

HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

21 OCTOBER 2020

REPORT OF CORPORATE DIRECTOR (OPERATIONS & DELIVERY)

A.1 WORKFORCE AND CONTRACT DOCUMENTATION UPDATE REPORT

(Report prepared by Katie Wilkins)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To provide Members of the Human Resources & Council Tax Committee with an update on current staffing statistics and inform them of the recently agreed changes to the Council's Employment Contract Documentation, in line with an update to employment legislation.

EXECUTIVE SUMMARY

Staffing Statistics

The analysis of workforce data provides Members with statistics relating to the staff employed within the Council and how this compares to the Tendring district and national averages. This is a standard report that is provided to the Human Resources Committee as part of each meeting.

Tendring District Council currently has 484 FTE (full time equivalent) employees. The FTE figure equates to 777 employees in total (including casual workers and Career Track learners) this is made up of 366 full time, and 411 part time staff.

Update to Council's Employment Contract Documentation

As a result of the [Independent Taylor Review of Modern Working Practices](#) in 2017, the Government produced its 'Good Work Plan'. The plan sets out several proposed changes to Employment Legislation intended to improve the rights of both employees and workers. The first of these Employment Legislation changes ([Employment Rights \(Miscellaneous Amendments\) Regulations 2019](#)) came into effect as of 6th April 2020.

From this date, the right to a written statement of terms and conditions of employment extends to casual workers as well as employees. There are also two other important changes (*as outlined in the [Employment Rights \(Employment Particulars and Paid Annual Leave\) \(Amendment\) Regulations 2018](#)*) to written statements as follows:

1. Employees and casual workers must be provided with their written statement on or before their first day of employment (*previously, an employer had two months from the date an employee/casual worker starts work to provide them with a written statement of their terms and conditions*).
2. Written statements must now include the following additional information:
 - How long a job is expected to last (*or end date of a fixed term contract*);
 - How much notice is required;
 - Details of eligibility for sick leave and pay;
 - Details of other types of paid leave (*e.g. maternity/paternity leave*);
 - Duration and conditions of any probationary period;

- Remuneration and benefits (*not just pay*);
- Which specific days of the week the worker is required to work, and whether or not such hours or days may be variable, and if they may be how they vary or how that variation is to be determine; and
- Details of training entitlements, training requirements and details of any training that will not be paid for by the employer.

The Council's Statement(s) of Written Particulars of Employment (*including the Apprenticeship Programme Agreement*) and Agreement for Casual Work have been updated to reflect these legislative requirements.

As outlined in the Council's Constitution, the Corporate Director, Operations & Delivery, in consultation with the Acting Head of People, Performance and Projects has approved these changes for implementation with immediate effect.

RECOMMENDATION(S)

It is recommended:

That the contents of this report be noted.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Current staffing statistics demonstrate that Tendring employs above the local average for both disability and ethnicity. Flexible working opportunities have also ensured that the gender balance of the workforce is in line with the district trend. Such positive profiles demonstrate our intention to '*recognise the diversity and equality of individuals*' as detailed in our '*Values*' within the Corporate Plan.

FINANCE, OTHER RESOURCES AND RISK

There are no direct financial implications.

LEGAL

It is good practice for the Council to regularly monitor its workforce, and ensure compliance with both the Employment Legislation and the Equalities Act 2010.

The Constitution provides for agreement of key personnel policies, to the Corporate Director, Operations & Delivery in consultation with the Assistant Director, Partnerships.

OTHER IMPLICATIONS

None.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

This section of the report concerns the Staffing Statistics element previously referenced.

Human Resources works with a software package called Teamspirit. This database allows us to capture employee's personal data, to enable regular monitoring of the workforce profile. As Teamspirit is also used by the Council's Payroll Services, the information is integrated between both employment and payroll functions. The database monitors the workforce as a whole, capturing data on all 'employees' which includes Career Track Learners and those staff on Casual employment contracts.

Workforce Statistics

The Council's workforce of 777 staff (*of which, 511 are fully contracted staff, 20 are Career Track Learners in full time employment, and 246 staff are employed on a casual basis*). Of those employed, 432 are female (56%) and 345 male (44%), this indicates that the Council's employment practices are supportive of families and work life balance. The latest data published in the Nomis Official Labour Market Statistics 2019/20 report states that 76.4% of the male population and 64.4% of the female population in Tendring are 'Economically Active'.

Of the total 777 staff Tendring currently employs, the gender balance of the 366 members of full time staff is; 183 males (50%) and 183 females (50%) and 162 males (39%) and 249 females (61%) for the remaining 411 part time staff.

Under new legislation that came into effect in April 2017, UK employers with over 250 employees are required to publish their gender pay gap. The gender pay gap is a mathematical indicator of the gender balance within an organisation. It measures the difference between the average earnings of all male and female employees, irrespective of their role or seniority.

The Council's gender pay gap figures have been calculated in line with the regulations set out in the gender pay gap reporting legislation. We are pleased to report that the indicative figures produced for 2019/20 demonstrate that our gender pay gap remains significantly lower than the reported UK average of 17.3%. Given that employers across the country were facing unprecedented uncertainty and pressure, due to the COVID-19 pandemic at the time of statutory reporting (March 2020), the Government has made the decision to suspend enforcement of gender pay gap reporting for 2020.

Indicative Figures for 2019/20 are as follows:-

The male mean* hourly rate is 4.19% (£0.55) higher than the female mean hourly rate.

The male median* hourly rate is 4.30% (£0.47) higher than the female median hourly rate.

**The mean or average is determined by adding all the data points in a population and then dividing the total by the number of points.*

**The median is determined by arranging all of the observations in order, from smallest to largest value, and the median is the middle value.*

The difference in mean hourly rates is primarily a result of the apprentices employed at the organisation. 75% of apprentices are female; this therefore reduces the mean female hourly rate.

The analysis of our gender pay gap figures tells us the following:-

- The ratio of male to female employees within each reporting quartile (of which there are four) is representative of the overall male to female ratio for the organisation.
- There is no material disparity at each pay level within the organisation.

Age Profile

As we are measuring a complete workforce, we are able to see a wider spectrum of ages across the organisation, with the employee age range being from 16 to 82. The highest ratio of staff is falling within the 51 to 60 age bracket and the next highest age range being 21 to 30 years. However, this is closely followed by the age range; 41 to 50 years. This indicates that the Council is retaining staff at all ages.

A summary of the above age profiles, by department, can be found in Appendix C.

Disability Profile

Of the 511 fully contracted staff (*excluding apprentices*), 20 have self-declared that they have a disability.

The Council is one of the only organisations in the Tendring district to be awarded *Disability Confident Leader Status, (*awarded to the authority in 2017*). This requires an employer to be Disability Confident as recognised by their peers, local community and disabled people. As a 'Disability Confident Leader' Tendring has made a commitment to support other employers in the district to become 'Disability Confident'.

**Disability Confident encompasses a number of voluntary commitments to encourage employers to recruit, retain and develop disabled staff, such as offering work experience opportunities and implementing a flexible recruitment process. This replaced the Two Ticks Disability accreditation, which the Council was awarded since 1998.*

Ethnicity Profile

Of those staff who have declared their ethnicity, 8 declared they were of an ethnic origin other than 'White British'. The 2011 Census statistics show that in Tendring 2.4% of residents declared themselves as being from a minority ethnic group. Therefore, the Council fairly represents the community with the diversity within its workforce.

Sickness Absence

The reported absence figure for the Council in 2019/20 was 7.7 days. Long term absence was reported at 5.83 days and short term absence 1.87 days, which shows the rate to be slightly above the reported national level in local government for the same period (*Xpert HR's sickness absence rates and costs survey 2020, details an average number of days' absence per employee, per annum, for local government of 7.4 days*).

The Council's current absence figure of 7.92 days per employee this demonstrates a slight upward trend in staff absence. This figure is broken down into 6.03 days long term and 1.87 days short-term absence.

The Chartered Institute of Personnel and Development (CIPD) recommend that organisations adopt the following approach when effectively managing absence:-

- Identify and tackle the root causes of ill health;
- Build a more robust framework to promote good mental health;
- Strengthen the capability of line managers;
- Ensure a holistic approach: physical, mental, emotional, lifestyle and financial.

Sickness absence continues to be actively managed; the majority of the Council's 4th Tier Managers have undertaken both 'Absence Management' and 'Managing Mental Health' training (*educating our line managers to feel confident and competent to have conversations with staff and signpost to specialist sources of support*). Once the updated Absence Management procedures are agreed, an accompanying, comprehensive training programme will be delivered to those with supervisory/line management responsibilities to effectively embed the new procedures.

The Council also continues to support its employees' general health and well-being, including: offering a fully funded Employee Assistance Programme (*which offers a holistic approach as identified above*), greater flexible working options, Corporate Gym Membership, flu vaccinations and access to an Occupational Health Specialist.

The authority is also committed to promoting the positive mental well-being of its employees and to supporting any employees who may experience mental ill-health. The organisation has worked hard to create a framework to achieve this. Including: working in partnership with a number of 3rd parties (*bulleted below*) to provide staff with a range of resources, training a number of Mental Health First Aider's and Livewell Champions amongst the workforce and raising awareness amongst the general workforce. This work has been underpinned by the signing of the Time to Change Pledge, the scheme recognises those employers who are committed to changing the way we think and act about mental health in the workplace.

- Provide (*a 'Community Interest Company' with a focus on health*);
- Health in Mind (*provides access to a wide range of talking therapy treatments for adults with common mental health problems in and around Colchester and Tendring*);
- Anglia Community Enterprise (ACE) (*NHS Community Health Services, such as health checks, My Weight Matters*);
- Remploy (*funded by the Department for Work and Pensions, available to any employee with a mental health issue which may be affecting their work*);
- Regional Employers (*seeking best practice for managing absence*).

In recent months, due to the current COVID-19 Pandemic, the authority has focussed its efforts on the delivery of an online suite of well-being initiatives for employees, including but not limited to;

- Together@Tendring Publication (*includes healthy eating recipes, articles and tips on moving and exercises at work*).
- Improving Access to Psychological Therapies (IAPT) Webinars (*How to Sleep Better, Relaxation Skills and How to Cope with Stress*).
- Recovery and Resilience E-Learning
- Staff Well-being Survey
- Staff Fitness Classes (various, via Zoom)
- Vine HR - Mindfulness and Wellbeing Remote Workshop(s)
- Promotion of national initiatives (including free classes at leisure centres), World National Suicide Awareness day and Public Health England's 'Every Mind Matters' campaign.
- Online health checks and positive lifestyle support (*e.g. smoking cessation, limiting your alcohol intake*) via Provide.

BACKGROUND PAPERS FOR THE DECISION

Profile of Tendring May 2019/20

Teamspirit report

Nomis Official Labour Market Statistics Report 2019/20

Xpert HR's sickness absence rates and costs survey 2020

CIPD Well-being at Work Report 2019 (Public Sector Summary)

APPENDICES

Appendix A – Staffing Data

Appendix B - A Summary of Highest Ratio Age Profiles by Department

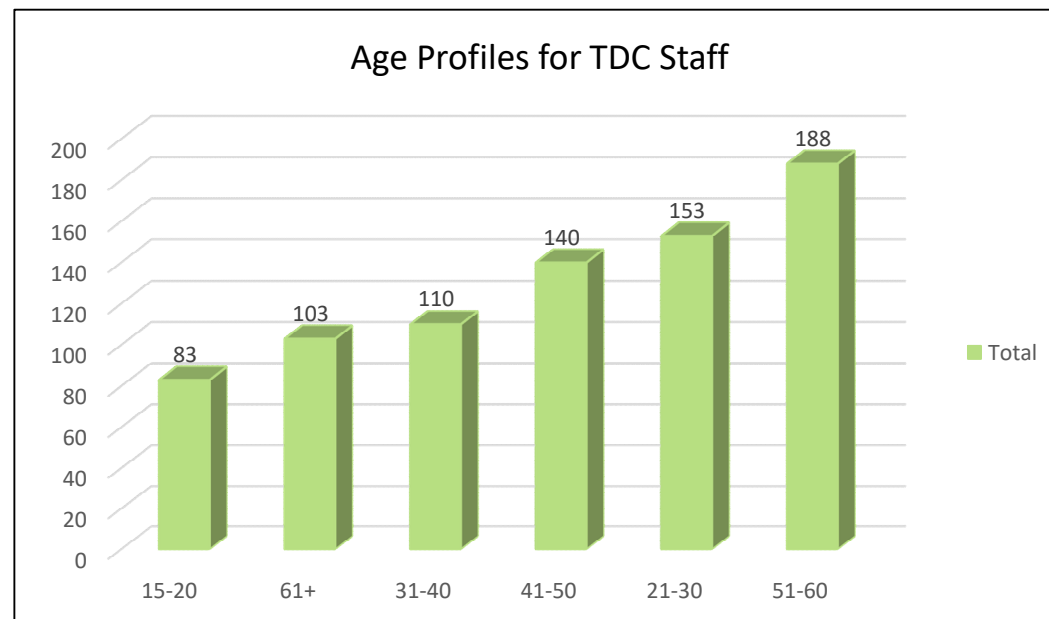
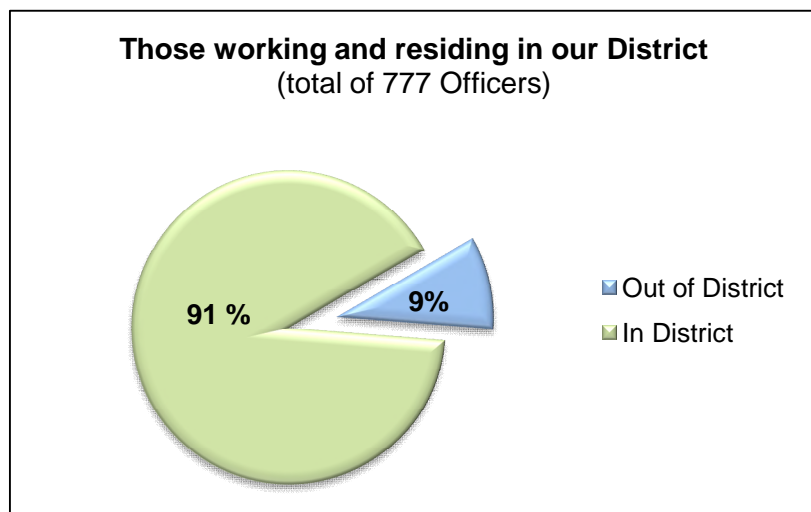
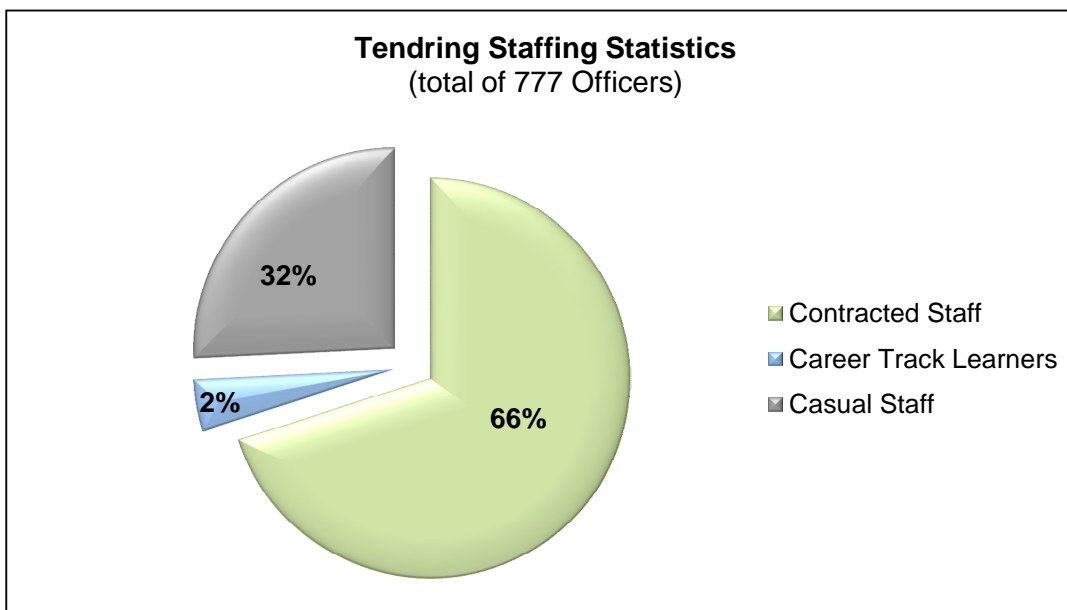
Appendix C – Infogram

Number of Employees (including Career Track Learners)

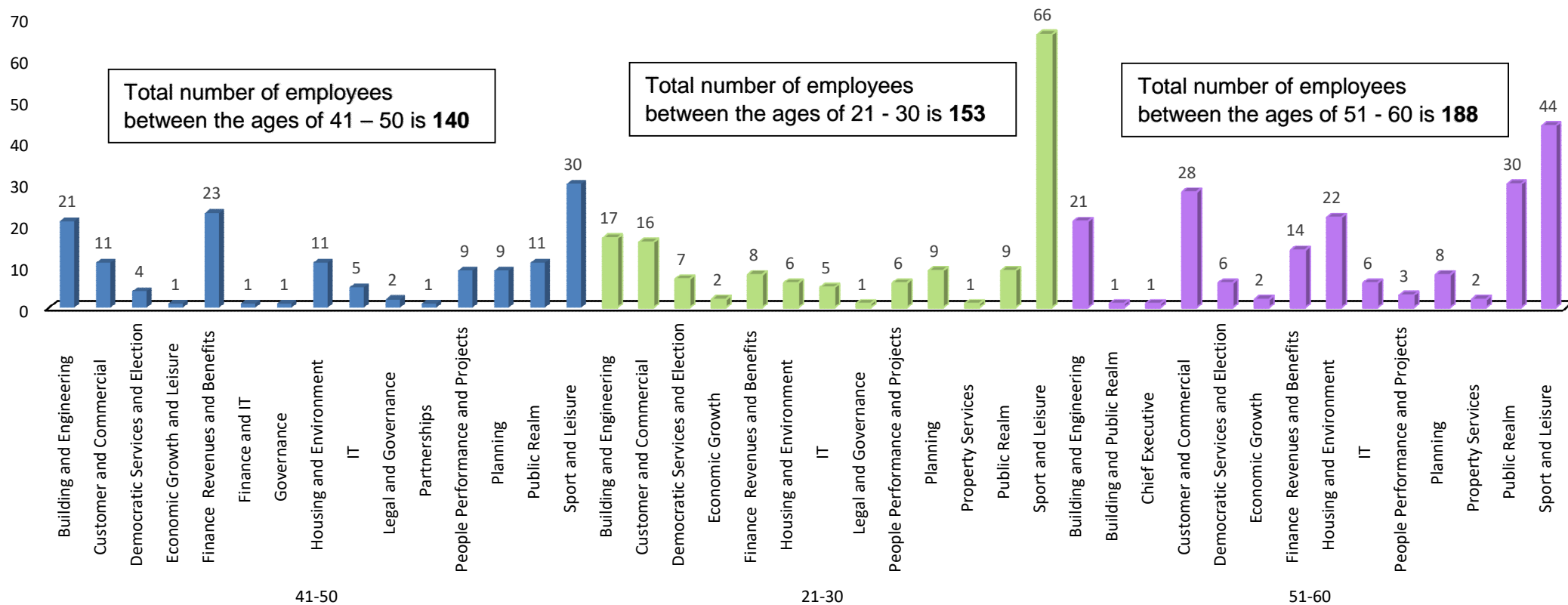
Total workforce	777	
Female	432	56%
Male	345	44%

Full Time	366	
Female	183	50%
Male	183	50%

Part Time	411	
Female	249	61%
Male	162	39%



Highest Ratio Age Profiles (41-50, 21-30, 51-60) for TDC Staff Broken Down by Department



TENDRING DISTRICT COUNCIL STAFFING STATISTICS 2020/21

TENDRING DISTRICT COUNCIL - 777 EMPLOYEES

CAREER TRACK APPRENTICES	FULLY CONTRACTED	CASUAL
20	511	246

GENDER PAY GAP

Lower than national average



WORKFORCE



56% female



44% male

TOP 3 - AGE PROFILES



51-60	188
21-30	153
41-50	140

DISABILITY

20 employees self-declared a disability



ETHNICITY

8 employees of an ethnic group other than 'White British'



SICKNESS ABSENCE

Absences figures 2020/21

6.03 DAYS LONG TERM

1.87 DAYS SHORT TERM

