

Report to:	Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services)	Date of Meeting:	22 September 2022
Subject:	Levels of Disciplinary, Grievance, Dignity at Work and Sickness Absence		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	(All Wards);
Portfolio:	Regulatory, Compliance & Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To provide a report to Overview and Scrutiny Committee in respect of levels of discipline, grievance, dignity at work and sickness absence within the Council (excluding schools).

Recommendation(s):

The Overview & Scrutiny - Regulatory, Compliance and Corporate Services Committee is recommended to:

- (1) Receive the report in terms of discipline, grievance, dignity at work and sickness levels.
- (2) Note the latest information in respect of ongoing work.
- (3) Note the initiatives currently being implemented.

Reasons for the Recommendation(s):

The recommendations reflect the request made by Overview & Scrutiny – Regulatory, Compliance and Corporate Services Committee for info

Alternative Options Considered and Rejected: (including any Risk Implications)

N/A

What will it cost and how will it be financed?

(A) Revenue Costs - N/A

(B) Capital Costs – N/A

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):	
N/A	
Legal Implications:	
N/A	
Equality Implications:	
There are no equality implications.	
Climate Emergency Implications:	
The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
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Contribution to the Council's Core Purpose:

Protect the most vulnerable: Achieving the correct application of procedures, facilitating the protection of the most vulnerable.
Facilitate confident and resilient communities: N/A
Commission, broker and provide core services: Absences can have a detrimental effect upon core service delivery
Place – leadership and influencer: Correct workforce allocation allows leadership and influencing
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD6942/22) and the Chief Legal and Democratic Officer (LD5142/22) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

N/A

Implementation Date for the Decision

N/A

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Appendices:

None

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 This report provides Members with an update on the levels of disciplinary, grievance, dignity at work and sickness absence within the Authority (excluding schools).
- 1.2 The management of the workforce is an important activity to ensure outcomes for our communities are achieved and to ensure that the workforce is appropriately managed and motivated.

2. Disciplinary, Grievance and Dignity at Work

- 2.1 The organisation enjoys a comparatively good level of cases and this reflects on the whole, both the good overall industrial relations environment, the partnership approach that is undertaken and also the work undertaken within departments.
- 2.2 A lot of effort is taken to avoid formal procedures where possible.

3. Suspensions

- 3.1 In the period October 2021 to June 2022, 7 employees were suspended from duty (not including schools).

- 3.2** Suspension takes place in order to facilitate an investigation into matters which could result in dismissal for gross misconduct. Some investigations will also include a potential referral to a professional body such as the Health Care and Professionals Council. Personnel continue to press departments to resource investigations appropriately.
- 3.3** Whether a suspension is appropriate will be a decision taken by a Senior Manager with the advice of the Personnel Department.

4. Disciplinaries

- 4.1** During the period October 2021 to June 2022, there have been 13 disciplinary investigations as per the table below:

Department	No. of Investigations	Outcome
Adult Social Care	3	1 dismissal 1 management instruction 1 case on-going
Children's Social Care	1	Final Written Warning
Communities - (Public Health)	1	Dismissal (End of Fixed Term Contract)
In House Operational Services – Cemeteries	4	1 Final Written Warning 3 No case to answer
In House Operational Services – Catering	1	Case on-going
In House Operational Services – Cleansing	2	1 First Written Warning 1 No case to answer
In-House Operational Services – Security	1	1 Final Written Warning

5. Grievances

- 5.1** During the period October 2021 to June 2022, there have been 3 Grievances as follows:

Department	Outcome
Adult Social Care	Partially upheld
Public Protection & Highways	Upheld
In-house Operational Services (Cleansing)	On-hold

6. Dignity at Work Complaints (DAW)

- 6.1** No DAW complaints have been received during October 2021 to June 2022.

7. Council Sickness Absence - Year End 2021/22 plus First Quarter of 2022/23

7.1 This report contains statistical data for the full year 2021/22 (01.04.21 to 31.03.22) and for Quarter 1 2022/23 (01.04.22 – 30.06.22). The information details 'Short Term', 'Long Term' and 'All Absence' along with comparisons with previous years for all Service Areas. Sickness percentages are calculated as a proportion of the total FTE days available.

7.2 Assistant Directors are presented with their own service area information each quarter. The information presented is dependent on all service areas maintaining and updating sickness absence records on the Absence Feeder in an accurate and timely manner.

7.3 Service Area Analysis – Year End (April 2021 to March 2022)

Short Term Sickness Absence

Short term sickness absence is defined as absence lasting less than 4 weeks for any single episode. The Council's long-standing target for short term absence is 2.2%.

SERVICE AREA	COMPARISON 2019/20	COMPARISON 2020/21	SHORT TERM SICKNESS YEAR END 2021/22
Adult Social Care	1.94%	1.40%	2.38%
Children's Social Care	1.44%	1.18%	1.43%
Communities	1.68%	1.19%	1.80%
Corporate Resources & Customer Services	1.48%	0.95%	1.28%
Economic Growth & Housing	1.68%	0.88%	1.36%
Education Excellence	1.47%	0.64%	1.12%
Highways & Public Protection	1.89%	1.03%	1.63%
Operational In-House Services	2.23%	1.56%	3.17%
Public Health & Wellbeing	1.17%	2.05%	2.56%
Strategic Support	1.82%	1.13%	1.74%

All service areas (based on recordings input into the system) remain largely under the Council target of 2.2% for short term sickness absence.

Long Term Sickness Absence

Long term sickness absence is defined as absence lasting more than 4 weeks for any single episode. The Council's long-standing target for long term absence is 1.8%.

SERVICE AREA	COMPARISON 2019/20	COMPARISON 2020/21	LONG TERM SICKNESS YEAR END 2021/22
Adult Social Care	5.36%	5.38%	4.73%
Children's Social Care	7.08%	5.54%	5.23%
Communities	5.03%	4.23%	5.05%
Corporate Resources & Customer Services	2.52%	2.69%	2.35%
Economic Growth & Housing	2.83%	1.04%	1.49%
Education Excellence	5.88%	4.29%	2.95%
Highways & Public Protection	5.39%	3.37%	2.69%
Operational In-House Services	4.07%	4.76%	4.26%
Public Health & Wellbeing	0.00%	0.00%	2.48%
Strategic Support	6.90%	4.34%	5.02%

All service areas except one have a long-term sickness percentage over the Councils target of 1.8% for 2021/22, indicated in bold.

7.4 'All' Sickness Absence – Short and Long Combined

The Council's long-standing target for 'all' sickness is 4%

SERVICE AREA	COMPARISON 2019/20	COMPARISON 2020/21	ALL SICKNESS YEAR END 2021/22
Adult Social Care	7.30%	6.79%	7.11%
Children's Social Care	8.52%	6.72%	6.66%
Communities	6.72%	5.42%	6.85%
Corporate Resources & Customer Services	4.00%	3.63%	3.63%
Economic Growth & Housing	4.51%	1.93%	2.85%
Education Excellence	7.35%	4.93%	4.07%
Highways & Public Protection	7.27%	4.40%	4.32%
Operational In-House Services	6.30%	6.32%	7.43%
Public Health & Wellbeing	1.17%	2.05%	5.04%
Strategic Support	8.72%	5.48%	6.76%

The service areas ending 2021/22 with a percentage above the 4% Council target are indicated in bold. 2 service areas are under 4%, 2 have a lower figure from previous years and are just above the 4%. 6 Services areas are between 5% and 7.43%, 5 of which show a higher percentage than the previous 12 months

7.5 Council As a Whole – Year End Analysis

The year-end percentages for the Council as a whole over the last 7 years;

COUNCIL ALL SERVICE AREAS COMBINED	Short Term %	Long-Term %	Overall %
21/22	2.08	3.85	5.93
20/21	1.25	4.06	5.31
19/20	1.82	4.47	6.29
18/19	1.92	4.34	6.26
17/18	1.88	3.87	5.75
16/17	1.89	3.86	5.75
15/16	1.92	4.19	6.11

7.6 Service Area Analysis Quarter 1 - April to June 2022

Short Term Sickness Percentages (Council target 2.2%)

SERVICE AREA	COMPARISON Q1 2019/20	COMPARISON Q1 2020/21	COMPARISON Q1 2021/22	SHORT TERM SICKNESS Q1 CURRENT YEAR 2022/23
Adult Social Care	2.49%	1.11%	1.30%	2.85%
Children's Social Care	1.07%	1.41%	1.21%	1.10%
Communities	1.63%	1.03%	1.16%	2.26%
Corporate Resources & Customer Services	1.49%	0.91%	0.77%	1.41%
Economic Growth & Housing	1.37%	0.99%	0.83%	1.20%
Education Excellence	1.73%	0.82%	1.03%	1.92%
Highways & Public Protection	2.18%	0.50%	0.88%	1.19%
Operational In-House Services	2.64%	1.42%	2.12%	3.66%
Public Health & Wellbeing	0.53%	0.00%	0.74%	3.00%
Strategic Support	1.66%	1.17%	1.59%	1.84%

Three service areas are over the Council's 2.2% target for short term sickness.

Long Term sickness Percentages (Council Target 1.8%)

SERVICE AREA	COMPARISON Q1 2019/20	COMPARISON Q1 2020/21	COMPARISON Q1 2021/22	LONG TERM SICKNESS Q1 CURRENT YEAR 2022/23
Adult Social Care	4.81%	4.58%	6.23%	5.01%
Children's Social Care	4.64%	4.74%	3.59%	3.68%
Communities	4.57%	4.15%	2.97%	2.95%
Corporate Resources & Customer Services	2.12%	2.64%	1.90%	2.11%
Economic Growth & Housing	3.15%	0.85%	1.77%	2.05%
Education Excellence	5.30%	5.21%	3.15%	2.54%
Highways & Public Protection	3.79%	4.39%	3.91%	1.25%
Operational In-House Services	3.92%	4.80%	5.43%	4.31%
Public Health & Wellbeing	0.00%	0.00%	0.00%	1.26%
Strategic Support	2.44%	6.86%	2.46%	3.38%

Seven service areas are above the long-term sickness percentage target of 1.8%.

7.7 Short & Long Term Sickness Combined (Council target 4.0%)

SERVICE AREA	COMPARISON Q1 2019/20	COMPARISON Q1 2020/21	COMPARISON Q1 2021/22	'ALL' SICKNESS Q1 CURRENT YEAR 2022/23
Adult Social Care	7.30%	5.70%	7.53%	7.86%
Children's Social Care	5.71%	6.15%	4.80%	4.77%
Communities	6.20%	5.18%	4.13%	5.21%
Corporate Resources & Customer Services	3.61%	3.55%	2.67%	3.52%
Economic Growth & Housing	4.52%	1.84%	2.60%	3.24%

Education Excellence	7.03%	6.03%	4.18%	4.46%
Highways & Public Protection	5.97%	4.89%	4.79%	2.44%
Operational In-House Services	6.56%	6.22%	7.55%	7.97%
Public Health & Wellbeing	0.53%	0.00%	0.74%	4.26%
Strategic Support	4.10%	8.03%	4.05%	5.22%

A number of service areas are above the Council's 4% target.

8. Health Unit Data

A new report will be built via the new iTrent system to provide information on percentage of sickness reasons across the Council. Past reports have always shown the top 3 reasons to interchange between Mental Health, Musculoskeletal and Medical Illness /Infection. As soon as this information is once again available it will be included as part of this report.

8.1 Occupational Health Referrals

Excluding schools, the reasons for referral to occupational health during 2021/22 were as follows:

Mental Health	47.38%
Musculoskeletal	17.71%
Medical Illness	17.21%
Bereavement	5.49%
Accidents	3.99%
Infections	3.49%
Post Operative Recovery	2.49%
Reproductive	2.24%

Referrals to the Health Unit include requests for support from employees who are not absent.

8.2 As in previous years' mental health related issues continue to be the main reason for referral. Operational In-House Services, Communities and Adult Social Care are the areas with the highest number of referrals overall.

8.3 The Assistant Directors in each service area continue to act to ensure:

- sickness absence records are maintained in a timely manner using the reporting system fully and accurately
- managers keep their skills refreshed with online sickness absence training and effectively manage absence
- health and wellbeing is discussed on a regular basis during one to one sessions
- managing absence is prioritised seeking appropriate advice from Corporate Personnel or the Health Unit.

9. Initiatives

- 9.1** Strategic Leadership Board continues to monitor and encourage the reduction of levels of both short and long-term absence.
- 9.2** Sickness reports are provided to Assistant Directors on a quarterly basis and on an ad hoc basis on request.
- 9.3** Managers are encouraged to manage absence in accordance with Council policy and procedures and to use the online testing package to fill any knowledge gaps. Briefing sessions and targeted training is arranged as required from the results of the online testing.
- 9.4** Targeted support will continue within departments to help with sickness absence. Support through the Occupational Health Unit is a combination of telephone consultations and appointment in person with the Occupational Health Adviser. Physiotherapy is now being provided back in-house.
- 9.5** The Personnel Team work closely with departments providing information and advice and appropriate levels of support, advising managers on informal processes and assisting managers with the more formal and complex levels of sickness absence management. The Personnel team continue to monitor sickness absence and will report to the Chief Personnel Officer any issues or trends that are cause for concern.

10. Managing Absence

- 10.1** The Council has a Sickness Absence Policy which operates in a partnership with trade unions. Long term absence is being dealt with in accordance with overall business need and short-term absence is operated in accordance with recognised and agreed trigger points. All policies, where applicable, are subject to modification in accordance with the Equality Act 2010.
- 10.2** Trade unions and management recognise the need for correct management of sickness absence to provide appropriate support to lessen the demands on employees who remain at work.