The revised policy wishes to introduce the option of drug and alcohol testing in certain circumstances, subject to agreed procedures and protocols.

## 2. Reasons for review of the existing policy

### 2.1 Drug driving in the UK

- 2.1.1 There were almost 8,000 arrests last year for drug driving in England and Wales. The statistics from 35 of the 43 police forces showed that 7,796 people were arrested between March 2015 and April 2016.
- 2.1.2 The Automobile Association reports there are around 200 drug-related deaths on our roads each year but believe the figure is much higher as victims aren't always routinely checked for drugs after crashes.
- 2.1.3 Research conducted by THINK! has revealed that more than half of those who admitted to driving under the influence of illegal drugs said they felt safe behind the wheel.
- 2.1.4 In 2015 new legislation was introduced to allow police officers to test drivers for traces of drugs for the first time. Officers no longer have to prove a driver was too impaired to drive, only that they had an illegal level of drugs in their system.

### 2.2 Drink Driving in the UK

- 2.2.1 In the last 50 years road casualties caused by drink driving have fallen dramatically, but in 2014, there were still 240 deaths due to drink driving, accounting for 14% of all road fatalities.

## 3. Proposed changes to DCC's Alcohol and Substance Abuse Policy

- 3.1 The purpose of the policy is to improve health and wellbeing amongst our staff and protect people from harm. The main policy revision is to enable DCC to test for alcohol or drug misuse in specific circumstances. We propose that employees will be eligible to random or specific testing where:
  - they are employed in a safety critical role or
  - there is suspicion or reports of alcohol and drugs misuse or
  - there has been an accident or near miss

#### 4. Types of Testing

- 4.1 **Random Testing.** Applies to safety critical roles. The locations and number of employees are randomly selected for drug and/or alcohol testing periodically.
- 4.2 **Specific Testing.** Applies where an individual is suspected of being under the influence of drugs or alcohol, or in a post-incident situation. HR advice will be sought before any specific testing is agreed.

#### 5. Other organisations approaches to testing

- 5.1 The CIPD report “managing Drug and Alcohol Use at work” states that the majority of “safety critical” organisations carry out testing for drug and alcohol misuse, but testing is much less prevalent in non-safety critical organisations.
- 5.2 A number of local authorities have already, or are in the process of introducing drug and alcohol testing in the workplace including Barnsley BC, Calderdale BC, Wrexham Council, East Riding of Yorkshire Council.
- 5.3 Our Occupational Health lead has been in contact with Calderdale Council who has shared their experience and learnings in the implementation of their testing process.

#### 6. Safeguards and sensitivities

##### 6.1 Approach

- 6.1.1 Occupational Health will continue to assist any employee who has notified us of a dependency on drugs, alcohol or other substance misuse. Occupational Health will signpost individuals to professional help and support groups with the aim of assisting them in their recovery. An employee in a safety critical role will not be permitted to carry out any safety critical tasks until advised by Occupational Health that they are fit to do so.
- 6.1.2 DCC will seek to find alternative duties or redeploy during a period of treatment where practicable. This stated, a high quality of service needs to be maintained and any temporary changes to duties will be subject to review by the Manager, Occupational Health and HR & OD. In situations where an employee in a safety critical role has tested positive for drugs, alcohol or substance misuse, the organisation will signpost the individual to professional support but will also consider the matter under the disciplinary procedure.

## 6.2 Training and Awareness

- 6.2.1 Prior to the introduction of testing, an awareness programme will be carried out to inform managers and employees of the risk of drug and alcohol abuse and promote health and wellbeing.
- 6.2.2 Any employee whose role is designated as “safety critical” will be informed that their role will be subject to random testing. A communications campaign will inform all employees of the possibility of the organisation requesting specific testing only in situations outlined in paragraph 4.

## 6.3 Fairness and Dignity

- 6.3.1 Fairness in the allocation of random tests is key to the credibility of the exercise. The method of allocating random tests and practicalities of carrying out the tests will be reviewed by Trade Union colleagues. One option is for the drug testing company to schedule the tests based on DCC’s list of safety critical roles without the council’s involvement, thereby maintaining objectivity. In applying the testing process, DCC will always seek to protect the privacy and dignity of all involved.

## 6.4 DCC Safety Critical Roles

- 6.4.1 The organisation is carrying out an audit to determine which of its roles are deemed “safety critical”. The audit is subject to discussion with Trade Unions, but roles will include drivers of winter gritter lorries, HGV drivers, users of heavy machinery (e.g. chain saws). We propose to introduce random drugs and alcohol testing for these roles to ensure our employees are safe from harm to themselves, colleagues and the public. We foresee the majority of safety critical roles will fall within the Environment and Economy Directorate and Dorset Waste Partnership, but the definite list will be subject to union consultation.

## 6.5 A Learning Approach

- 6.5.1 A learning from other organisations who have recently implemented drug and alcohol testing is that adjustments will be required after implementation. As our understanding develops, new questions will arise about consistency of testing between roles throughout the organisation. For these reasons the programme will be subject to regular discussion with Directorates and Trade Unions and a post-implementation review paper will be brought to Staffing Committee.

## 7. Consultation

- 7.1 The organisation has placed great importance on seeking the views and expertise of others prior to embarking on this exercise. Of particular importance is the role of Trade Unions in developing our policy and approach. The unions have helpfully provided DCC with the TUC guidance on drug and alcohol policy which has guided our approach.

- 7.2 Further consultation on the detailed testing procedure and implementation plan is planned.

## **8. Specialist Advice**

- 8.1 We are grateful to colleagues in Occupational Health, Public Health and Health and Safety who are advising us on the development and implementation of the initiative. Calderdale Council have been very helpful in sharing their learning and experiences in introducing testing with us.

## **9. Testing Provider: External Company or DCC Resource?**

- 9.1 After seeking advice from other organisations, it is clear that the introduction of a drug and alcohol testing requires considerable specialist expertise, especially in relation to testing arrangements and equipment. The protocols on how the testing is carried out, the reliability of the tests and the calibration of the testing equipment means that an external provider is the best option. The random testing of safety critical roles affects a relatively small number of roles within DCC, so there isn't the economy of scale to manage the initiative in-house.

- 9.2 DCC will use a testing laboratory who are accredited by The United Kingdom Accreditation Service (UKAS) to the International Standard ISO 17025 for Drugs of Abuse Testing.

## **10. Timescale:**

- 10.1 Subject to Staffing Committee approving the option of testing, we will continue in consultation with Trade Unions and commence a pre-implementation employee awareness programme. Our aim is to commence testing in Summer 2017.

## **11. Recommendation**

- 11.1 Notes the legislative and societal reasons for introducing testing
- 11.2 Agrees to introduce alcohol, drugs and substance misuse testing subject to completing Trade Union consultation and following professional advice
- 11.3 Requests a revised alcohol and substance misuse policy is brought to Staffing Committee for approval
- 11.4 Requests a review paper is brought to Staffing Committee 12 months post implementation.

# Equality Impact Assessment – Screening Form

**Service:** DCC excluding schools, including DWP

**Title of Strategy, policy, project or service:** Revised Drugs and Alcohol Policy

**Type of Strategy (select as appropriate)**

- |                          |  |
|--------------------------|--|
| Existing:                | <input type="checkbox"/>                   |
| New/proposed:            | <input checked="" type="checkbox"/>        |
| Changing/Update/revision | <input type="checkbox"/>                   |
| Other                    | <input type="checkbox"/> please list below |
- 

**Officers Involved in the Screening:**

Paul Loach, HR Business Partner

**1. What is the aim of your strategy, policy, project or service?**

To protect the public and employees from harm, and promote health and wellbeing by introducing a revised drug and alcohol policy.

The policy will allow the testing for drugs and alcohol of employees, contractors and workers in specific circumstances under agreed protocols.

The impact of the testing will be mainly limited to roles which are deemed “safety critical” (e.g. hgv drivers, heavy machinery users). The list of safety critical roles is being finalised, but we envisage the majority of roles will be in DWP or Environment and Economy.

The specific types of testing will be:-

**Random Testing Policy:** These are only for safety critical roles. This means that sites and a number of employees are randomly selected for drug and/or alcohol testing periodically.

**Specific Testing (safety critical role).** This is directed at an individual who is under suspicion of drugs or alcohol misuse, or in post-incident situation.

**Specific Testing (non safety critical role).** Specific testing of an individual in a non-safety critical role will only be initiated by a manager where an employee repeatedly gives cause for concern and the manager believes this is due to drug or alcohol misuse. In addition the employee's manager should observe the employee for indications of misuse and seek HR advice before any specific testing is agreed.

Occupational Health will continue to assist any employee who has notified us of a dependency on drugs, alcohol or substance misuse. We signpost individuals to professional help and support groups and assist them in their recovery. If any such employee is in a safety critical role, they will not be permitted to carry out such tasks, and we will allocate other duties.

Prior to the introduction of testing, an awareness programme will be carried out to inform managers and employees of the risk of drug and alcohol abuse, and to encourage health and wellbeing. Employees will be encouraged to seek assistance via Occupational Health, or any alcohol or drug related concern prior to the commencement of testing.

Any employee whose role is designated as safety critical will be informed that their role will be subject to random testing.

Fairness in the allocation of random tests for an employee is key for the credibility of the exercise. The method of allocating random tests will be agreed and reviewed by Trade union colleagues. The practicalities of carrying out the tests will also be subject to Trade Union consultation, and we will protect the privacy and dignity of all involved in the testing process.

DCC will use a testing laboratory who are accredited by The United Kingdom Accreditation Service (UKAS) to the International Standard ISO 17025 for Drugs of Abuse Testing.

## **2. Who will it impact upon (For example, service users, visitors, staff members)**

This will protect all users of Dorset roads, service users, visitors and staff. The health and wellbeing aspect will impact mainly on safety critical roles, but we are hoping to have a wider impact as a result of the awareness programme.

### **a). Does or could the service, strategy, policy, project or change have an impact upon the following:**

Protected characteristic	Positive impact	Negative impact	Neutral impact	Unclear
Age	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender Identity	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race and Ethnicity	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or Belief	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups (Carers, rural isolation, low income, armed forces personnel))	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Does this have any impact on the workforce in relation to the following:

Protected characteristic	Positive impact	Negative impact	Neutral impact	Unclear
Age	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender Identity	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and Maternity	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or Belief	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sexual Orientation	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups (Carers, rural isolation, low income, armed forces personnel)	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**4. If your answers to Q3 and 4 are mostly 'negative' or 'unclear', you need to consider a full EqlA. If you do not intend to carry out one, please explain why:**

The impact of the exercise is to promote positive health and wellbeing throughout DCC. Similar to other parts of society DCC has employees who struggle with drug and alcohol dependency, and we expect that more employees will come to Occupational Health for advice and support as a result of the initiative.

The majority of safety critical roles in EE and DWP are held by men and this group will therefore be more likely to be tested than women. There is also a possibility that some employees may hide their dependency and then be subject to disciplinary action upon a confirmed positive test, but our intention is prevention not punitive.

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Agenda Item:

# Staffing Committee

## Insert Item No.

**Dorset County Council**



Date of Meeting	13 September 2017
Officer	Head of Organisational Development
Subject of Report	<b>Local Government Pension Scheme (LGPS) Employer Discretions</b>
Executive Summary	<p>LGPS pension regulations allow the employer discretion to make decisions on certain aspects of payment of benefits. As an LGPS employer, the council is required to publish and keep under review a statement of policy in relation to these discretions.</p> <p>The discretions cover a range of areas including, for example, whether the council will fund any Additional Pension Contribution arrangement or whether the council will extend the period of time allowed for employees to transfer other pension rights into the LGPS. This report focusses on the council's approach to awarding enhanced pension benefits payments in flexible and early retirement cases to existing staff, following feedback from directorates relating to recent cases.</p> <p>This report:</p> <ul style="list-style-type: none"> <li>• Considers whether the current statement of policy continues to reflect an appropriate approach to effectively managing such requests in the current climate.</li> <li>• Considers options for revising the statement and includes a proposed revised statements.</li> </ul>
Impact Assessment:	<p>Equalities Impact Assessment (EqIA):</p> <p>A full EqIA was completed when the policy statement was revised</p>

	in 2014. Proposed revisions take account of the findings of the EqIA.
	<p>Use of Evidence:</p> <p>A range of evidence has been used to develop the options including pension regulations, the approach of other councils, feedback from directors and the Chief Financial Officer and guidance provided by the Local Government Association.</p>
	<p>Budget:</p> <p>There are no direct cost implications arising from this report. If the proposed changes are agreed, the budgetary position remains unchanged. Cases are reviewed on an individual basis.</p>
	<p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as:  Current Risk: LOW  Residual Risk LOW</p>
	<p>Other Implications:</p> <p>None.</p>
Recommendation	It is recommended that the Staffing Committee agree to the implementation and publication of a revised statement of policy on or around 16 October 2017.
Reason for Recommendation	The Staffing Committee oversee matters relating to staff terms and conditions and people management policies.
Appendices	<p>Appendix 1 : Definition of costs relating to early release of benefits</p> <p>Appendix 2: Existing Discretionary Policy Statement showing proposals for amendments to early retirement/waiver of reduction</p>
Background Papers	None.
Report Originator and Contact	<p>Name: Sarah Butcher, Principal HR &amp; OD Adviser</p> <p>Tel: 01305 228505</p> <p>Email: <a href="mailto:s.e.butcher@dorsetcc.gov.uk">s.e.butcher@dorsetcc.gov.uk</a></p>

## **1. Background**

- 1.1. The county council, as an employer providing the Local Government Pension Scheme (LGPS), has discretionary powers under LGPS regulations and is required to formulate, publish and review a policy statement in relation to the exercise of these discretions. The discretions must be reviewed on a periodic basis to ensure that they remain fit for purpose.
- 1.2. The discretions, which are published on the council's website, cover a range of areas including, for example, whether the council will fund any Additional Pension Contribution arrangement for which there would normally be a significant additional cost or whether the council will extend the period of time allowed for employees to transfer other pension rights from previous employments into the LGPS.
- 1.3. The Staffing Committee last reviewed the council's approach to LGPS discretions at its meeting on 6 June 2014 to align with the introduction of the amended 2014 pension scheme. One of the key changes to the discretions at that point was to loosen the wording of the provisions for awarding enhanced pension benefits payments in flexible and early retirement cases subject to monitoring and review.
- 1.4. The statement was then updated in April 2016 to reflect changes when the Personnel Appeals Committee was dissolved, delegating decision making to directors. No revisions were made to the discretions themselves at this time.
- 1.5. Since 2016, Human Resources and Organisational Development (HR&OD) has been monitoring the types of cases being considered by Directors and has consulted with the Corporate Directors, Heads of Service/Service Directors/Assistant Directors and Financial Services. The trade unions have also provided feedback. Feedback received suggests that:
  - the provisions are not prescriptive enough for employees to understand when a discretion may or may not be agreed;
  - guidance for Directors in considering applications lacks detail to reflect the policy statement and this has caused some concerns;
  - there are concerns that applying a consistent approach within Directorates and across the council is difficult when the discretions are loose; and
  - financial services are not routinely involved in the decision making process even though the cost to the council can be significant either through a capitalised cost to the pension fund of paying the pension for a longer period or 'topping up' the individual's pension that would otherwise be reduced for early payment (refer to Appendix 1).
- 1.6. Given the feedback received, and considering some of the cases which have been decided, proposals for change have been developed which also take account of the LGPS statement of policy requirements set out in the next paragraph.

## **2. The statement of policy**

- 2.1. The council's existing policy statement is attached at Appendix 2. The policy statement itself sets out the council's approach to decision making and the council's message to staff about the circumstances in which cases might be approved.
- 2.2. In formulating the policy statement, the employer is required by legislation to consider:
  - discrimination;
  - cost;
  - fettering (making the policy unnecessarily restrictive); and

- the extent to which the exercise of its discretionary powers could lead to a serious loss of confidence in the public service.

2.3. In relation to each individual discretion, employers can decide:

- not to exercise their discretion, or
- to apply a standard approach (for example to grant the discretion to all applicants), or
- to exercise their discretion in certain circumstances, on a case by case basis, or
- to implement a more detailed policy document in relation to a discretion (for example, a flexible working policy outlining 'conditions' attached to flexible retirement applications/a definition of 'compassionate grounds').

### **3. Circumstances for approval of requests (existing approach)**

3.1. The council's policy statement implements a broad approach, enabling the council to exercise discretion on a case by case basis, stating that 'such applications will normally only be approved on compassionate grounds or for business reasons'.

3.2. Whilst the council has not outlined specific conditions attached to flexible retirement or a definition of 'compassionate grounds', detailed flexible retirement guidance is available to managers, outlining considerations which should be taken into account when considering a flexible retirement request. A standard request form is also available.

3.3. Directors are concerned that neither the current policy statement or the flexible guidance places sufficient emphasis on circumstances being 'exceptional' and that this is likely to lead to both an increase in cases and an inconsistency in the types of cases that are put forward for approval.

3.4. Compassionate grounds or business reasons may be considered in relation to any application, whether the application is to agree to capitalised costs and/or a request to waive the actuarial reduction. In practice, the council has only agreed to waive the actuarial reduction in exceptional compassionate circumstances.

### **4. Decision Making (existing approach)**

4.1. Requests to award discretionary payments to LGPS pension members which result in a cost to the council are considered by the pension member's Director, after consultation with the cabinet member and an HR & OD Service Manager. Whilst in practice the Group Finance Manager (on behalf of the Chief Financial Officer) is also consulted, this is not specifically reflected in the statement. This can mean that consultation with Financial Services does not take place at an early enough stage and that expectations of individual staff members can be raised unnecessarily.

4.2. Requests to award discretionary payments to LGPS members at Head of Service/Service Director/Assistant Director level or above are referred to the Staffing Committee, as per the Staffing Committee terms of reference.

### **5. Approach of others**

5.1. Other LGPS employers take a range of approaches. Some apply a broad policy statement as per the council's existing approach, others apply tighter restrictions for consideration and some do apply a policy of not using the discretion. Dorset councils generally:

- apply a broad policy statement whilst stating that circumstances must be 'exceptional'
- include reference to the Section 151 Officer in decision making

- do not include specific restrictions or define compassionate grounds.

5.2. There is a mixed approach to whether requests to waive the actuarial reduction on business or compassionate grounds or on compassionate grounds alone are enabled.

## **6. Proposals**

6.1. In making proposals for change to the current statement of policy, the aim has been to alleviate concerns of Directors, continue to provide a robust approach to decision making and bring the council in line with the approach of other councils. The proposals take account of feedback from stakeholders and also the trade unions.

6.2. In respect of the circumstances for approval, it is proposed that a statement be included where appropriate that 'applications will only be considered in exceptional circumstances'. Cases relating to approval of capitalised costs will only be agreed on exceptional business or compassionate grounds. Cases requesting to waive the actuarial reduction will only be agreed on exceptional compassionate grounds.

6.3. The supporting guidance will also be updated to provide further clarity on when requests will be considered and defining compassionate grounds.

6.4. In respect of decision making, one option is to align with the council's scheme of delegation on people management matters. This would mean that decisions could be made at a lower level. Feedback suggests that retaining decision making at Corporate Director level is appropriate.

6.5. All those consulted with as part of the review of the discretion statement would like to see specific mention of consultation with Financial Services and it is proposed to change the statement on that basis.

6.6. It is therefore recommended that the proposed revised statements (refer to proposal column attached at Appendix 2), relating to release of flexible and early retirement benefits for existing members of staff, are approved.

6.7. It is also recommended that discretion statements which relate to decisions on aspects of pension benefits which are not concerned with early/flexible retirement are updated along the same lines, for consistency (for example, those that relate to suspended ill health pensions).

6.8. Other statements will be revised to reflect the organisational structure/job title changes which have taken place since the last review.

## **7. Next Steps**

7.1. Should the committee agree the proposals in respect of a revised statement, the council is required to give employees one month's notice of any change. Following a Staffing Committee decision, the revised statement of policy will be shared with the Dorset County Pension Fund and published on Dorsetforyou, taking effect one month after the publication date (on or around 16th October 2017). Any changes will be communicated as appropriate to managers and staff.

7.2. Flexible and early retirement guidance will be updated.

7.3. The Staffing Committee terms of reference will be updated to take account of new job titles of Assistant Director or Service Director, which are member appointments at Head of Service Level.

**Jonathan Mair**

Head of Organisational Development

13 September 2017

**Definitions**

**Capitalised Cost:** If a scheme member starts accessing pension benefits before their normal retirement age (NRA), the benefits will be paid over a longer period of time and there will be effects of lost investments and income in terms of contributions from the employee and employer. To ensure that the pension fund is not disadvantaged, the employer pays the 'capital cost' to the fund, which is calculated by the fund in accordance with government actuary's department (GAD) guidance. The capital cost payment is from the employer to the fund and does not result in the individual receiving more or less in their pension than they are entitled to. The pension the individual receives will be reduced if they take retirement benefits before normal retirement age.

**Reduced Pension & Waiver:** When a scheme member takes their benefits before NRA, the annual pension they receive will be reduced. The % by which it reduces depends on how close they are to NRA. If the council agrees to waive this reduction, they are topping up the individual's pension to the amount they'd receive if they were retiring at NRA.

**The Rule of 85:** Some individuals might meet 'the rule of 85' (depending on their age and scheme membership) which protects some or all of their benefits from the normal early payment reduction. The rule of 85 doesn't automatically apply if an individual chooses to draw their pension early (between age 55 and 60). The council can decide to 'switch on' the rule so that the individual can benefit from the protection.

# STATEMENT OF POLICY ON:- The Local Government Pension Scheme 2014 Discretions

By Dorset County Council

Policy effective from 21 April 2016

Statement of Policy on :-

The Local Government Pension Scheme Regulations 2013 [R]

The Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 [TP]

The Local Government Pension Scheme (Administration) Regulations 2008 [A]

The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) [B]

The Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [T]

The Local Government Pension Scheme Regulations 1997 (as amended) [L]

The Local Government Pension Scheme (Miscellaneous Regulations) 2012 [E]

The Employing Body which is Dorset County Council has resolved that the following Discretions available in the Statutory Instrument, should be implemented in compliance with the Local Government Pension Scheme Regulations as set out below:-

PART A - where formulation of policy is compulsory

	Existing Provision	Proposed Provision
<p><b>Regulation 16 [R]</b></p> <p><u>Power of employing authority to contribute to a shared cost APC scheme</u></p> <p>Whether, how much, and in what circumstances to contribute to a shared cost APC scheme.</p>	<p>The council will not normally fund (in whole or in part) any Additional Pension Contribution (APC) arrangement voluntarily entered into, except in cases specifically agreed by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required. Each case will be considered on its own merits, ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>	



	(This statement does not apply in cases where the shared cost APC is to cover a period of authorised unpaid leave).	
<p><b>Sch 2, para 2 (2) &amp; (3) [TP]</b></p> <p><u>Power of employing authority to apply 85 Year Rule before age 60</u></p> <p>Whether to "switch on" the 85 Year Rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p> <p>Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits from pre 01/04/2014 membership where the employer has "switched on" the 85 Year Rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p>	<p>The council will not normally switch on the 85 Year Rule, or waive the actuarial reduction in benefits from pre 01/04/2014 membership, for a member voluntarily drawing benefits on or after age 55 and before age 60, except in cases specifically agreed by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on its own merits, ensuring that the decision can be objectively justified and that potential discrimination issues are fully considered.</p>	<p>The council will not normally switch on the 85 Year Rule, or waive the actuarial reduction in benefits from pre 01/04/2014 membership, for a member voluntarily drawing benefits on or after age 55 and before age 60, except in cases specifically agreed by the member's Director, after consultation with the cabinet member, the Group Finance Manager on behalf of the Chief Financial Officer and an HR &amp; OD Service Manager, on exceptional compassionate grounds. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on its own merits, ensuring that the decision can be objectively justified and that potential discrimination issues are fully considered.</p>
<p><b>Regulation 30 (6) &amp; (8) [R] and 11 (2) [TP]</b></p> <p><u>Flexible retirement</u></p> <p>Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement).</p> <p>Whether to waive, in whole or in part, actuarial</p>	<p>The council will consider applications for flexible retirement, where there is a business case. Applications for flexible retirement are subject to approval by the council in accordance with the scheme of delegation on people management matters. The needs of the customer and service will be taken into account. Where there is a cost to the council, applications must be considered by the member's Director, after consultation with the cabinet member and an HR &amp; OD</p>	<p>The council will consider applications for flexible retirement, where there is a business case. Applications for flexible retirement are subject to approval by the council in accordance with the scheme of delegation on people management matters. The needs of the customer and service will be taken into account. Where there is a cost to the council, applications must be considered by</p>

<p>reduction on benefits paid on flexible retirement.</p>	<p>Service Manager before a final decision is made.</p> <p>Where an application for flexible retirement includes an application to waive the actuarial reduction at a cost to the council, this must be considered by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager before a final decision is made. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required. Such applications will normally only be approved on compassionate grounds or for business reasons. Each case will be considered on its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>	<p>the member's Director, after consultation with the cabinet member, the Group Finance Manager on behalf of the Chief Financial Officer and an HR &amp; OD Service Manager before a final decision is made. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required. Such applications will normally only be approved on exceptional compassionate grounds or for exceptional business reasons. Each case will be considered on its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p> <p>Where an application for flexible retirement includes an application to waive the actuarial reduction at a cost to the council, this must be considered by the member's Director, after consultation with the cabinet member, a Group Finance Manager on behalf of the Chief Financial Officer and an HR &amp; OD Service Manager before a final decision is made. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required. Such applications will normally only be approved on exceptional compassionate grounds.</p>
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		Each case will be considered on its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered.
<p><b>Regulation 30 (8) [R]</b></p> <p><u>Power of employing authority to waive actuarial reduction</u></p> <p>Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age.</p>	<p>Any actuarial reduction applied due to voluntary early access to pensions benefits will normally be met by the member. Any application to waive the actuarial reduction at a cost to the council must be considered by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required. Each case will be considered on its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>	<p>Any actuarial reduction applied due to voluntary early access to pensions benefits will normally be met by the member. Any application to waive the actuarial reduction at a cost to the council must be considered by the member's Director, after consultation with the cabinet member, the Group Finance Manager on behalf of the Chief Financial Officer and an HR &amp; OD Service Manager, on exceptional compassionate grounds. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>
<p><b>Regulation 31 [R]</b></p> <p><u>Power of employing authority to grant additional pension</u></p> <p>Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (of no more than the higher additional pension limit that applies at the time of the decision).</p>	<p>Additional pension will not normally be awarded except in cases specifically agreed by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on</p>	

	its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered	
<p><b>Regulation 30 (2) &amp; (5) [B]</b></p> <p><u>Power of employing authority to grant early payment of deferred benefits</u></p> <p>Regulation 30 (2) Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60.</p> <p>Regulation 30 (5) Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under Regulation 30(2) [B].</p>	<p>The council will not normally grant early payment of deferred benefits, or waive any actuarial reduction, except in cases specifically agreed by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on its own merits, ensuring that the award of augmented membership can be objectively justified and that potential discrimination issues are fully considered.</p>	<p>The council will not normally grant early payment of deferred benefits except in cases specifically agreed by the member's Director, after consultation with the cabinet member, the Group Finance Manager on behalf of the Chief Financial Officer and an HR &amp; OD Service Manager, on exceptional compassionate grounds or for exceptional business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required. Each case will be considered on its own merits, ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p> <p>Where there is an application to waive the actuarial reduction at a cost to the council, this must be considered by the member's Director, after consultation with the cabinet member, a Group Finance Manager on behalf of the Chief Financial Officer and an HR &amp; OD Service Manager before a final decision is made. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing</p>

		Committee is required. Such applications will normally only be approved on exceptional compassionate grounds. Each case will be considered on its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered.
<p><b>Regulation 30A (3) &amp; (5) [B]</b></p> <p><u>Power of employing authority to grant early payment of suspended tier 3 ill health pension</u></p> <p>Regulation 30A (3) Whether to grant application for early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60.</p> <p>Regulation 30A (5) Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under Regulation 30A [B].</p>	<p>The council will not normally grant early payment of a suspended tier 3 ill health pension, or waive any actuarial reduction, except in cases specifically agreed by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on its own merits, ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>	
<p><b>Regulation 31 (2) &amp; (5) [L]</b></p> <p><u>Power of employing authority to grant early payment of deferred pension</u></p> <p>Regulation 31 (2) Grant application from a post 31.03.98 / pre 01.04.08 leaver or from a councillor for early payment of benefits on or after age 50 / 55 and before age 60.</p> <p>Regulation 31 (5) Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under Regulation 31</p>	<p>The council will not normally grant early payment of benefits, or waive any actuarial reduction, except in cases specifically agreed by the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on its own merits, ensuring that the award of augmented membership can be objectively justified and</p>	

(2).	that potential discrimination issues are fully considered.	
<p><b>Regulation 31 (7A) [L]</b></p> <p><u>Power of employing authority to grant early payment of deferred pension for pre 01.04.08 employee optants out and councillors.</u></p> <p>Councillor optant outs and pre 01.04.08 employee optants out only to get benefits paid from NRD if employer agrees.</p>	<p>Additional pension will not normally be awarded except in cases specifically agreed by the the member's Director, after consultation with the cabinet member and an HR &amp; OD Service Manager, on compassionate grounds or for business reasons. In respect of Councillors, the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service, approval of the Staffing Committee is required.</p> <p>Each case will be considered on its own merits ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>	

PART B - where formulation of a written policy is <b>not</b> compulsory	
<p>Regulation 9 (1) &amp; (3) [R] Contributions payable by active members Employers determine the contributions payable by members by attributing each member to one of the contribution bands set out in Regulation 9 (2) [R]. Employers have the capacity to re-attribute the specific payband (upwards or downwards) where there is a material change in a member's contractual terms.</p>	<p>The council will allocate employees to LGPS pay bands based on an estimation of their annual pensionable pay.</p> <p>The council will review the allocation to pay bands at least once a year. Reviews will normally be undertaken at 1 April each year and may also be undertaken during the year if the council considers it is reasonable to do so, following a material change which affects the member's pensionable pay.</p> <p>Each case will be considered by the Head of Human Resources &amp; Organisational Development or their nominated representative on its own merits, ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>
<p>Regulation 22 (7) (b) and (8) (b) [R] Facility to extend time limits for active members to not aggregate deferred periods of LGPS membership Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with a new employment or ongoing concurrent employment.</p>	<p>The council will not normally extend the twelve month option period except in cases where the available evidence indicates that it had not reasonably been possible for the member to meet the timeframe. Each case will be considered by the Head of Human Resources &amp; Organisational Development or their nominated representative on its own merits, ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>
<p>Regulation 100 (6) [R] Facility to</p>	<p>The council will not normally extend the twelve</p>

<p>extend time limits for active members to request a transfer of previous pension rights into the LGPS Where an active member requests to transfer previous pension rights into the LGPS, the member must make a request within 12 months of becoming an active member. Employers, with agreement of Administering Authority, may allow a longer period than 12 months.</p> <p>JOINT DISCRETION WITH ADMINISTERING AUTHORITY</p>	<p>month option period except in cases where the available evidence indicates that it had not reasonably been possible for the member to meet the timeframe. Each case will be considered jointly by the Head of Human Resources &amp; Organisational Development and the Pension Benefits Manager, Dorset County Pension Fund, or their nominated representative(s), on its own merits, ensuring that it can be objectively justified and that potential discrimination issues are fully considered.</p>
<p>Other non-compulsory discretions are available for Dorset County Council to consider, and cases where these may arise in the future will be considered on an individual basis; the merits of each case being fully investigated.</p> <p>The county council in exercising the discretionary powers available under the above Regulations has acted with due prudence and propriety and considered the financial impact of applying the discretions.</p> <p>These policies may be subject to review from time to time. Any subsequent change in this Policy Statement will be notified to affected employees.</p> <p>Signed on behalf of Dorset County Council</p> <p>Signature _____ Date _____</p> <p>Please PRINT name of person signing:</p> <p>The LGPC Secretariat's understanding of the discretions which exist within the LGPS regulatory framework and the parties responsible for exercising those discretions can be found at the website below. In particular, it details their understanding of the new discretions applicable from April 2014.</p> <p>Also on this webpage is a discretions policies document, setting out in more detail the LGPC Secretariat's understanding of the discretions that employers should have a policy on. This will be of use while compiling your policy.</p> <p><a href="http://www.lgpsregs.org/index.php/guides/administration-guides-to-the-2014-scheme">www.lgpsregs.org/index.php/guides/administration-guides-to-the-2014-scheme</a></p>	

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