

A meeting of the **EMPLOYMENT COMMITTEE** will be held in **THE CIVIC SUITE (LANCASTER/STIRLING ROOMS), PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **WEDNESDAY, 20TH SEPTEMBER 2023** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

## **AGENDA**

### **APOLOGIES**

**1. MINUTES** (Pages 5 - 8)

To approve as a correct record the Minutes of the meeting of the Committee held on 21st June 2023.

**Contact Officer: A Roberts - 388015**

**2. MEMBERS' INTERESTS**

To receive from Members declarations as to disclosable pecuniary, other registerable and non-registerable interests in relation to any Agenda item. See Notes below.

**Contact Officer: Democratic Services - 388169**

**3. WORKFORCE INFORMATION REPORT QUARTER ONE 2023-24** (Pages 9 - 28)

To consider an update on HR matters impacting on the performance of the organisation.

**Contact Officer: N Bane - 388422**

**4. WORKFORCE PROFILE AND ACTION PLAN** (Pages 29 - 40)

To consider and comment on the Workforce Profile and Action Plan.

**Contact Officer: N Bane - 388422**

**5. NEW POLICY - FIXED TERM CONTRACTS** (Pages 41 - 48)

To consider and comment on the draft Fixed Term Contracts Policy.

**Contact Officer: N Bane - 388422**

**6. HR POLICY UPDATE (Pages 49 - 78)**

To consider and comment on a report by the Strategic HR Manager on the outcome of reviews of the Job Evaluation and Working Time Regulations Guidelines.

**Contact Officer: N Bane - 388422**

**7. REPRESENTATIVES OF EMPLOYEES**

At the request of representatives of employees to consider a range of issues.

11th day of September 2023

***Michelle Sacks***

Chief Executive and Head of Paid Service

**Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests.**

Further information on [Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests is available in the Council's Constitution](#)

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**Please contact Anthony Roberts ,Democratic Services, Tel: 01480 388169 / email Anthony.Roberts@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.**

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the [District Council's website](#).

### **Emergency Procedure**

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## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the EMPLOYMENT COMMITTEE held in THE CIVIC SUITE (LANCASTER/STIRLING ROOMS), PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN on Wednesday, 21 June 2023

PRESENT: Councillor P A Jordan – Chair.

Councillors A M Blackwell, S Cawley, C M Gleadow, M A Hassall, D N Keane, J E Kerr and R J West.

APOLOGIES: None.

IN ATTENDANCE: D Pope and S Russell (Unison) and C Easter (Employee Representative)

### 4 MINUTES

The Minutes of the meetings of the Committee held on 8th February and 17th May 2023 were approved as correct records and signed by the Chair.

### 5 MEMBERS' INTERESTS

No declarations of interests were received.

### 6 WORKFORCE REPORT QUARTER FOUR 2022-23

The Committee received and noted a report on Human Resources matters impacting on the performance of the Council during the period 1st January to 31st March 2023. The report included the latest position and trends relating to employee numbers, salary costs and sickness absence. A copy of the report is appended in the Minute Book.

The Committee was informed that the total number of employees at the end of the last quarter was lower than at the end of the previous quarter and that the total spend on pay costs for employees in 2022/23 was £374k lower than the year's budget.

The report indicated that two employees had retired in the quarter. Members recognised the employees' achievements and asked that their congratulations be passed on.

Councillor West expressed concern at the number of employees who identified pay as their reason for leaving the Council and the associated challenge pay presented for recruiting new employees. In response, Councillor Hassall commented that pay had previously been number six on employees' list of employment priorities but that this might have changed. He reported that the Council was looking at new ways of raising revenue to help to address the situation. In addition, the Strategic HR Manager advised Members that external experts were helping the Council to establish best practice for recruitment.

Furthermore, a charity was providing support to individuals with the aim of retaining them in the Councils' employment.

On a related subject, following a question by Councillor Cawley, the Strategic HR Manager agreed to investigate whether the decrease in the size of the workforce had contributed to the increase in sickness levels.

Councillor Gleadow commented on the level of training provided to employees. It was explained that applications had initially been invited for Level 3 courses, but that the Council was now looking at training at Levels 5 to 7.

Following an enquiry by the Chair on the perception amongst employees of low morale, the Strategic HR Manager clarified that the finding related to how individuals perceived other employees and confirmed she would be meeting with groups of employees to try to understand why this was the case. It was then

RESOLVED

- a) that the contents of the report be noted, and
- b) that the Council place on record its recognition of and gratitude for the excellent contribution made by the employees who have recently retired from employment in the local government service and pass on its best wishes for a long and happy retirement.

## **7 WORKFORCE PROFILE REPORT**

The Committee gave consideration to a report by the Strategic HR Manager (a copy of which is appended in the Minute Book), which contained the annual summary of the workforce according to their protected characteristics as required by the Equality Act 2010. Having had their attention drawn to the aims of the Equality Duty, Members discussed the Council's plans to hold activities to highlight inclusivity and diversity, which included working with other councils on an Equality Pledge.

RESOLVED

that the report be received and noted.

## **8 USE OF CONSULTANTS, HIRED STAFF AND TEMPORARY STAFF 2022/23**

Consideration was given to the report by the Chief Finance Officer (a copy of which is appended in the Minute Book) containing the annual monitoring information on the use of interim staff. Members were informed that compared with the previous year there had been a net decrease of 306k in the cost of interim staff and that all expenditure was within budget.

In response to a question by Councillor Gleadow, the Committee was informed that capital projects required interim staff to provide specialist key skills that the Council did not possess, such as project management or in relation to commercial estates. Whereupon, it was

RESOLVED

that the contents of the report be noted.

## **9 HR POLICY UPDATE**

By means of a report by the Strategic HR Manager (a copy of which is appended in the Minute Book) the Committee was acquainted with the outcome of reviews of three policies. Members' attention was drawn to the fact that the adjustments passport transferred with individuals if they left to take up employment with another employer.

In response to a question by Councillor Gleadow it was reported that employees could buy up to a maximum of five days of additional leave. Having noted the intention to incorporate volunteering into the Council's Workforce Strategy, it was

RESOLVED

that the Disability at Work, Improving Performance and Leave Arrangements Policies be endorsed.

## **10 REVISED POLICY - TIME OFF FOR TRADE UNION DUTIES**

Pursuant to Minute No 23/19, consideration was given to a further report by the Strategic HR Manager following the completion of further work on what was considered to be reasonable time off for trade union duties. A copy of the report is appended in the minute Book.

Members were informed that benchmarking had been carried out with similar other local authorities and that a flexible approach would be adopted so that the time off allowed would be sufficient to allow individuals to fulfil their union role. Having reiterated their request for information on health and safety matters, it was

RESOLVED

that the Time Off for Trade Union Duties Policy appended to the report now submitted be endorsed.

## **11 REPRESENTATIVES OF EMPLOYEES**

No matters were identified for consideration.

Chair

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# Workforce Report

## Quarter One 2023-24

### Executive Summary

This report looks at the workforce profile of Huntingdonshire District Council during the fourth Quarter of the financial year, 01 April 2023 to 30 June 2023.

The key findings from the workforce profile report are:

- The permanent/fixed term employed workforce headcount is 627 and the full-time equivalent (FTE) total is 570.2 as of 30 June 2023. This is higher than at the end of the previous Quarter where the headcount was 619 and the FTE 563.1 These figures do not include our variable or contingent workforce.
- Forecasted spend on pay costs for employees is estimated to be £980,000. lower than expected against a budget of £ 27,848,427. In contrast to this there is an estimated overspend of £673,000 on contractors and agency staff against an expected spend of £326,000. Netting out at an underspend of £308,000 against staffing budget when the underspend and the existing budget are taken into account.
- Turnover has decreased to 14.8% from the 16.9% reported in the previous Quarter with the top reasons for leaving being job change and pay. The areas with the highest turnover in this Quarter are Planning, Operations and COO Division.
- COO and Operations are areas where we would expect higher turnover due to the nature of the work involved such as customer services and call centres having higher turnover rates.
- Turnover continues to reduce this quarter, which has been a continuous trend for the last 12 months.
- In line with the reduction in turnover, the number of roles advertised in the quarter was fewer than the previous quarter, with 39 roles advertised compared to 48 the previous quarter. The number of offers made reduced from 72 in the previous Quarter to the 51 in the current Quarter. The most difficult areas to recruit to within HDC are Planning and 3CICT.
- We are continuing our trial of accepting CV's and covering letters by way of application and encouraging hiring managers to be agile in their approach – reviewing, shortlisting and interviewing during the campaign to reduce the risk of losing talent to other searches.

- In the period there has been a number of engagement activities, most notably the launch of the Level 5 and Level 7 Leadership and Management apprenticeships. Both of these courses have seen high levels of interest. We have also commenced four more apprenticeships 2 of which are for new hires to HDC joining on apprenticeship contracts.
- The annual average sickness figure has decreased to 7.9 days lost per FTE from 8.3 days per FTE reported for the previous Quarter but has increased compared to the same Quarter last year (Q1 2022/23 7.6 days lost).
- Sickness has reduced in this period which is to be expected as we move into summer and we actively manage sickness cases. Latest data from the ONS shows that sickness rates are the highest on record in the last 12 months, this shows in our higher rates overall.
- The HR caseload increased significantly in this Quarter compared to previous one. Just over half of the active cases managed in the Quarter relate to sickness absence management. 87.2% of cases were managed informally. During the period we have moved the way in which we record cases to our HR database which helps streamline the process and provide further reporting opportunities.
- Health and safety stats are now provided in the report and will provide summary in the following reports.
- We continue work on the workforce strategy to support all of the areas mentioned in the report and to help us plan for the future. With that in mind a HR Manager – Projects has been recruited to lead this work forward for HDC.

Authors: Strategic HR Manager and HR Manager  
 Contributors: Finance Business Partner, HR Advisor; Resource and Talent Development Manager; Health and Safety Manager  
 Date: 22 August 2023

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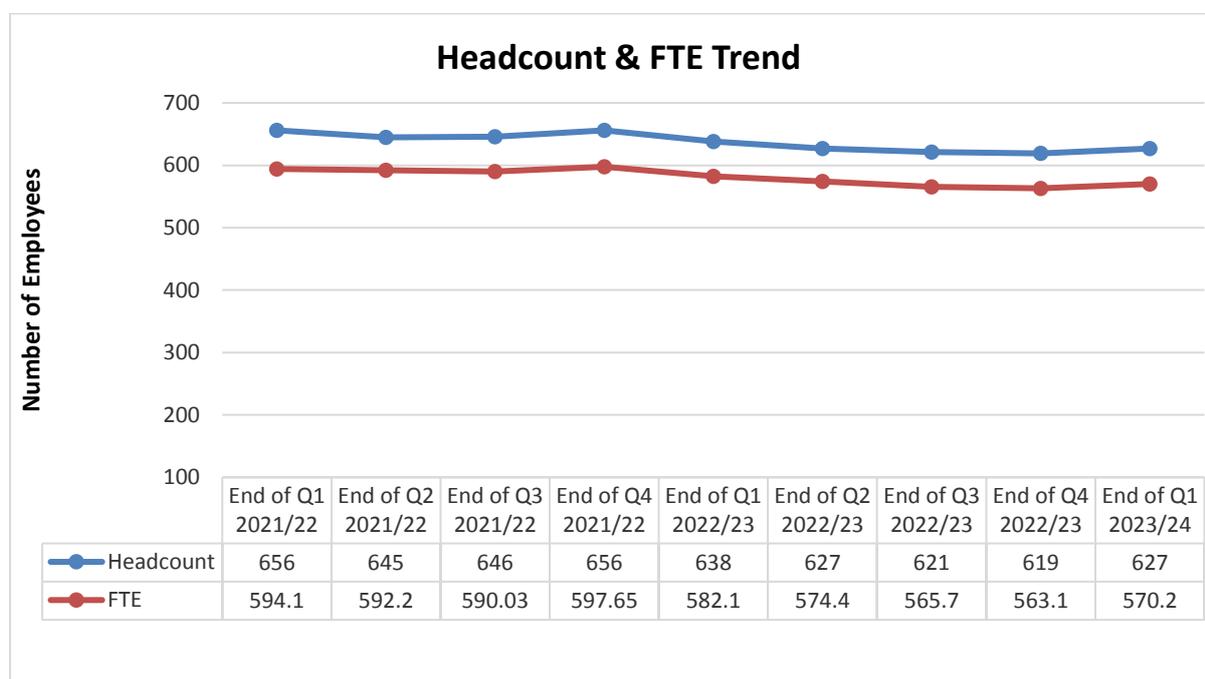
## 1.0 EMPLOYEE PROFILE

**Definition: Headcount** is the number of employees working within the Council, counting primary roles only.

A **full time equivalent** (referred to as FTE) is a measure of an employee's workload to make the position comparable across the workforce based on a 37-hour full-time working week. For example, an FTE of 0.5 indicates that the employee works half of a full-time working week (18.5 hours).

### 1.1 HEADCOUNT AND FTE

At the end of Quarter One (30 June 2023), the total number of permanent and Fixed term employees employed by Huntingdonshire District Council was 627 (excluding those employed on a variable or casual hour basis) with the number of full-time equivalent posts at 570.2.



### 1.2 WORKFORCE BY CONTRACT TYPE

Data on Variable employees (zero hours basis contracts) is included in the below table. However, data on Variables are not included in the other areas of the workforce reporting. Variables are typically employed in multiple positions across Leisure services; though a small number of Variables are employed in Operations, Recovery Services, ICT. At the end of Q1 HDC had 421 individuals employed in 925 posts. This is a increase from quarter four.

Below table numbers may vary as includes employees with multiple contracts/ positions.

Employment Type	Quarter One	Quarter Four
Fixed Term	36	35
Permanent	578	575
Secondment/Acting Up	20	16
<b>Grand Total</b>	<b>635</b>	<b>626</b>
Variable employees	421 (925)	420 (921 Posts)

### 1.3 PAYBILL

The following table shows the Council's budget, forecasted spend on pay costs (including National Insurance and pension contributions) for all employees but excluding hired staff (contractors and agency staff). Forecasted spend on pay costs for employees is estimated to be £981,858 lower than budget. In contrast to this there is an estimated overspend of £673,183 on contractors and agency staff compared to a budget of £ 326,015. Netting out at an underspend of approximately £ 308,600 against staffing budget when the underspend and the existing budget are taken into account.

Year	Budget (£)	Actual (£)	Forecast (£)
2016/17	22,526,917	21,903,947	
2017/18	24,591,631	23,536,053	
2018/19	25,230,515	23,192,646	
2019/20	24,871,268	23,941,696	
2020/21	25,679,601	24,240,402	
2021/22	25,377,310	25,421,307	
2022/23	27,330,175	26,467,958	
2023/24	27,848,428		26,866,569

### 1.4 HIGH EARNERS

**Definition: High earners** are classified as employees who are paid at £50,000 or above. This information is already published annually in line with the Government's commitment to improve transparency across the public sector and the target hasn't changed since it was introduced. The Councils pay policy distinguishes authorisation of salaries over £75,000 per annum.

At the end of Quarter One 47 employees were paid at FTE salaries of £50,000 or above, representing 7.4% of the total workforce. 0.95% of the workforce are paid salaries over £75,000. The total number of employees classed as high earners is has increased from the previous Quarter (31). This increase is primarily down to the cost of living pay award that was implemented from April 2023.

## 1.5 LEAVERS

During Quarter One, 23 full-time/part-time employees on permanent or fixed-term contracts left the organisation, which is lower than the total leaving in the previous Quarter (26).

9 of the leavers from Q1, resigned to take up other posts with either commercial or public sector employers, which is the same as last quarters report. There were 3 individuals who retired that had a combined Service with local government of 71 years.

Leaving Reason	Fixed Term	Permanent	Total
Leaver - Dismissal - Misconduct		5	5
Leaver - Retirement		3	3
Leaver - Voluntary Resignation - Better Reward Package		1	1
Leaver - Voluntary Resignation - Care & Responsibility		1	1
Leaver - Voluntary Resignation - Health Reasons		2	2
Leaver - Voluntary Resignation - New Job Offer (Private)		4	4
Leaver - Voluntary Resignation - New Job Offer (Public)	1	4	
Leaver - Voluntary Resignation - Other		2	2
<b>Grand Total</b>	<b>1</b>	<b>22</b>	<b>23</b>

The table below show the above leavers service and whether they left voluntarily or not.

Service	Involuntary	Voluntary	Total	Turnover by Service *
Planning		3	3	6.59%
Operations	3	4	7	5.02%
COO Division		5	5	3.68%
3C-ICT		3	3	3.64%
Corporate Services		2	2	3.45%
Leisure and Health	1	1	2	1.98%
Strategic Insights and Delivery	1		1	1.85%
<b>Grand Total</b>	<b>5</b>	<b>18</b>	<b>23</b>	

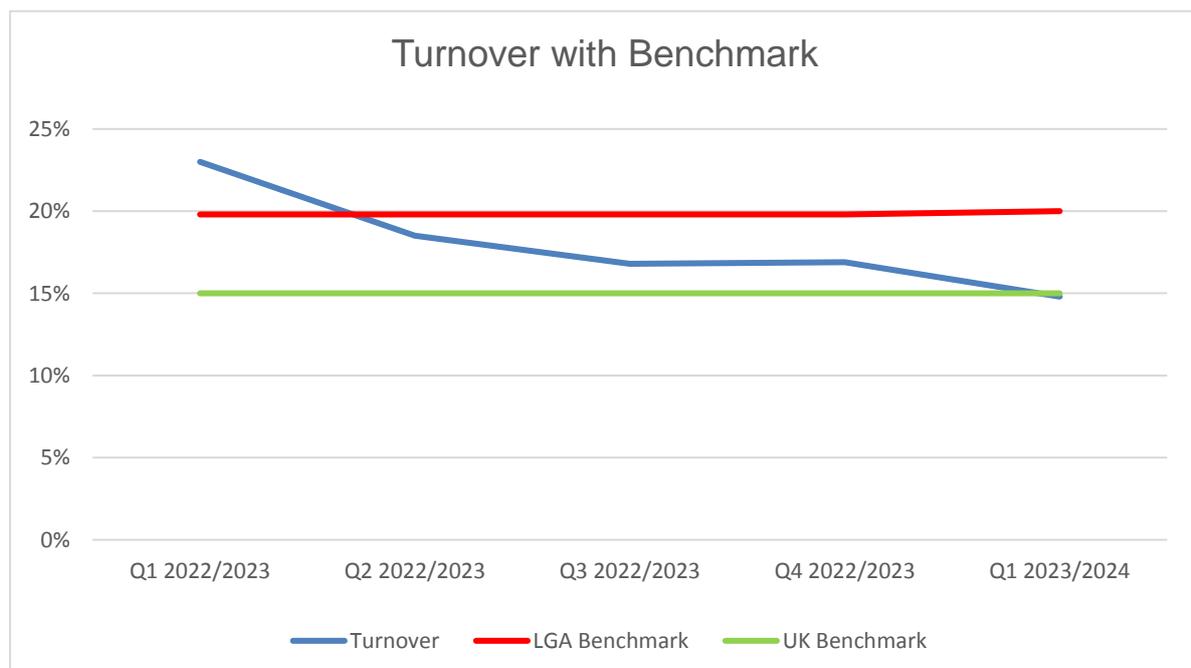
\* Turnover calculated by leavers against service size (head count, based on average size of the service across the quarter)

Feedback from completed exit interviews show the top reasons for voluntary leavers leaving the organisation are job change and pay. In terms of the feedback - the top-rated response for leavers questionnaires about what they most liked about working for HDC related to the flexibility they had working here and the people they worked with/supportive colleagues. In response to the question what they least liked about working for HDC the answers which came up were the salary and lack support in work, filling vacancies or projects.

## 1.6 TURNOVER

In the 12 months to 30 June 2023, 94 employees left the Council. As a proportion of the average number of permanent/Fixed Term employees over this period, the overall annual turnover rate for employees is 14.8%, which is lower than the previous quarter. During the last 12 months, 5 of the leavers (as at end of Q1) included fixed term Kickstart placements, a scheme that we supported which offered funded work placements for a 6-month period.

As can be seen from the graph below there was a steady rise in turnover in 2021 with the figures peaking in March 2022 reaching 28%. Since that point the turnover figures have been reducing. As can be seen by the two benchmarking lines we now below both the LGA benchmark and the UK Average.



External factors are still impacting our turnover rates and pay still being the most frequent reason for people leaving which shows the economic climate is still playing a part. We expect to see the decreasing trend to continue.

## 1.7 RECRUITMENT METRICS

Recruitment activity has decreased from last quarter.

Of the 51 offers made 16 were existing HDC staff, promoted or moving into other positions around the council. The HR team will continue to support the business with creating opportunities to grow and develop our workforce, careers, and mobility around services.

Advertised Roles	Q1 22/23	Q2 22/23	Q3 22/23	Q4 22/23	Q1 23/24
	55	45	30	48	39

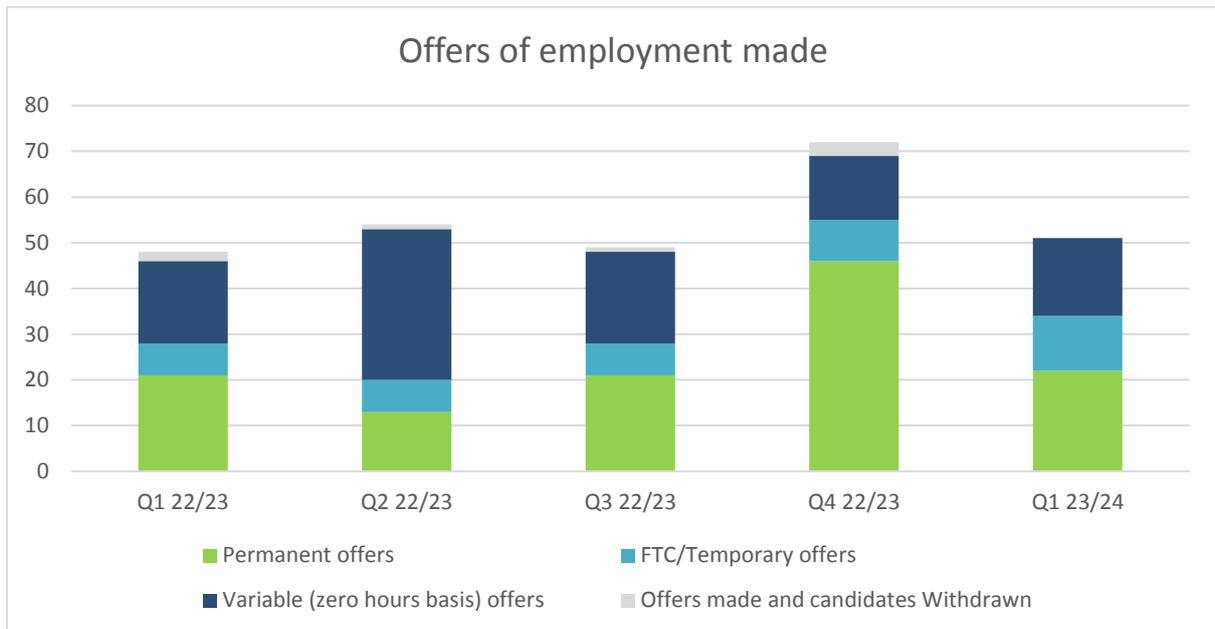
Advertised Roles per business area	Q1 22/23	Q2 22/23	Q3 22/23	Q4 22/23	Q1 23/24
ICT	4	8	3	2	4
Corporate Services (HR, Finance, Facilities, Dem Services)	2	2	5	3	6
COO (Development/Planning, Community, Revs & Bens, Customer Services)	18	10	12	3	6
Strategic Housing & Growth	1	0	3	2	0
One Leisure	8	23	6	18	7
Recovery Services (Car parking; Countryside, Parks & Open Spaces)	1	3	5	0	9
Operations (Waste, CCTV, Grounds Maintenance, Street Cleaning)	4	6	11	17	3
Executive/Transformation/Communications	0	2	0	3	4

Time taken between advertising a role and start date	Q1 22/23	Q2 22/23	Q3 22/23	Q4 22/23	Q1 23/24
Average time from Date Job Advertised to shortlisting completed	17	18	20	18	17
Average time from Date Job Advertised to offer	30	33	33	33	31
Average time from Date Job Advertised to employment start date	56	61	64	55	58

Calendar Days. Note this may not be the full days vacant on establishment but is the date when hiring manager starts recruitment activity.

The most popular source of recruitment for candidates offered employment are:

- The HDC website
- Internal applicants
- External website (Indeed/LinkedIn/Facebook)



## 1.8 RECRUITMENT CHALLENGES

Challenges for recruitment in quarter one continue in the same themes as in quarter four where we have seen a number of failed campaigns which required roles to be readvertised/closing dates extended or roles to be reviewed due to low application rate.

The recruitment team continue to look at ways to make HDC more attractive during the recruitment process, and also focusing where possible on more agile recruitment campaigns.

We are working with the digital team on improvements to our careers website to promote HDC as an employer of choice. We are working on a 'staff voices' page where we can highlight the positive experiences of our colleagues and showcase that we truly are a flexible employer.

The most difficult to recruit roles in this quarter have been:

**Finance and Implementation Officer** – This role has attracted a number of international candidates who require sponsorship to work in the UK, HDC do not have license to do this. We did progress to interview but our preferred candidate was unable to take the role due to right to work constraints. The role has been readvertised making it clear we are unable to sponsor workers to work in the UK.

**Information Management Officer** – This role is a highly specialist role and is being offered on a fixed term contract. The first campaign failed so it has been readvertised using alternative websites and we have seen an uptake in suitably qualified applicants but salary expectations may become a challenge to appointing a candidate.

## 1.9 EMPLOYEE ENGAGEMENT

Activities that have taken place in the last quarter to help support employee engagement and aid in retention the following activities have taken place:

- We have launched the Level 5 and level 7 Leadership and Management apprenticeships to all staff with a high level of interest shown in both levels. Applications are currently being worked through with the next courses planned to start in September and October.

Planned future activities are to:

- For the next level apprenticeship courses to start and our level 3 cohort in Leadership and management to complete their apprenticeships. Following the success of this level there is work underway to see when and how we can offer another cohort.
- A HR Manager Projects will be recruited to lead the work on the workforce strategy and will kick off by launching an intranet page and holding engagement sessions that will be open to all staff.

### Learning & development

From the beginning of April through to the end of June 2023 Learning and Development have signed up 4 new apprenticeships; 2 are existing employees and 2 are new apprentice contracts. The apprenticeships being undertaken are a mixture of Level 3 Business Administration, Level 4 Countryside Ranger and Level 7 Digital and Technology Solutions Specialist.

Enquiries	Live apprenticeships	Level 3	Level 4	Level 6	Level 7	Signing up
3	32	28	2	1	1	1

## 1.10 TIME OFF FOR TRADE UNION DUTIES

Following the agreement of the Time off for Trade Union Duties this report will capture the facilities time for Stewards. The details in quarter 1 are:

Period	Training Hours	Official Duties Hours
Q1	111	19.5

The training hours are reflective of new Steward training.

## 2.0 SICKNESS ABSENCE

**Definition:** Long term sickness is classified as a continuous period of absence of 28 or more calendar days. All other periods of absence are defined as **short term**.

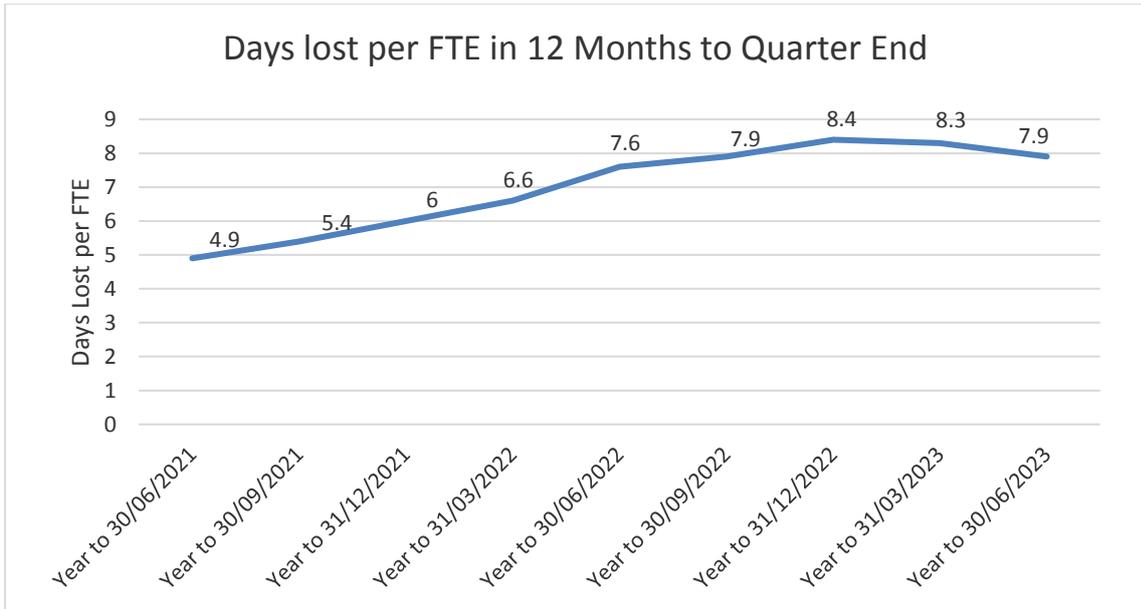
The absence data is calculated per full-time equivalent (FTE) as per the guidelines set out in the previous Best Value Performance Indicators (former statutory dataset) for sickness to account for adjustments in working hours.

Trigger points for management action under HDC policy are as follows:

- 3 or more periods of absence in a rolling 3-month period
- 6 or more periods of absence in a rolling 12-month period
- 8 working days or more in a rolling 12-month period
- Long term absence of 28 calendar days or more
- Pattern of absence (e.g., regular Friday and/or Monday; repeated absences linked to holidays)

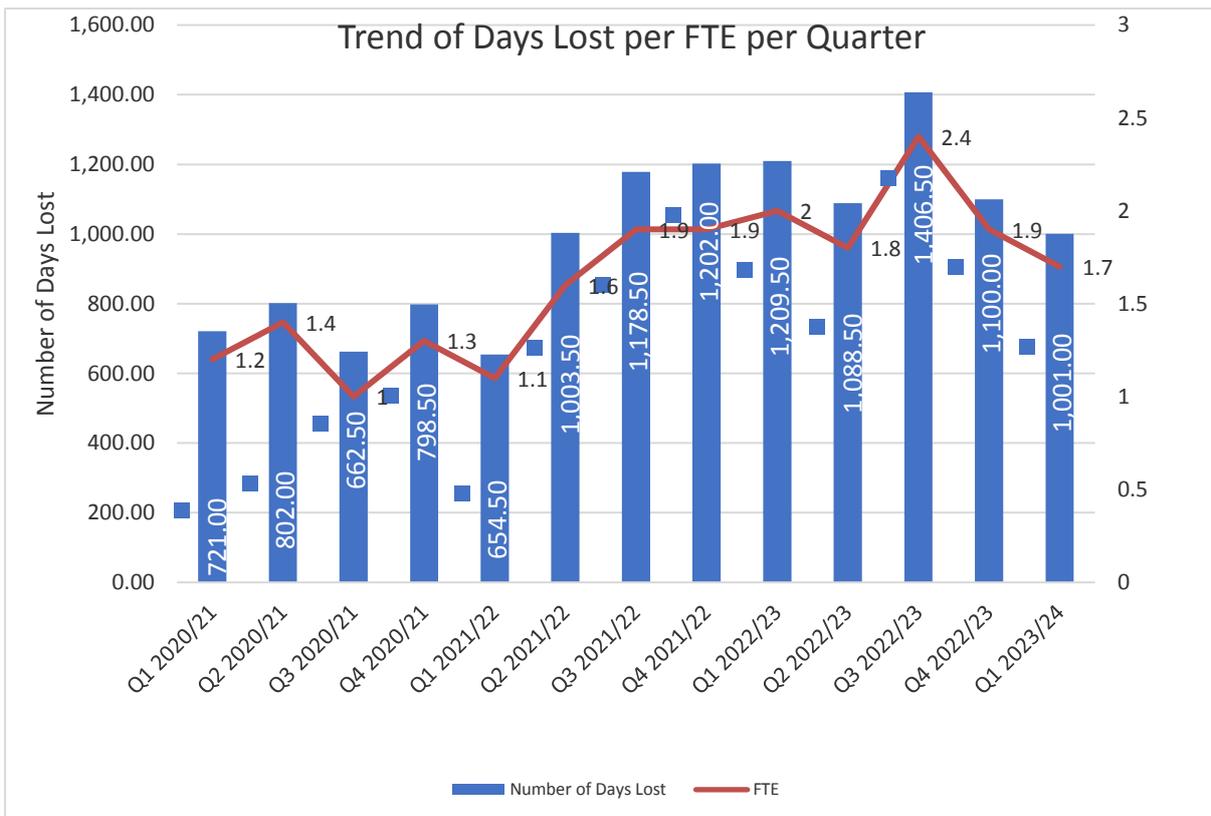
## 2.1 TREND OF WORKING DAYS LOST ACROSS HDC

The graph shows the trend in sickness absence per FTE employee over a rolling period to the end of each Quarter since June 2021. It shows that sickness absence to the end of Quarter one has decreased, to 7.9 days per FTE.



## 2.2 TREND OF WORKING DAYS LOST ACROSS HDC BY QUARTER

The total number of working days lost in Quarter One (1001) this is lower than in the previous Quarter; as is the days lost per FTE (1.7) for sickness absence.



129 employees were absent due to sickness in Quarter One which is 20.2%\* of all those employed during the period (excluding those with variable/casual posts only).

(\*percentage is based on average headcount during Quarter)

## 2.3 REASONS FOR SICKNESS ABSENCE

Please see the top 5 reasons for sickness absence by category below: -

Absence Reason	Days Lost	Employees	Percentage
Stress Anxiety Depression (Personal)	179	9	17.88%
Gastrointestinal - abdominal pain vomiting diarrhea gastroenteritis	164	32	16.38%
Accident at Work	122	2	12.19%
Covid-19	102	12	10.19%
Asthma chest respiratory heart cardiac circulatory	87	5	8.69%

## 2.4 SICKNESS ABSENCE BREAKDOWN

Days lost due to long-term sickness has increased in Q1, from the previous Quarter. The % of absence increased due to the reduction in headcount.

Quarter	Total days of long-term sickness	Total Working days lost (Short term sickness)	% of total absence long-term	% of total absence short-term
Q4 2021/22	556 (11)	646	46.20%	53.80%
Q1 2022/23	517 (10)	692.5	42.70%	57.30%
Q2 2022/23	647 (11)	441.5	59.40%	40.60%
Q3 2022/23	771 (15)	635.5	54.82%	45.18%
Q4 2022/23	348 (8)	752	31.6%	68.4%
Q1 2023/24	590 (11)	411	58.9%	41.1%

\*Brackets denotes number of employees absent.

## 2.5 SICKNESS ABSENCE REPORTING BY SERVICE

The table below shows the sickness by service. It can be seen it has decreased from last quarter in 6 services, and increased in 3, compared to the last quarter.

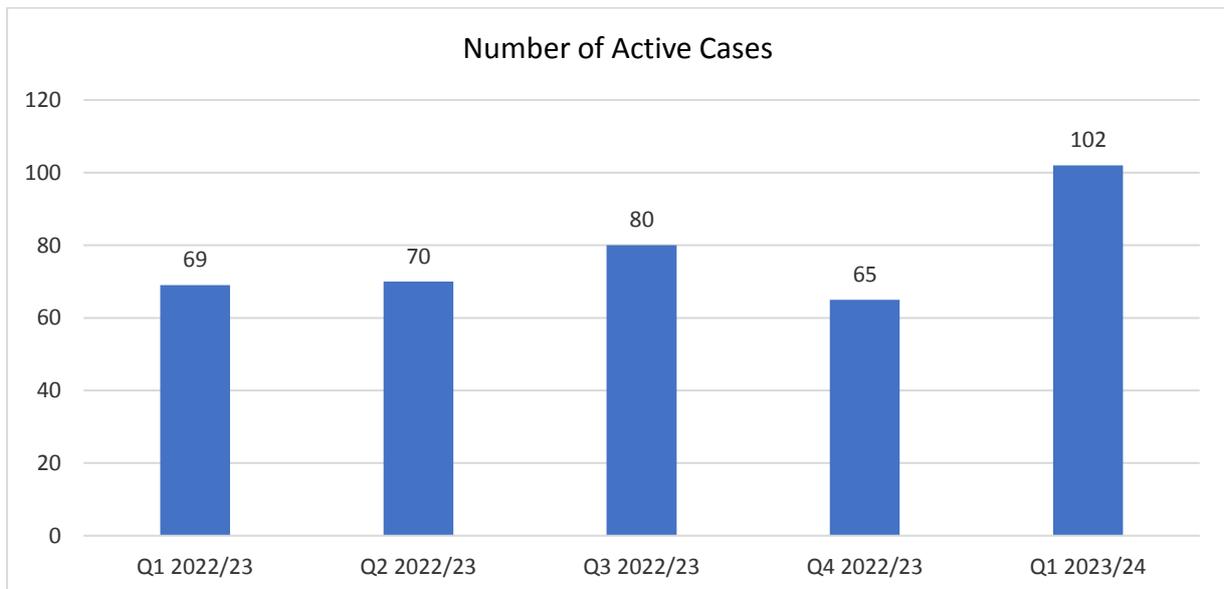
Service	Number Employees absent in Quarter 4	Total days sick Q4	Total days sick Q4	
Chief Operating Officer	30	384	479	↓
Corporate Services	9	22	39	↓
Digital & ICT Services	12	49	55.5	↓
Executive	1	2	0	↑
Growth	1	1	10	↓
Leisure and Health	21	110	99.5	↑
Operations	33	261	284	↓
Planning	14	137	80	↑
Strategic Insights & Delivery	8	35	53	↓
<b>OVERALL</b>	<b>129 (20.2% of HDC employees*)</b>	<b>1001</b>	<b>1100</b>	<b>↓</b>

\*percentage is based on average head count during Quarter

### 3.0 HR CASELOAD

The HR Team's caseload is recorded to provide an indicator of the type of HR issues that the organisation has been dealing with over the last 12 months.

#### 3.1 BREAKDOWN OF HR CASES BY TYPE



During Quarter One, there were 102 cases in progress, of which 13 were dealt with under formal procedures. The Overall total was higher than in the previous Quarter, with cases for the previous Quarter also shown below for comparison purposes.

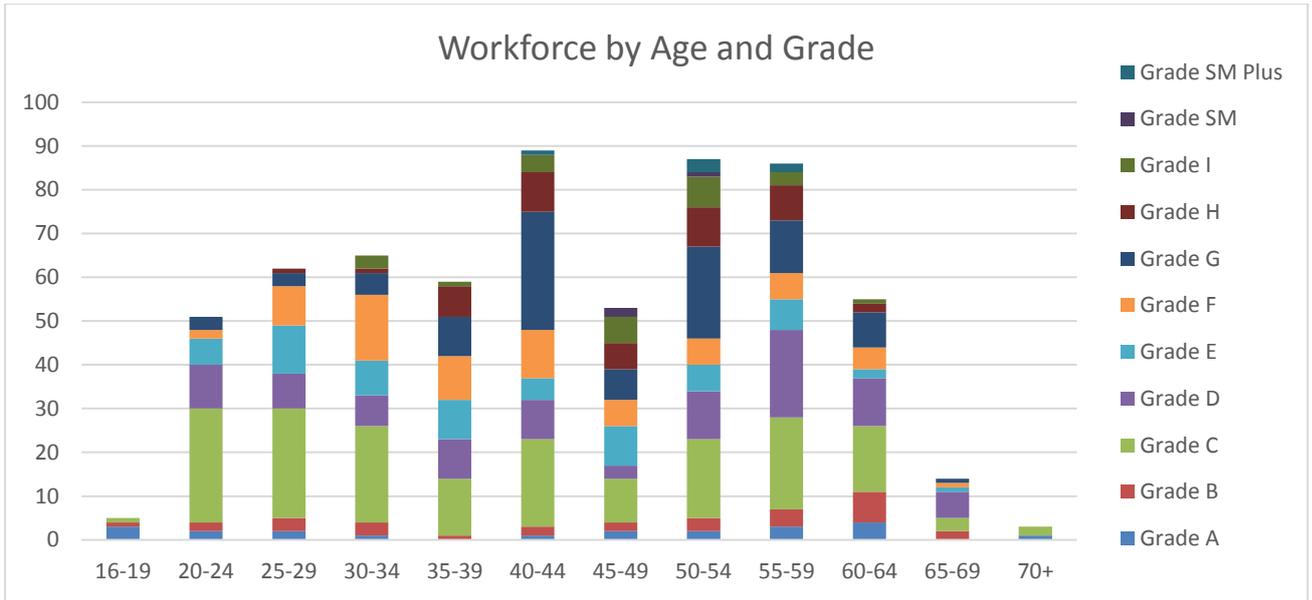
Type of Case	Informal Cases	Formal Cases	Total Q4	Previous Quarter
Appeals	0	0	0	0
Capability – Sickness	49	10	59	37
Capability – Performance	4	0	4	3
Consultations (including TUPE)	0	0	0	1
Bullying and Harassment	0	1	1	1
Disciplinary	18	1	19	8
Employment Tribunals	0	0	0	0
Flexible Working Requests	3	0	3	6
Grievance	6	0	6	4
Probation	1	1	2	0
Subject Access Request	0	0	0	0
Other	8	0	8	5
<b>Total</b>	<b>89</b>	<b>13</b>	<b>102</b>	<b>65</b>

#### 4.0 EQUALITIES DATA

Equality Data may be presented using percentages and not specific numbers as in some cases the sharing of specific numbers would mean that a small group of people could be easily identified.

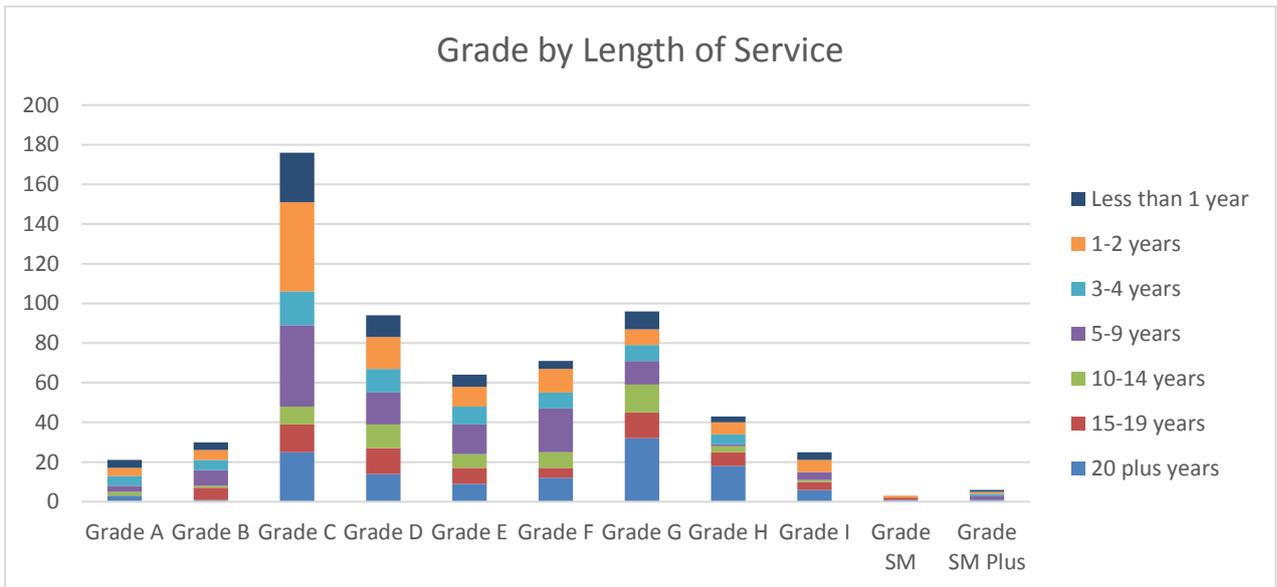
#### 4.1 WORKFORCE BY AGE AND GRADE

As requested at the January 2023 employment committee we are including the workforce based on Age and Grade. The number of employees by 5-year age band is depicted below by pay grade. Please note that where an employee has two jobs on different grades, they have been counted within their age band against both grades. This information shows that we do not have any specific pinch points around this with age groups spread across the grades.



For the purposes of simplifying this graph, employees who have transferred into the Council on existing terms and conditions have been linked to Huntingdonshire District Council pay grades based on their current salary levels.

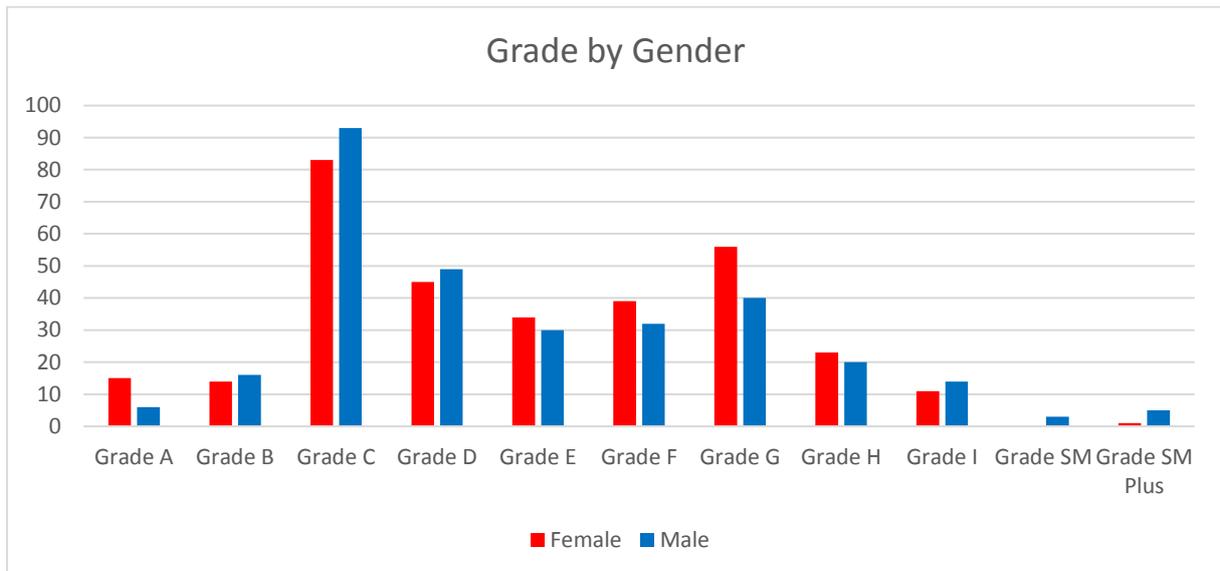
## 4.2 WORKFORCE BY GRADE AND LENGTH OF SERVICE



## 4.3 WORKFORCE BY GENDER



#### 4.4 EMPLOYEES BY GRADE AND GENDER



#### 4.5 WORKFORCE BY ETHNICITY

Ethnicity	% of workforce
Asian	2.07%
Black	1.44%
Mixed	0.96%
Other	0.64%
White	81.18%
Not Declared	13.72%

#### 4.6 DISABILITY DATA

Disability Status	% of work force
No	71.61%
Yes	10.85%
Not Known	1.75%
Not Declared	15.79%

## 5.0 ACCIDENT / INCIDENT REPORTS

This section reports on the number and nature of accidents and incidents occurring in owned, managed and occupied premises or associated with work activities undertaken by the Council's employees, during quarter 1.

**Definition:** Accidents reported to the Incident Control Centre under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations are referred to as RIDDOR accidents.

## 5.1 OPERATIONS SERVICES

There were no RIDDOR accidents reported.  
There were four non-RIDDOR accidents relating to employees recorded.

The table below summarises these by nature and severity:

Type	Category	Severity	No of cases
Non-RIDDOR accident	Struck by moving, including flying/falling, object	No First Aid	1
Non-RIDDOR accident	Slips, trips or falls on same level	No First Aid	1
Non-RIDDOR accident	Contact with moving machinery	Taken to Hospital	1
Non-RIDDOR accident	Injured while handling, lifting or carrying	No First Aid	1

## 5.2 OFFICE BASED PREMISES

There were no RIDDOR accidents reported.  
There were no non-RIDDOR accidents relating to employees recorded.  
There was one non-RIDDOR accident relating to a non-employee recorded.

The table below summarises these by nature and severity:

Type	Category	Severity	No of cases
Non-RIDDOR accident	Struck by moving, including flying/falling, object	First aid	1

### 5.3 ONE LEISURE AND ONE LEISURE ACTIVE LIFESTYLES

There were no RIDDOR accidents reported.

There were five non-RIDDOR accidents relating to an employee recorded.

The following table summarises these by nature and severity:

Type	Category	Severity	No of cases
Non-RIDDOR accident	Slips, trips or falls on same level	Taken to Hospital	1
Non-RIDDOR accident	Strike against something fixed or stationary	Hospital Recommended	1
Non-RIDDOR accident	Struck by moving, including flying/falling, object	First Aid	2
Non-RIDDOR accident	Slips, trips or falls on same level	First Aid	1

A total of seventy two accidents were recorded involving non-employees.

There were no RIDDOR reportable accidents involving non-employees recorded.

There were nine recommendations to seek further medical attention and no ambulances were called.



# WORKFORCE PROFILE & ACTION PLAN

September 2023



## Equality Act 2010: Public Sector Equality Duty

The purpose of this report is to provide an annual summary of the profile of the workforce of Huntingdonshire District Council (HDC) by their protected characteristics as defined under the Equality Act 2010.

All public sector employers, including local authorities, have a statutory duty under the Equality Act (2010) to publish the equality profile data it holds for its directly employed workforce on a regular annual basis. The latest workforce information for HDC is based on data obtained as at 31 March 2023.

The three aims of the Equality Duty are:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

As equality monitoring questions are optional, the Council does not hold a full set of information for every employee. Where employees did not answer or did not want to state their protected characteristics, these are shown as “not declared”

This report uses the latest data from the 2021 Census where possible to make comparisons against the workforce profile of HDC and has recommended actions against this. This is the start of organic process and more actions will develop as we move through the activities.

# Huntingdonshire District Council 2022/23 - Headcount and Gender



The figures are split by Total Headcount

## What does this data tell us?

- The census data 2021 shows that 49.6% of the population of Huntingdonshire are men, whilst HDC workforce is made up of 48% male. In comparison the census data shows 50.4% Females, whilst HDC workforce is made up of 52% females.
- In terms of those living in the District who are employed the split is 52.5% male and 47.5% Female. Therefore the makeup is reflective of the local demographic and demonstrates a fairly even split in the workforce by gender.

## What are we doing well and where do we need to improve?

- Our last Gender Pay Gap data for 31 March 2022 placed HDC as one of the top performing organisations in relation to the Gender Pay Gap. The next report is due to be published on 31 March 2024.
- Flexibility is encouraged through recruitment processes where possible and dependent on the role. For example, the options of part time, term time only, annualised hours, remote working and flexi scheme are all promoted by HDC.

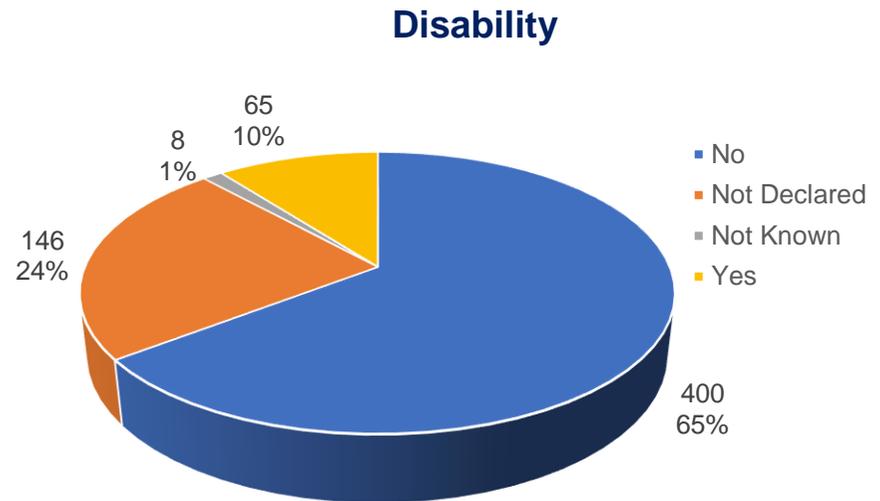
- HDC have signed up to the Menopause Pledge and have had a speaker come in to talk to managers. In addition a Teams group has been created as a support network.

**Actions:**

- Update the website with the pledge and include this in advertisement of roles.
- Further work needs to be done on education around menopause generally and in particularly with managers so that they are able to support staff in the best way.
- Creation of Menopause champions to lead the work in this area.

## Huntingdonshire District Council 2022/23 – Disability

Year	No	Yes	Not Known	Not Declared
2022	186 (28.35%)	32 (4.88%)	9 (1.37%)	429 (65.40%)
2023	400 (64.62%)	65 (10.5%)	8 (1.29%)	146 (23.59%)



### What does this data tell us?

- The census data shows that under the Equality Act category for 'day to day activities limited a lot and limited a little' we have a 16.3% make up in our demographic. HDC shows a make up of staff that have declared a disability at 10.5%. Please note the Census data would include people who are not of working age as well as people who are not able to work due to their disability or other reasons.
- The Census results show for people living in the District that are employed 9.6% are disabled under the Equality Act.
- This data shows that HDC figures are reflective of the local population in terms of those that have declared a disability and are employed.

### What are we doing well and where do we need to improve?

- HDC is signed up to being a Disability Confident Employer, which is a commitment to improving the way we recruit, retain and develop disabled people.
- The Disability at work policy has recently been updated in June 2023 and as a result an Adjustments Passport has been introduced to support employees where they have a disability, health condition or need temporary adjustments to enable them to carry out their role by facilitating conversations between employees and their line manager to capture the adjustments agreed.

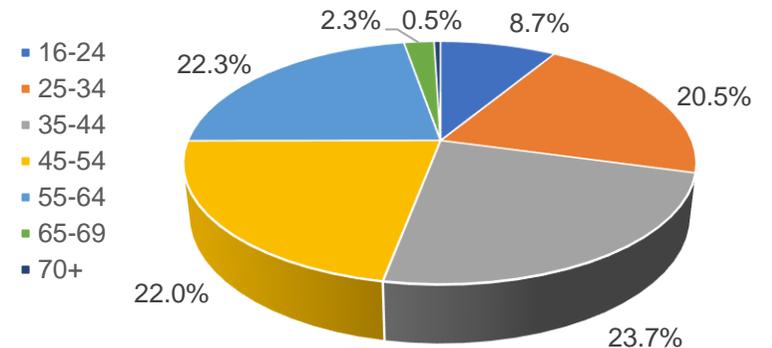
#### **Actions:**

- Work is in progress to communicate the adjustments passport with managers and employees that have declared a disability.
- Ensure the new Disability at Work Policy is incorporated into existing processes for managing sickness to ensure employees are given a copy.
- Review sickness forms to enable reasonable adjustments to be a part of the discussions and documented.
- HDC will need to continue to increase the declaration rate.
- Update the website with the Disability Confident Pledge and include this in recruitment adverts.
- Explore with IT a Dyslexia friendly font, so that emails can be in the correct size, justified appropriately and using the correct font.
- Explore Mindful employer charter, this charter is about taking positive approach to mental health at work.

## Huntingdonshire District Council 2022/23 – Age

Age Group	16-24	25-34	35-44	45-54	55-64	65-69	70+
Number of Employees & percentage	54 8.7%	127 20.5%	147 23.7%	136 22%	138 22.3%	14 2.3%	3 0.5%

**Workforce by Age**



### What does this data tell us?

- The census data age brackets are quite large so this makes it difficult to get an accurate comparison of age against the demographic.
- HDC data has a fairly even spread, except for the lower age group category 16-24.

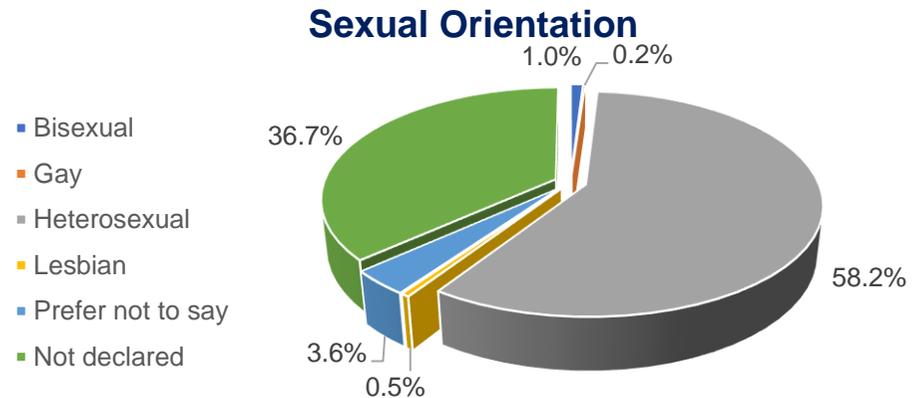
### What are we doing well and where do we need to improve?

#### Actions:

- The recruitment team have been going out to colleges to attract potential applicants and will continue to do this.
- Work continues on Industrial Placements to attract younger candidates.
- Continue to work on bringing in more Apprenticeships
- Workforce strategy will speak to staff about what they value at HDC and what they want to see more of.

## Huntingdonshire District Council 2022/23 - Sexual Orientation

Sexual Orientation	No of Employees and percentage
Bisexual	6 (1%)
Gay	1 (0.2%)
Heterosexual	360 (58.2%)
Lesbian	3 (2.5%)
Prefer not to say	22 (3.6%)
Not Declared	227 (36.7%)



### What does this data tell us?

- The census data shows the make-up of people that declared themselves as lesbian or gay to be 1.3%, HDC is above this at 2.7%. In relation to being bisexual HDC had a 1% declaration and the Huntingdonshire demographic data shows 1.1%. Heterosexual make up of Huntingdonshire was 91% as opposed to HDC where it is 58.2%, this could be linked to the high number of not declared rate. Similarly the Census question on sexual orientation was a voluntary question and therefore not completed by everyone (6.2% did not answer it).
- There is limited data on this internally and externally to compare.

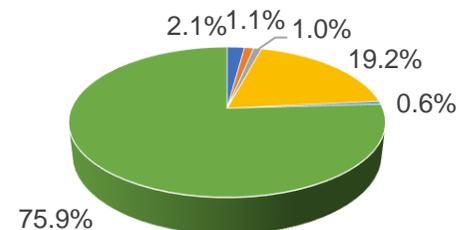
### What are we doing well and where do we need to improve?

- HDC fly the pride flag and share communications regarding this.
- Work needs to be done on the not declared rate and education on the categories on the system will help with this, as this could be contributing.

## Huntingdonshire District Council 2022/23 – Ethnicity

Ethnicity	Asian	Black	Mixed	Other	White	Not Declared
Number of Employees 2022	13 1.98%	3 0.46%	4 0.61%	4 0.61%	469 71.49%	163 24.85%
Number of Employees 2023	13 2.1%	7 1.1%	6 1%	4 0.6%	470 75.9%	119 19.2%

**Ethnicity Group**



■ Asian ■ Black ■ Mixed ■ Not Declared ■ Other ■ White

### What does this data tell us?

- The census data shows Asian make up of Huntingdonshire as 3.2%, HDC have a makeup of 2.1% in this category. Black as 1.5% and HDC employ 1.1% in this category. Mixed is 2.2% in the census data and HDC employ 1%. Under the category 'other' the census data shows 0.7% and HDC has 0.6%. For those that declared themselves as white the census data showed 85.2% and HDC workforce is made up of 75.9% in this category.
- We don't have data for all of our employees (19.2%), therefore direct comparisons with the Census can not be made.

### What are we doing well and where do we need to improve?

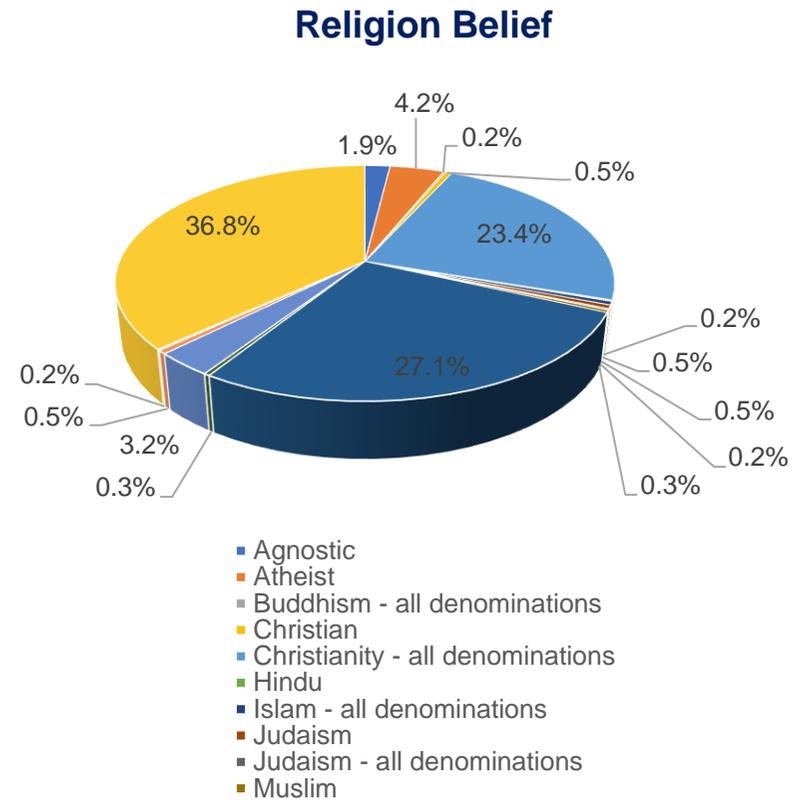
HDC advertise on network groups to reach diverse audiences and will continue to do this.

#### Actions:

- Improve declaration rate and explore breaking down categories such as white into 'white other' to give a better comparison against Census data.
- Explore The Race at work charter and UNISON Anti Racism Charter to see which actions can be implemented at HDC.
- Feed into the workforce strategy on culture and cultural celebrations and what employees feel could be done in this area.

## Huntingdonshire District Council 2022/23 - Religion Belief

Religion	Number of Employees and Percentage
Agnostic	12 (1.9%)
Atheist	26 (4.2%)
Buddhism - all denominations	1 (0.2%)
Christian	3 (0.5%)
Christianity - all denominations	145 (23.4%)
Hindu	1 (0.2%)
Islam - all denominations	3 (0.5%)
Judaism	3 (0.5%)
Judaism - all denominations	1 (0.2%)
Muslim	2 (0.3%)
No Religion	168 (27.1%)
Other Religion	2 (0.3%)
Prefer Not to Say	20 (3.2%)
Sikhism	3 (0.5%)
Taoism	1 (0.2%)
Not Declared	228 (36.8%)



### What does this data tell us?

- The Census data shows among employed people living in the District 48.1% had no religion (includes Atheist and Agnostic). 43.4% were Christian, 0.4% were Buddhist, 0.6% were Hindu and 0.1% were Jewish and 1.2% were Muslim, 0.2% were Sikh and 0.6% were other religion.

- This was a voluntary question in the Census so it was not answered by all (5.5% did not answer this).
- HDC has quite a high not declared rate on this (36%).

**What are we doing well and where do we need to improve?**

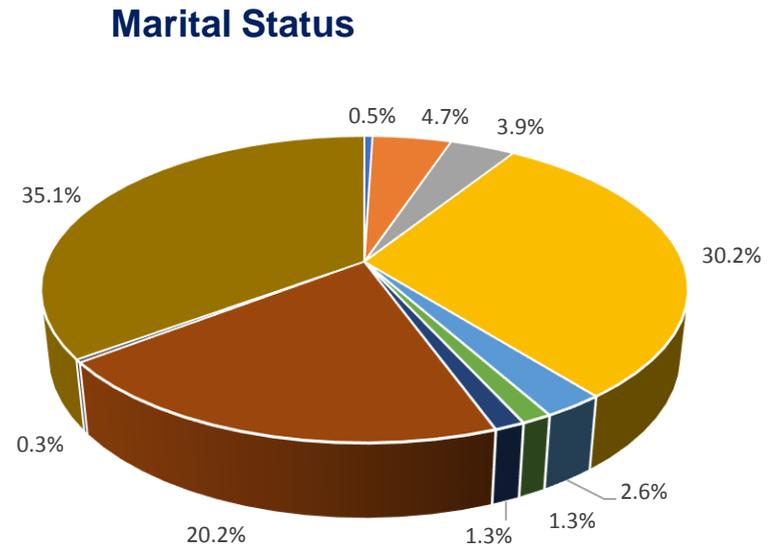
Actions:

- As above feed into work force strategy to celebrate cultural days
- More data is needed on the non-declaration rate.
- Explore combining some categories going forward to help with comparison.

**Huntingdonshire District Council 2022/23 – Marital Status**

Marital Status	Number of Employees and percentage
Civil Partnership	3 (0.5%)
Co-habiting	29 (4.7%)
Divorced	24 (3.9%)
Married	187 (30.2%)
Partner	16 (2.6%)
Prefer not to say	8 (1.3%)
Separated	8 (1.3%)
Single	125 (20.2%)
Widowed	2 (0.3%)
Not Declared	217 (35.1%)

- Civil Partnership
- Co-habiting
- Divorced
- Married
- Partner
- Prefer not to say
- Separated
- Single
- Widowed
- Not Declared



**What does this data tell us?**

- The census data shows married/in a civil partnership as 50%, HDC data shows 30.7% in this category.
- HDC have a 35.1% non-declaration rate, which means we can not directly compare against the Census data

**What are we doing well and where do we need to improve?**

Action:

- Improve data captured in this area

## Conclusion

Equality and diversity is about acceptance, fairness and respect and recognising individual differences. HDC want to create a workforce that is representative of our community, this will enable the council to:

- Value the skills of a diverse work pool
- Ensure that the services we provide are delivered by employees that understand our local community.
- Develop an inclusive workforce, which promotes and delivers improvements on equality through our policies and practices by ensuring they are not having an adverse impact
- Eliminate any barriers that certain groups may face
- Challenge any discrimination in the work place

The actions within the report will help move towards this and in addition there are some general actions that will support the Council's commitment to Equality as outlined below:

- Work during 2022/2023 has focused on decreasing the number of employees that have not declared their protected characteristics. This has helped to improve the data but will need to continue through managers and individuals by explaining the benefits of capturing this information and by being specific about the data that is missing.
- Update the Equal Opportunities Policy.
- Training on Equal Opportunities
- HR involvement in Equality meetings with other Councils to share best practice.
- Run unconscious bias training for managers relating to recruitment.
- Make the roles advertised look more accessible to people who may not have the exact skills by advertising training opportunities relating to roles.
- Focussing more on transferable skills to allow more people to apply rather than being prescriptive, in addition asking for equivalent experience rather than the focus being on qualifications.
- Explore employee networks for different groups to support and develop each other, feed into HR Policies, communications, learning and development and Equality actions.
- Review where and how we promote our roles, ensuring inclusivity.
- Review Bullying and Harassment and Grievance policy to make it easier for employees when raising concerns.

**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** New Policy – Fixed Term Contracts  
**Meeting/Date:** Employment Committee – 20 September 2023  
**Executive Portfolio:** Cllr Martin Hassall (MH)  
**Report by:** Strategic HR Manager (NB)  
**Ward(s) affected:** N/A

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### **Executive Summary:**

As the HR Team work through the policy review, we are reviewing if there are any policy gaps at the same time and it has been established that we do not have one for Fixed Term contracts. A new policy has been created to ensure that as an employer we are following the Fixed Term Work (FTW) Regulations 2002 which ensures that fixed term workers are not treated less favourably than comparable permanent employees.

Policy is attached for your information.

### **Recommendation(s):**

The Committee is asked to consider and endorse the new policy.

## **2.1 PURPOSE OF THE REPORT**

- 1.1 The report draws Committee attention to the new policy and ask for endorsement to implement the use of it.

## **2.2 WHY IS THIS REPORT NECESSARY/BACKGROUND**

- a. The reason for this policy is to ensure that as an employer we are following the Fixed Term Work (FTW) Regulations 2002 which ensures that fixed term workers are not treated less favourably than comparable permanent employees.

b.

## **2.3 KEY IMPACTS / RISKS**

- a. It is a statutory requirement for HDC to ensure Fixed Term workers are not treated any less favourably the comparable permanent employees.

## **2.4 WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- a. The policy will be added to our employment policy section of the intranet and highlighted to relevant managers.

## **2.5 LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

[\(See Corporate Plan\)](#)

- a. To have an engaged and motivated workforce, as part of being a more efficient and effective council – through updated, clear employment policies.

## **2.6 CONSULTATION**

- a. Senior Leadership Team, ERG and UNISON have been briefed and given the opportunity to review the proposed policy changes and support them.

## **2.7 REASONS FOR THE RECOMMENDED DECISIONS**

- a. Adoption of the policy will ensure that HDC is following correct rules for Fixed Term workers.

## **2.8 LIST OF APPENDICES INCLUDED**

Appendix 1 – Fixed Term Workers Policy

### **CONTACT OFFICER**

Name/Job Title: Nicki Bane  
Tel No: 01480 388422  
Email: [nicki.bane@huntingdonshire.gov.uk](mailto:nicki.bane@huntingdonshire.gov.uk)

# Fixed Term Contract Policy

## Version 1.1

<u>Version Control</u>			
<u>Version</u>	<u>Author</u>	<u>Date</u>	<u>Changes</u>
1.1		June 2023	New policy

Name of Policy:	Fixed Term Contracts
Person/posts responsible:	Strategic HR Manager
Date approved/adopted:	September 2023
Approved by:	Employee Committee
Review Date:	January 2025

## 1. Introduction

This policy on the use of fixed term contracts is based on the Fixed Term Work (FTW) Regulations 2002. These regulations aim to:

- Prevent fixed term employees from being less favourably treated than comparable permanent employees.
- Prevent abuse arising from the use of successive fixed term contracts.
- Improve access to training information on permanent jobs for fixed term employees.

Under the Employment Rights Act 1996 there is no break in statutory service if the employee works for the same employer, under different contracts, and there are no gaps of a statutory week or more between them. Therefore, a series of fixed term contracts, (even for different jobs), may be amalgamated for the purposes of qualifying conditions for unfair dismissal and other statutory rights.

Under the Redundancy Payment (Local Government) (Modification) Order 1983 we must recognise continuous service in local government organisations when calculating redundancy payments.

## 2. Policy statement

Huntingdonshire District Council (HDC) regards its employees as its most important asset, and that the quality of its employees has direct impact on the continued effectiveness of the Council and the standard of services provided.

HDC recognises that, at times, there is a justifiable business reason to employ staff on a fixed term contract, for a variety of reasons, such as maternity cover or to complete a short term project.

This policy intends to provide guidance on when to use fixed term contracts and how to manage them and should be read in conjunction with the Recruitment and Selection Policy.

## 3. Scope of policy

This policy applies to all employees, except those specifically excluded from the FTW Regulations i.e., employees engaged on:

- An apprenticeship scheme
- Publicly funded training and temporary work schemes
- Work experience placements
- Industry Placements

## 4. Definitions

For the purposes of this policy the following definitions apply:

**Fixed term employee** is an employee who is employed under a fixed term contract, i.e., an employment contract that ends on a specific date (which is fixed in advance), or ends automatically on the completion of a particular task or with the occurrence of a specific event, e.g. to provide cover until the permanent postholder returns from maternity leave.

**Permanent employee** is an employee who is employed under a contract which is open ended, i.e., it has no fixed end date.

## **5. Protection from less favourable treatment**

In accordance with the Regulations a fixed term employee will not be treated less favourably than a 'comparable' permanent employee because of their fixed term status, unless the treatment can be 'objectively justified'.

For example, fixed-term employees will:

- Be subject to the same qualifying period(s) for benefits
- Have continuous service calculated in the same way
- Be given details of, and the opportunity to join one of, the recognised trade unions
- Be offered (and receive equal access to) appropriate training and development
- Be provided the same opportunities to secure permanent employment, including being given access to apply for internal vacancies

## **6. Advertising fixed term contract**

The normal Recruitment & Selection rules apply:

- Positions expected to last for longer than 3 months should be advertised
- Positions should be advertised, wherever possible, as secondment opportunities (in order to protect the employment position of individuals who may have a number of years' continuous with us or local government service). Jobs may be advertised as fixed term/secondment opportunities to maximise the pool of candidates. Where a secondment is an option, this should be favoured over a fixed term contract for internal employees where possible.
- Applications shall be accepted from internal applicants who are not subject to a current capability action plan concerning performance, not subject to current formal investigations, disciplinary proceedings or not subject to a live formal disciplinary sanction. Where there are exceptional circumstances, line managers should contact their HR Business Partner.

## **7. Maximum duration of fixed term contracts**

The use of successive fixed term contracts will be limited to 2 years, unless the relevant manager can objectively justify an extension.

The following reasons may provide objective justification to extend a fixed term contract beyond two years:

- The funding for the fixed term contract has been extended but is available for a limited period only.
- The piece of work/project a person was employed to undertake has been extended for a further period.
- The fixed term contract was advertised originally to cover a period of maternity leave, long-term absence or a secondment and the substantive post holder is going to be absent for longer than originally planned.

Where extension of a fixed term contract is objectively justified, the maximum legal period permitted is four years. If an extension beyond four years is required, the contract must automatically be made permanent.

Managers must be careful not to discriminate when extending or terminating fixed term contracts, e.g., a manager must not terminate a contract prior to an employee commencing maternity leave, when the contract ordinarily would have continued.

#### **8. Enforced breaks between fixed term contracts**

Forced breaks in fixed term contracts are not permitted. For example, a manager cannot impose a statutory break between contracts, i.e., a Sunday to Saturday break, in order to break an employee's continuity of service and their employment rights. Case law has determined that such 'forced breaks' between fixed term contracts are not legal.

#### **9. Extending, or making fixed terms contracts permanent**

Where a fixed term contract is being made permanent, Managers should complete the Vacancy Authorisation Form (VAF) and forward to the Recruitment Team to advertise the role

A selection process would normally be undertaken if there are a number of people undertaking the same role on a fixed term basis and there is only one permanent role.

#### **10. Ending fixed term contracts**

Any fixed term contract that is issued will clearly state the date the contract is due to end or specify the nature of the limiting event that will bring the contract to an end e.g., the completion of a specific piece of work, return to work of the substantive post-holder.

Managers should complete the Leaver Form when a fixed term appointment is ending.

Where an employee has more than two years' service the appropriate fair reason for dismissal will be applied. This is likely to be redundancy in the case where the work an employee has been contracted to undertake has ceased or diminished. The redundancy process will apply, and the employee may be eligible for a redundancy payment.

#### **12. Ending fixed term contract early**

Sometimes a service may need to terminate a fixed term contract before the specified end date or specified time limiting event. For example, if a piece of work is completed early or if the fixed term contract is being used to provide cover for an absent employee and they return to work early.

In these cases we must issue notice to terminate the contract early in line with the employee's contract of employment. Consideration must be given to length of statutory service and the appropriate reason for dismissal as outlined above.

#### **13. Fixed term contract accepted to mitigate redundancy**

Where an employee accepts a fixed term contract as suitable alternative employment to mitigate redundancy from another role, the end of the fixed term contract should be treated as a deferred redundancy.

If the employee has two or more years' continuous local government service, a redundancy payment may be payable at the end of the fixed term contract. Therefore, managers must be

aware that they may need to make provision for these costs when appointing to fixed term contracts.

#### **14. Further information**

Employees with questions about this policy should speak to their Line Manager. Managers who need further information on how to apply this policy should contact the HR team.

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**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** HR Policy Update  
**Meeting/Date:** Employment Committee – 20 September 2023  
**Executive Portfolio:** Cllr Martin Hassall (MH)  
**Report by:** Strategic HR Manager (NB)  
**Ward(s) affected:** N/A

---

### Executive Summary:

As noted in the November 2022 committee meeting HR are undertaking a programme of reviewing and refreshing our current policies to ensure that they are accurate, legally compliant and reflect current practice within HDC. We are therefore bringing the next set of policies we have reviewed to you.

The policies reviewed in this period are:

- The Job Evaluation Policy
- Working Time Regulations Guidelines

Summary of the changes:

Policy	Amendments
The Job Evaluation Policy	Changed name from 'Procedure' to 'Policy'. Changed typos. Taken out inaccuracies. Days permitted to complete evaluation increased. The evaluation form revised to enable all evaluation processes to be done on one form.  Appeals do not require management authorisation and tightened up criteria for appeal
Working Time Regulations Guidelines	Review/streamline, typos and making the guidelines clearer

Full copies of the policies are included in the appendices for your information.

### Recommendation(s):

The Committee is asked to consider and endorse the updated policies.

## **2.1 PURPOSE OF THE REPORT**

- 1.1 The report draws Committee attention to the revised policies and that we are seeking endorsement to use the new format.

## **2.2 WHY IS THIS REPORT NECESSARY/BACKGROUND**

- a. The main reason for these policies being updated is to ensure that we have legally compliant, up to date and in line with current processes policies that are accessible for all to use.
- b. It also ensures we have correct version control on the document to reflect any changes as we move forward.
- c. Finally, this will ensure that all policies going forward will reflect the correct employee representative groups.

## **2.3 KEY IMPACTS / RISKS**

- a. Having up to date policies that are regularly reviewed ensure that we are legally compliant and that our processes are robust by following them, reducing any risks of potential future claims.

## **2.4 WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- a. The updated policies will replace the current policies on our employment policy section of the intranet.

## **2.5 LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

[\*\(See Corporate Plan\)\*](#)

- a. To have an engaged and motivated workforce, as part of being a more efficient and effective council – through updated, clear employment policies.

## **2.6 CONSULTATION**

- a. Senior Leadership Team, the Employee Representative Group and UNISON have been briefed and given the opportunity to review the proposed policy changes and support them.

## **2.7 REASONS FOR THE RECOMMENDED DECISIONS**

- a. Adoption of the revised policies will ensure that HDC is legally compliant and has a clear trail of policy amendments.

## **2.8 LIST OF APPENDICES INCLUDED**

Appendix 1 - The Disability at Work Policy  
Appendix 2 - The Improving Performance Policy

## **CONTACT OFFICER**

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Tel No: 01480 388422  
Email: [nicki.bane@huntingdonshire.gov.uk](mailto:nicki.bane@huntingdonshire.gov.uk)

# Job Evaluation Policy

## 1:1

<u>Version Control</u>			
<u>Version</u>	<u>Author</u>	<u>Date</u>	<u>Changes</u>
1:1	Lisa Morris	August 2023	<p>Changed name from 'Procedure' to 'Policy'. Changed typos. Taken out inaccuracies.</p> <p>Days to complete evaluation increased.</p> <p>Evaluation form revised to enable all evaluation processes to be done on one form.</p> <p>Appeals do not require management authorisation and tightened up criteria for appeal</p>

Name of Policy	Job Evaluation Policy
Person/posts responsible	Strategic HR Manager
Date approved/adopted	20 September 2023
Approved by	Employment Committee
Review Date	September 2025

# Job Evaluation Policy

## 1. Background

- 1.1 Huntingdonshire District Council (HDC) is committed to delivering effective services with employees in roles who are adequately qualified and correctly remunerated.
- 1.2 The scheme used is the Inbucon scheme, adopted in 1987 and local conventions updated in 2012 and 2016.
- 1.3 The job evaluation scheme is a 'closed' scheme. The legal copyright and intellectual property are owned by Inbucon.
- 1.4 This Policy applies to all new and existing posts and where there has been a change in the role.

## 2. Employee groups covered by the policy

- 2.1 This procedure outlines good practice and promotes an equitable system for all employees to enable managers and employees to understand its application.

## 3. Associated Policies

- 3.1 Please read this policy in conjunction with the following:
  - Pay Policy
  - Recruitment and Selection Policy

## 4. Objectives

- 4.1 Evaluation is a systematic process by which the grading of each role within HDC is established.
- 4.2 This policy aims to clarify the processes for evaluation and offer a framework for equitable application.
- 4.3 HDC will achieve this by:
  - Ensuring all organisational job descriptions are regularly updated where it is established there is a change to any role.
  - Promoting good practice encouraging an equitable and clear process for job evaluation.
  - Making certain all roles receive due consideration when organisational, service or activity changes require amendment to duties.

## 5. Guiding Principles

- 5.1 This policy applies to all HDC posts.
- 5.2 The guiding principles for HDC's job evaluation are:
- The role is being evaluated not the individual within the role (post not post holder).
  - The factors which form the basis of evaluation (Job Evaluation Descriptors - **Appendix 1**) are based on elements or characteristics that are present to some degree in every role.
  - The job evaluation guidance note will be followed for all job evaluation processes (**Appendix 2**).
  - The application of evaluation is a key way in which HDC ensures the removal of any potential bias from the job evaluation process.
  - Those forming the evaluation panel are responsible for ensuring they are trained in the Inbucon framework and have also received equality training. This is to ensure the ongoing integrity of the scheme.
  - A job will not be eligible for re-evaluation within 6 months of the most recent evaluation, except in the circumstances of a restructure.
- 5.3 The job evaluation scores are updated on to a listing that shows all scores and this is made available on the Intranet to all employees 6 monthly. The notes of the Panel remain confidential.

## 6. Areas of Specific Responsibility

### 6.1 Human Resources (HR)

- Will have overall responsibility for the administration of the Job Evaluation Scheme.
- HR will schedule Job Evaluation panels when the necessary documentation has been submitted to HR.
- A job evaluation panel must evaluate a post within 14 calendar days of all documentation being submitted to HR.
- The Job Evaluation Panel outcome will be communicated by HR to the relevant manager.

### 6.2 Relevant Managers

- Will ensure the job description within their responsibility are maintained as current and updated in line with organisational changes.
- Will undertake to draw changes in role requirements to the attention of their Head of Service/Service Lead and provide support in taking roles within their responsibility forward for evaluation.
- Will submit to HR the necessary documentation including the Job Evaluation Request Form.
- For Re-evaluation ensure that the outcome from the job evaluation process is communicated to the employee(s) and their manager. Where this results in a change of grade the manager will complete the Job Evaluation Request Form for a change in terms and conditions to be applied.

### 6.3 Senior Management Team

Must be in agreement to the role being evaluated and in addition to the above will:

- Support the evaluation of roles within their service, in a timely fashion, where a change to the role has been identified.

#### 6.4 Job Evaluation Panel

- Will evaluate roles in accordance with the scheme and where necessary, challenge the content of the job description with the appropriate manager.
- Ensure the correct application of the framework and consistency of factor scores within the service and across the organisation.

### 7. Job Evaluation

- 7.1 A job evaluation panel will consist of two officers from HR both of whom will be trained in the Inbucon framework.
- 7.2 Where an evaluation is required a copy of the form in **Appendix 3** is to be submitted with the updated job description and person specification. Where re-evaluation is requested the job description is to include tracked changes and for posts where there is more than one post holder 51% of post holders must sign the 'Regrade Request section'.
- 7.3 If required by the job evaluation panel, the manager (team manager or Head of Service/Service Lead) of the post being evaluated must be available to answer questions or clarify any points the panel may have. The clarification will be documented by the HR Representative, in **Appendix 4** in 'Job Evaluation Panel Notes'.
- 7.4 Employee(s) whose role is being evaluated are not permitted to attend the job evaluation.
- 7.5 Decisions made by the job evaluation panel will be recorded by HR using the template form provided (**Appendix 4**). However detailed, discussions will remain confidential.
- 7.6 If at the job evaluation panel, it is agreed that the job description does not correctly reflect the post being evaluated this will be referred back to the manager for amendment, by the HR representative and resubmitted for evaluation.

### 8. Job Evaluation Implementation

- 8.1 The outcome of the job evaluation process (including Appeals process if applicable) will be applied with effect from the date the Job description was submitted to HR. There may be circumstances where roles within a service are evaluated in order to inform a business case prior to a consultation or restructuring exercise. In these cases, results of evaluation will remain confidential until the consultation process begins and posts will become effective from the date of the new structure.

- 8.2 Where a post is evaluated on to the same grade employees will stay on the same point within that grade.
- 8.3 Where a post is evaluated at a lower grade employees should be moved to the top of the new grade and are entitled to salary protection on the difference in the salaries for a period of 6 months at full pay followed by a further 6 months at half pay.
- 8.4 Where a post is evaluated to a higher grade employees should be moved to the bottom of the new grade.

<b>9. Appeals process</b>
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- 9.1 Please read and understand the Appeals process (**Appendix 5**) before deciding whether to appeal, as following appeal the post grade can decrease as well as increase and there will be no further right of appeal.

## Appendix 1

### Job Evaluation Factor Descriptors

The standard factors used within HDC's evaluation system are:

#### 1A Level of Knowledge, Skills & Experience

- What qualifications (education/technical/professional) are needed to fulfil the criteria?
- What are the typical levels of experience required to fulfil the criteria of the post?
- What other knowledge and skills are needed to fulfil the essential criteria of the post?

#### 1B Extent and Range of Application of Knowledge, Skills & Experience

We are seeking to take everything noted in 1/A and find out how frequently and in what context it is used (i.e., is it used or required only for the postholder themselves or does it affect their section, service, services or the whole of the Council?)

#### 2A Analytical Complexity

Measuring the complexity of the tasks within the post, you must remember to:

- Pay equal attention to tasks/problems that others may present to the postholder and with what frequency; as well as the problems which are implicit within the post holders' tasks and the frequency with which these are presented.
- Recognise technical, intellectual and abstract tasks.

#### 2B Initiative & Creativity

How the postholder is required to deal with problems described in 2/A. Consider:

- What information or advice is provided by the postholder to help solve problem(s)?
- The frequency information and / or advice given.

#### 3A Level of Advice & Discretion

The extent to which the post requires decision making and advice giving and what discretion the postholder has in providing those decisions and advice to others, with or without agreement from the Line Manager and with what frequency.

#### 3B Impact

How the decisions and advice given by the postholder impacts on others within the context of the section, service and the organisation as a whole. Impact is a major consideration and reflects the position of the final arbiter e.g., if B checks or reviews A's decision then it is B that has the impact.

**4A Size of Responsibility**

This is a measure of the postholder's responsibility for all resources, including staff. In assessing the worth of the resource, consider its importance and value to the organisation.

**4B Role Type**

This factor is concerned with the nature of the responsibility noted in 4/A, including supportive, operational and strategic. 4/B measures the degree of influence involved.

**5A Communication - significance**

What type of communication, who is the communication to (internal and external) and why is the communication needed.

**5B External Demands**

Examines the extent to which the post requires external communication and how frequently it is made, including percentages for communication.

**6A Physical & Mental Effort**

Examines the physical and mental demands under which a postholder has to work.

**6B Environmental Conditions**

Focuses on the physical environment the postholder has to work within and the frequency of that work and the most frequent level of risk this environment poses including movement between sites.

## Appendix 2

### JOB EVALUATION GUIDANCE NOTE

#### **STEP 1**

Review and update as necessary the Job description and Person Specification for the post (Template available on the HR intranet page). There is no need to list every responsibility - concentrate on the most fundamental and important.

#### **STEP 2**

Ensure the necessary form is completed, where appropriate an organisational chart may also need to be submitted with the Job description, i.e., where a change to the structure may occur.

In a restructure situation, employees will not see the paperwork prior to an evaluation but will have the opportunity to comment during the consultation period.

#### **STEP 3**

Forward the Job description, Organisation Chart and Evaluation form to [HumanResources@huntingdonshire.gov.uk](mailto:HumanResources@huntingdonshire.gov.uk) indicating an indicative grade.

#### **STEP 6**

The Service Lead, or in some cases the line manager, will need to be available if required to answer any queries the panel may have relating to the Job description.

#### **STEP 7**

The Evaluation Panel will score the various factors for the post and communicate this to the manager.

### Appendix 3

#### Job Evaluation Request Form

For any changes to existing job descriptions please ensure changes are tracked on the job description and person specification

#### Section A

<b>New post</b>	<input type="checkbox"/>	<b>Existing post</b>	<input type="checkbox"/>
-----------------	--------------------------	----------------------	--------------------------

<b>Post Title</b>	
<b>Post Number (if applicable)</b>	
<b>Describe the reason for Evaluation?</b>	
<b>Preferred Grade</b>	
<b>Previous post title if changed</b>	
<b>Any comparator posts to be considered</b>	
<b>Is this post being evaluated for a restructure (please note results are published every 6 months)</b>	

#### For Re-Evaluation

By completing the below, you confirm that this Job Description and Person Specification are a true and accurate reflection of all the responsibilities relating to the post. Please note where the evaluation applies to more than one employee, 51% of employees are required to sign the section below.

<b>If this is a vacancy for a post with current post holders are all post holders signing up to the new job description?</b>	<i>Yes (if yes include details below for post holders)</i>	<i>No (please give details)</i>
<b>Where this is a re-evaluation requested for a current occupied post - please include names of all post holders.</b>		
<b>Post holder name(s)</b>		
<b>Signature of Post holder(s)</b>		

Section B – New pay information

For changes to existing posts holders please complete this section after the job evaluation has taken place and the new job description is complete and accepted by the manager & employee

<b>I can confirm that I am the budget holder / have confirmation from the budget holder that there is budget available for this increase to pay</b>	
<b>Print Name / Signature</b>	

<b>Effective date of new pay</b> (date job re-evaluation was submitted)	
<b>New grade</b>	
<b>New spinal point</b>	

## Section C – Appeal

Please select from the options below the grounds for the appeal:

- It is believed that an internal equivalent job is more highly graded and paid.
- In the original evaluation, the job evaluation policy was not adhered to.

<b>Details of grounds for appeal</b>
<b>Employee Name or Nominated Representatives to present for group appeals.</b>
<b>For group appeals I confirm that 51% of the group wish to proceed to appeal</b>

- For group appeals I confirm that 51% of the group wish to proceed to appeal

<b>Employee Name/s:</b>	
<b>Signature/s</b>	

## Appendix 4

### Job Evaluation Panel Notes

<b>Job Title</b>	
<b>Job Ref. Number</b>	
<b>Job Post Number</b>	
<b>Evaluation Date</b>	
<b>Evaluation Panel members</b>	
<b>Manager responsible for JD</b>	
<b>Preferred Grade</b>	
<b>Panel Notes. (include any points of clarification provided by manager)</b>	

### Evaluation Score

Factor 1		Factor 2		Factor 3		Factor 4		Factor 5		Factor 6		Total Score Grade
A	B	A	B	A	B	A	B	A	B	A	B	

Factor	Notes
<b>Knowledge Skills &amp; Experience / Extent &amp; range of application &amp; knowledge</b>	
1A	
1B	
<b>Problem Solving / Initiative &amp; Creativity</b>	
2A	
2B	
<b>Decision Making / Impact</b>	
3A	
3B	
<b>Operational Responsibility / Role Type</b>	

<b>4A</b>	
<b>4B</b>	
<b>Communication / External Demands</b>	
<b>5A</b>	
<b>5B</b>	
<b>Working Conditions / Environmental Conditions</b>	
<b>6A</b>	
<b>6B</b>	

## Job Evaluation Appeals Process

### 1 Objectives

- 1.1 It is good job evaluation practice to allow appeals against an initial evaluation exercise in order to allow an employee to state that their job was incorrectly evaluated or 'an equivalent job is more highly graded and paid'.

### 2 Grounds for Appeal

- 2.1 This process applies to all HDC posts.
- 2.2 Appeals will only be accepted by the panel if submitted by the employee. Employees are not allowed to appeal a new or vacant post.
- 2.3 An appeal can **only** be submitted in line with the following criteria:
- It is believed that an internal equivalent job is more highly graded and paid.
  - In the original evaluation, the job evaluation policy was not adhered to.

Where the submission does not meet the criteria above the appeal will not be accepted. Please note changes to job descriptions will not be heard at appeal as this is to be agreed prior to submission for re-evaluation.

### 3 Group Appeals

- 3.1 Where there is more than one job holder in a particular job covered by a single Job description, the other job holders must be asked if they also want to appeal against the job evaluation. Where there is more than one job holder in a role the appeal will have to be submitted as a group appeal with at least 51% of job holders agreeing to the appeal. If less than 51% job holders agree to the appeal, the appeal will not proceed. In these circumstances, there is no further right of challenge.
- 3.2 Members of that group will need to nominate representatives (normally up to two) to complete the appeal documentation on their behalf. The representatives will need to ensure that all members of the group are given the opportunity to comment on the completed Job Evaluation request form, Grading Appeal section (**Appendix 3**).
- 3.3 In submitting a group appeal the outcome of the appeal binds all members of the group. Furthermore, individual employees in that group do not have a separate individual right of appeal.
- 3.4 Within this process, arrangements for appeals hearing may need to be flexible to meet different circumstances for example, where there is an appeal that affects a large number of employees, timescales may need to be adjusted.

## 4. Areas of Specific Responsibility

### 4.1 Service Lead

To advise the employee, informally, on the scope for appeal, this may assist the employee in deciding whether it is worthwhile going through the formal appeal process.

### 4.2 Employee

From 7 calendar days of receiving the outcome of the job evaluation, complete and return to HR the Job Evaluation Request Form (**Appendix 3**) including any supporting additional information.

### 4.3 Human Resources

Will have overall responsibility for the administration of the job evaluation appeals process including:

- Acknowledge receipt of the Job Evaluation Request Form, (**Appendix 3**).
- Review the form to ensure that it has been fully completed (forms that have not been fully completed or not meet the grounds for appeal will be rejected).
- Forward a copy of the form to the relevant manager.
- Where appropriate, make arrangements for the appeal to be heard within 14 calendar days.
- In preparation for an appeal HR will schedule Job Evaluation Appeals Panels and send out invites to panel members.
- Inform the employee or a group of employees of the appeal outcome (grade).
- Complete **Appendix 6** Job Evaluation Appeal Panel notes.

## 5. Appeals Panel Process

5.1 Appeals panel; will consist of a Senior independent manager, 1 HR representative and 1 Officer from the Employee Representative Group. All of whom will have been trained/briefed in the Inbucon framework and have undertaken equalities training.

5.2 The employee is entitled to bring to the appeals panel meeting a work colleague or Employee Representative Group member or union representative but not a person who does not work for Huntingdonshire District Council.

5.3 The employee (or employee's representative) will be expected to outline the reason for the appeal and answer any questions the panel may have.

5.4 The manager (team manager or Service Lead) of the post being appealed must be available to answer questions or clarify any points the panel may have.

5.5 If the panel consider that a factor score would increase or decrease based on all the evidence provided, they will, using the Inbucon job evaluation framework reassess that factor and determine the correct evaluation score and subsequent grade.

5.6 Decisions made by the appeals panel will be recorded and communicated by the designated chair of the panel. However detailed, discussions will remain confidential.

- 5.7 If at the appeals panel it is agreed that the job description does not correctly reflect the post being appealed, this will be referred back to the manager for amendment by the Chair and a revised job description will be submitted by the manager to HR for re-evaluation and moderation.
- 5.8 Following the appeal, HR will update the employee E-File and job evaluation spreadsheet with revised factor scores as required.
- 5.9 The decision of the appeals panel is final. There will be no further right to appeal.

<b>6. Appeal Implementation</b>
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- 6.1 The result of the appeal will be applied with effect from the date that the Job description was originally submitted by the Service Lead pre appeal.
- 6.2 Where a post is evaluated at a lower grade, employees should be moved to the top of the new grade and are entitled to salary protection on the difference in the salaries for a period of 6 months at full pay followed by a further 6 months at half pay.
- 6.3 Where a post is evaluated to a higher grade, employees should be moved to the bottom of the new grade.

**Appendix 6**

**JOB EVALUATION APPEAL PANEL NOTES**

Job Title	
Job JE Number	
Job Post Number	
Grade	
Appeal Date	
Appeal Panel members	
Panel Notes	

**Evaluation Score**

<b>Factor</b>	<b>Notes</b>
<b>Knowledge Skills &amp; Experience / Extent &amp; range of application &amp; knowledge</b>	
1A	
1B	
<b>Problem Solving / Initiative &amp; Creativity</b>	
2A	
2B	
<b>Decision Making / Impact</b>	
3A	
3B	
<b>Operational Responsibility / Role Type</b>	
4A	
4B	
<b>Communication / External Demands</b>	
5A	
5B	
<b>Working Conditions / Environmental Conditions</b>	

<b>6A</b>	
<b>6B</b>	

# Working Time Regulations Guidelines

Version 1.1

<b>Version Control</b>			
<b>Version</b>	<b>Author</b>	<b>Date</b>	<b>Changes</b>
1.1		June 2023	Review/streamline, typos and making the guidelines clearer

Name of Policy:	Working Time Regulations Guidelines
Person/posts responsible:	Strategic HR Manager
Date approved/adopted:	September 2023
Approved by:	Employee Committee
Review Date:	January 2025

### 1. Introduction

- 1.1 Huntingdonshire District Council (HDC) is aware of its legal, contractual and moral obligations as an employer and aims to provide a safe and healthy place of work for each worker. The Working Time Regulations 1998 (as amended) lay down minimum conditions relating to weekly working time, rest entitlements, annual leave and makes special provision for working hours and health assessments in relation to night workers.
- 1.2 The Regulations impose responsibilities on both managers and employees to ensure working time conditions and safe working arrangements are observed. The Regulations are complex and these guidelines are only an overview of some of the main subjects to help managers and employees with the implementation of the Regulations.
- 1.3 These guidelines set out HDC's general approach towards compliance and describe how it will interpret those aspects of the Regulations where local decisions and agreements are necessary. The Regulations also implement provisions from the Young Workers Directive, which relate to the working time of workers under the age of 18. The Regulations apply to all employment sectors.
- 1.4 A summary of the rights given to employees are shown below for workers aged 18 and over:
- Maximum weekly working time - average 48 hours in each 7-day period (reference period 17 weeks).
  - Rest breaks - after every 6 hours.
  - Daily rest - 11 hours consecutive rest in every 24-hour period.
  - Weekly rest period – 24 hours in every 7 days (reference period 14 days) in addition to their daily rest (see section 6.2.3)
  - Night work - average 8 hours rest in any 24-hour period (reference period 17 weeks)
  - Health assessments for night workers (working between the hours of 11pm – 8am).
- 1.5 A summary of the rights given to employees are shown below for young workers (those aged 16 and 17):
- Maximum weekly working time – average 40 hours a week or 8 hours a day
  - Rest breaks – after every 4.5 hours
  - Daily rest – 12 hours consecutive rest in every 24 hour period
  - Weekly rest period – two days off per week, normally two consecutive days
  - No night work.
- 1.6 Managers will not discriminate in the application of the regulations in respect of age, disability, race, sex, gender reassignment, religion & beliefs, sexual orientation, pregnancy/maternity, marriage/civil partnership, domestic circumstances, social and employment status, political affiliation or trade union membership.

## 2. Aims

2.1 There is a general responsibility for HDC under health and safety law to protect, as far as is practicable, the health and safety at work of all our employees. Specific responsibilities of HDC in relation to the Working Time Regulations are:

- working time in general – monitor the hours of work of employees to identify and address any practices or patterns of work, which may be a risk to employees.
- opt out of the 48 hour limit – ensure that no employees who have agreed to disapply the 48 hour limit work excessively long hours where this may be a risk to the health and safety of themselves, their colleagues or the public.

## 3. Coverage

3.1 A “worker” is defined as an individual who works under a contract of employment, or any other contract where s/he is providing services to HDC. This includes those working part time, agency workers and freelance staff.

All “workers” are covered by the Working Time Regulations. These include:

- HDC Employees
- Variable workers
- Agency and temporary workers
- Work experience trainees

An adolescent worker (or young worker) is a worker of 16 or 17 years old.

The Human Resources Department can provide further advice on individual entitlements.

## 4. Workers’ Rights under the Regulations

4.1 Working Time is defined as ‘*when a worker is working at their employer’s disposal and carrying out their activities or duties*’. The standard HDC full time working week is 37 hours. However, the Regulations set a working limit of an average of 48 hours per week. The standard averaging period is 17 weeks.

4.2 What counts as work

A working week includes:

- job-related training
- time spent travelling if you travel as part of your job, e.g., environmental health officers (this does not include commuting to and from your contracted place of work)
- working lunches, e.g., business lunches
- paid overtime
- unpaid overtime you’re asked to do
- time spent on call at the workplace

- any time that is treated as 'working time' under a contract
- travel between home and work at the start and end of the working day (if you don't have a fixed place of work)

#### 4.3 What doesn't count as work

A working week doesn't include:

- time you spend on call away from the workplace
- breaks when no work is done, e.g., lunch breaks
- travelling outside of normal working hours
- unpaid overtime you've volunteered for, e.g., staying late to finish something off
- paid or unpaid holiday
- travel to and from work (if you have a fixed place of work)

4.4 For reasons of health, safety and welfare of employees and our clients, and to promote healthy work-life balance, the position of HDC is that we will discourage any individual from working above the maximum weekly working limit. HDC is required to take all reasonable steps to ensure that employees do not work more than an average of 48 hours per week over a 17 week period. It is necessary to note that this should also take into account time worked in additional posts or for another employer. It is the responsibility of the employee to advise HDC if this may be the case.

4.5 Individuals may *choose* to work more than the 48 hours average weekly limit, but up to a maximum of 60 hours. A decision to exercise this option is an individual, voluntary one and no pressure should be placed on the individual to take the option. If any of our employees are working above 48 hours voluntarily and wish to continue to do so, they will need to complete a written consent form (Appendix 1). The employee can withdraw this agreement by giving 7 days' notice in writing.

4.6 New starters will be informed about the need to sign a consent form if they wish to voluntarily agree to work in excess of an average of 48 hours per week. However, they will be discouraged from doing so during the first four weeks of employment. It is important that employees sign a consent form in case they think that they may wish to work in excess of an average of 48 hour limit. HDC must record all hours worked in excess of 48 hours when a worker signs an opt-out consent form. The worker must keep weekly records of their hours worked for HDC and any other employer.

## **5 Rest Entitlements**

### 5.1 Rest Breaks

Workers aged 18 and over must have a 20 minute unpaid rest break for each 6 hours they work. A young worker aged 16 and 17 must have a 30 minute unpaid rest break where the daily working time is more than 4 ½ hours.

The rest break should be taken during the course of the period of work and if possible, away from their workstation. Therefore, adding 20 minutes to the

beginning or end of the work period is not allowed. This could be accommodated by:

- existing lunch or other break arrangements for employees provided the break is at least 20 minutes
- where exceptionally a break after 6 hours is not possible, 20 minutes should be provided as soon as possible and should not be at the beginning or end of the working day
- in exceptional circumstances, where a break cannot be taken at any time in the day, with the individual's agreement, equivalent compensatory rest (see Section 9) must be given.

## 5.2 Daily Rest

Workers aged 18 and over are entitled to an 11 hour consecutive rest break in every 24 hour period. A young worker aged 16 and 17 is entitled to a break of 12 consecutive hours. Rotas should be structured to accommodate this. If this is not practicable due to the contingencies of the service e.g., the need to provide 24 hour continuous service, managers should ensure that a period of equivalent compensatory rest (see Section 7) is provided and records are kept. Daily rest cannot be part of the weekly rest or include rest breaks.

## 5.3 Weekly Rest

Workers aged 18 and over are entitled to an uninterrupted rest period of not less than 24 hours in each 7 day period, or 48 hours over a 14 day period. If due to rotas or service needs, this is not possible, the employee must be provided with equivalent compensatory rest (see Section 7).

Workers aged 16 and 17 are entitled to a rest period of not less than 48 hours in each 7 day period and normally this should be uninterrupted. This cannot be averaged over a 14 day period.

# 6. **Compensatory Rest**

6.1 Compensatory rest is an equivalent period of rest, to that which they were not able to take.

6.2 Where the application of any provision of these Regulations is excluded or modified e.g., an employee does not receive the minimum daily rest break after a late shift which is followed by an early shift, HDC shall provide compensatory rest.

6.3 Compensatory rest for a *daily rest break* should be given within two weeks wherever possible and compensatory rest for a *weekly rest break* should be given within two months wherever possible.

## 7 Annual Leave

- 7.1 This statute entitles workers to a minimum of 5.6 weeks paid annual leave including bank holidays. The annual leave year for HDC employees is from 1 April to the 31 March. Employees should not do extra work during their annual leave entitlement.

Annual leave cannot be replaced by payment in lieu unless the employment relationship is terminated.

## 8 Night Workers

- 8.1 Night is identified by HDC as the period between 11.00pm and 6.00am. In line with ACAS, a night worker is defined as someone who usually works at least 3 hours during the night

### 8.2 Working Time Limit

Night workers should not work more than 8 hours per 24 hours over a reference period of 26 weeks unless compensatory rest periods are provided (see Section 6).

### 8.3 Young Workers

HDC shall not employ young workers (i.e., under 18 year olds) for night work.

### 8.4 Health Assessments

All night workers are entitled to a health assessment before they commence night work duties. This will be done through Occupational Health. This information is sent through to Occupational Health on the applicant's health assessment form.

Night workers will also have the opportunity to have regular assessments during their employment. These assessments will be done on an annual basis. This period could be more frequent depending on the circumstances of the worker.

## 9. Multiple Contracts / Other Employment

- 9.1 HDC has a responsibility to ensure that workers do not work on average more than 48 hours per week. HDC expects their managers to know which workers have more than one contract of employment with HDC and monitor the total hours being worked by those workers each week. Managers are also responsible for monitoring an individual's flexi time to ensure that they do not work on average more than 48 hours per week in the 17 week reference period. Any concerns regarding the hours worked should be discussed with the HR Team.

- 9.2 HDC also has a duty of care, in respect of working hours, to safeguard the health and safety of any of its workers who may have other work outside HDC. In order to meet its responsibilities, HDC will inform all workers of the limitation on working hours and their responsibility to inform their manager if they take up an additional job (paid or unpaid) within HDC or an outside organisation.

## **10. Record Keeping**

- 10.1 Both HDC and the worker have responsibilities under the Regulations to keep accurate records that are adequate to show that weekly working time limits have been complied with.
- 10.2 These records are open to inspection from the Health & Safety Executive.
- 10.3 HDC shall also keep a copy of:
- a written agreement to work in excess of the average 48 hour limit (if applicable)
  - health assessment details in cases of night workers
  - Managers will keep a copy of all compensatory rest accrued (if applicable)
- 10.4 The Regulations state that all the records detailed above must be kept for two years from the date on which they were made.

## **11. Advice and Support**

Advice, support and guidance from Human Resources is always available.

## APPENDIX 1 – WORKING TIME REGULATIONS CONSENT FORM

Further to the implementation of the Working Time Regulations on 1 October 1998, employees will not be expected to work more than an average of 48 hours per week, over a 17 week reference period. HDC discourages any employee from working above the maximum weekly working limit. By discouraging employees from working excessive hours, HDC is promoting the health, safety and welfare of its employees and are also promoting a healthy work-life balance. However, the Regulations allow an individual to agree to the option to work above the 48-hour limit, subject to service requirements, provided that a written agreement is made and only up to a maximum of 60 hours. This is not allowed during the first four weeks of employment unless exceptional circumstances apply.

This form provides for you to enter into an agreement with HDC to disapply the 48-hour limit in respect of the total weekly average hours required in your case. Your minimum weekly hours of work will continue to be specified in your contract of employment with HDC.

If you decide to disapply the 48 hour limit HDC will ensure that no employees work excessively long hours where this may be a risk to the health and safety of themselves, their colleagues, patients or the public.

**NAME:** \_\_\_\_\_

**DEPARTMENT:** \_\_\_\_\_

**POST:** \_\_\_\_\_ **GRADE:** \_\_\_\_\_

### FULL TIME/PART

**TIME:** \_\_\_\_\_

*If part time, please specify hours.*

- I agree that the 48-hour average weekly limit specified in the Working Time Regulations 1998 – Regulation 4(1) shall not apply in my case.
- Despite agreeing to disapply the limit, I am fully aware that I have a responsibility not to work hours so long that they may impair my efficiency or expose colleagues, the public or property to risk.
- I agree to keep accurate records of my working hours for HDC, plus any additional hours worked for another employer.
- I agree to give at least 7 days written notice to HDC if I wish to bring this agreement to an end.
- I understand that this agreement will apply from ..... until such time as I submit a request in writing to opt back in. I am aware that I am under no obligation to sign this agreement and this it is illegal for me to be subjected to any detriment if I decline to sign.
- I understand I have an obligation to inform HDC if I currently work for, or subsequently plan to work for a second employer.

- I understand that if I work for a second employer and wish to continue working over a total of 48 hours per week, I must sign a waiver for my second employer as well as for HDC.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Employee signature)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(By the Manager on behalf of Huntingdonshire District Council)

**This form should be returned to Human Resources**  
**[HumanResources@huntingdonshire.gov.uk](mailto:HumanResources@huntingdonshire.gov.uk)**