



**PWYLLGOR DIWYLLIANT, POBL A DATBLYGU SEFYDLIADOL
PEOPLE, ORGANISATIONAL DEVELOPMENT & CULTURE COMMITTEE**

DYDDIAD Y CYFARFOD: DATE OF MEETING:	17 February 2026
TEITL YR ADRODDIAD: TITLE OF REPORT:	Employee Relations Activity
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Lisa Gostling, Executive Director of Workforce & Organisational Development and Deputy Chief Executive Officer
SWYDDOG ADRODD: REPORTING OFFICER:	Heather Hinkin, Assistant Director, People Management

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Ar Gyfer Trafodaeth/For Discussion

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

This report provides the People, Organisational Development and Culture Committee (PODCC) with an overview of all internal employee relations (ER) cases for the period January to December 2024. It also provides a summary of the employment tribunal activity and employment policy review work for financial year April 2024 to March 2025.

Due to the sensitive nature of some of this information, elements of this report are presented in detail to a separate In-Committee PODCC meeting.

In addition to our standard annual report, the Committee previously requested an update in respect of the process relating to overpayments and the issue of letters by counter fraud for their investigations. This report therefore addresses this request at Section 7 of the report.

Cefndir / Background

Following requests from the Board for further information relating to ER activity this report outlines the Operational Workforce Team's activity in relation to the following areas:-

1. Disciplinary
2. Respect & Resolution
3. Other activity (Capability/Whistleblowing)
4. Safeguarding
5. Suspensions/Restricted practice
6. Employment Tribunal cases
7. Policy/Procedure/Process Reviews (local and All-Wales)

Asesiad / Assessment

Introduction

This element of the report is based on ER case data available across the three counties and four Operational Workforce Teams.

1. Disciplinary (All Wales and Upholding Professional Standards in Wales (UPSW))

New Cases (Jan – March 2025)	Closed Cases (Jan – Dec 2024)	Ongoing Cases (including new)		Appeals
		Initial Assessment Stage	Formal	
6	119	15	33	(2)0

The caseload continues to be significant, however there has been a decline in formal disciplinary cases between 2023 (144 cases closed) and 2024. The Operational Workforce Team work closely with managers across all Directorates encouraging early intervention across all areas of Employee Relations and preventative and proactive actions to reduce the number of formal disciplinary cases arising.

There is a continuing trend in the number of complaints of inappropriate behaviour including of a general nature, bullying and harassment which, based on feedback and case data analysis, may remain linked to the increase in profile of Speak up Safely options, ongoing significant demands and service pressures (reducing tolerance for such behaviours) and the ongoing wider societal awareness of raising complaints and concerns.

The Operational Workforce Team continues to work proactively alongside Organisational Development (OD) colleagues together with employees, managers to proactively prevent work related issues arising and escalating. A sharp focus on early intervention, encouraging managers to address any concerns with their teams at an early stage and closer engagement with employee, managers and Trade Union colleagues to resolve concerns as swiftly and constructively as possible is leading to a reduction in both disciplinary cases overall and, in particular, formal cases.

Many of the cases closed in 2024 (119) were addressed formally however the number of cases addressed informally is a higher proportion than in 2023. In 3 of the cases the employees resigned. Of the 71 formal cases 45 were considered under the fast-track process; this process has been particularly effective in dealing with issues of minor misconduct including inappropriate behaviour, persistent tardiness or minor breaches of confidentiality.

2. Respect & Resolution

New Cases (Jan – March 2025)	Closed Cases (Jan – Dec 2024)	Ongoing Cases (including new)		Appeals
		Informal	Formal	
Less than 5	47	11	20	5

The main themes for new and closed cases remain as bullying and harassment, working relationships, and terms and conditions. There has been a small decrease in the number of formal cases during 2024, which may in part be due to the positive working relationship between Operational Workforce and OD colleagues in seeking early intervention to resolve issues arising, particular for concerns raised regarding working relationships. Key challenges remain with regards to repairing and restoring working relationships following on from formal respect and resolution processes, which would suggest continued focus on early intervention and informal measures to resolve concerns that arise is beneficial.

Our OD colleagues provide their data separately regarding the support they provide to employees and managers particularly in resolving informal concerns and we are aware that this complements the data provided within this report to give a holistic picture. Senior members of Operational Workforce and OD meet fortnightly to discuss areas of concerns and triangulate their data in such areas and this is also helpful to inform the overall picture and agree strategies for resolution.

3. Other types of ER cases e.g. capability, whistleblowing

Ongoing Cases	Closed Cases Jan – Dec 2024	Ongoing Cases - breakdown	
39	74	Informal	Formal
		7	32

This metric includes both performance at work and other types of ER casework not described elsewhere including capability, safeguarding cases and bank workers conduct. There has been a further small increase in cases in 2024 (up from 66) which is predominantly due to an increase in the number of cases that have been related to Safeguarding concerns arising from both within and outside of the workplace. The impact of Safeguarding procedures for our employees is significant both with regards to the nature of issues that arise and also the time taken to resolve concerns as these processes are led by the relevant Local Authorities and often involve multi-disciplinary approaches including police colleagues and Social Workers. The Operational Workforce Team work closely with colleagues from the Safeguarding Team to ensure cases are progressed as swiftly as possible and that our employees and managers are supported as far as possible including utilising our Occupational Health and Staff Psychological and Well Being services. However, despite this way of working, we remain unable to leverage quicker resolutions externally which predominantly mean that we are unable to progress with our own internal procedures at pace.

In addition to the above data set, there is also a category of casework that does not result in allocation to one of the above defined categories. Whilst these cases may not progress, they nonetheless take considerable time to work through and close. In 2024 the teams managed a further 170 matters raised through managers that did not result in allocation to a policy or procedure whether formally or informally due to the initial fact-finding process undertaken. Issues resolved at this initial stage included minor acts of insubordination, managing expectations, overpayments, alleged patient concerns, alleged inappropriate behaviour and potential breaches of confidentiality.

4. Safeguarding

As at 31st July 2025 there were 19 ongoing cases. Due to the sensitive nature of this information and ongoing investigations, details of these cases are reported through a separate In-Committee PODCC report.

5. Suspension/Restricted Practice

As at 31st July 2025, there were 12 members of staff suspended and 14 subject to restricted practice. Due to the sensitive nature of this information and ongoing investigations, details of these cases are reported via a separate In-Committee PODCC report.

We can report that as at 31 December 2025, there was a 42% reduction (6 concluded) in the number of ongoing suspensions as a result of case closures.

6. Employment Tribunal Claims

As at 31 July 2025 there were 8 ongoing Employment Tribunal claims and this had increased to 11 cases by 31 December 2025. Due to the sensitive nature of these claims, these cases are presented in more detail in a separate In-Committee PODCC report.

7. Local and All-Wales Policy Reviews for 2024/25

In 2024/2025, as reported in the PODCC Annual Committee Report:

7 local policies were approved for publication

511: Carers Policy

085: Leave and Pay for New and Existing Parents.

153: Equality Impact Assessment Policy and Procedure

464: Industrial Injury Claim Procedure

1085: Leave and Pay for New and Existing Parents Policy

1270: NHS Wales Pregnancy Loss Support Policy

112: Early Careers: Preceptorship and Beyond Policy

1 policy was deferred in readiness for removal

Medication Errors Policy (due to a new clinical procedure being developed)

2 policies were extended into the next financial year

121: Relocation Expenses (awaiting All Wales policy update)

133: Equality, Diversity & Inclusion Policy (approved in May 2025)

2 policies were removed.

389: Expenses Policy

124: Retirement Policy

In addition, the following All-Wales policies/procedures were adopted in 2024/25

1255: All-Wales Job Evaluation Policy and Procedure

95: All Wales Respect and Resolution Policy

1262: All Wales Pensions Flexibilities Policy

Key Performance Indicators for Policies for 2024/25

The number of policies that were due to be reviewed between April 2024 and March 2025 was 12 with the majority being managed by Workforce & OD colleagues.

10 local policy reviews completed and approved/removed.

1 remains work in progress due to the All-Wales position

1 has been submitted for removal in February 2025

- Completion Rate for all local policies for 2024/25 was 75%
- Completion Rate for Workforce & OD policies listed above was 80%

Local Policy Reviews for 2025/26

The following local policies are due for review in 2025/2026. Please note, the list below includes those previously extended from 2024/2025 for completeness.

No	Name of Policy	Review Date	Status
1	Equality, Diversity and Inclusion	27/05/2025	Approved in May 2025
2	Translation and Interpretation	27/05/2025	Approved in May 2025

3	Re-registration policy	30/06/2026	Update to the annex approved in August 2025. On track for June 2026.
4	Anonymous Communications Regarding the Workforce policy	15/12/2025	Approved in November 2025
5	Rostering policy	15/02/2026	Approved in November 2025
6	Shared Parental Leave policy	30/11/2025	Approved in November 2025
7	Honorary Contracts Procedure	30/11/2025	Approved in November 2025
8	Re-banding procedure	30/06/2026	Approved in November 2025
9	Neonatal Care Leave Procedure (new)	N/A	Approved in November 2025
10	Medication Errors Policy	28/02/2026	Request to remove submitted to 17.02.2026 PODCC meeting.
11	Relocation Expenses Policy	28/02/2026	Request to extend submitted to 17.02.2026 PODCC meeting.
12	Redeployment Policy	28/02/2026	Submitted to 17.02.2026 PODCC meeting
13	Adverse Conditions policy	28/02/2026	Submitted to 17.02.2026 PODCC meeting
14	Time off in Lieu policy	28/02/2026	Request to extend submitted to 17.02.2026 PODCC meeting.
15	Induction policy	28/02/2026	Request to extend submitted to 17.02.2026 PODCC meeting.
16	Learning and Development policy	28/02/2026	Request to extend submitted to 17.02.2026 PODCC meeting.
17	Performance Management policy	28/02/2026	Request to extend submitted to 17.02.2026 PODCC meeting.
18	Alcohol and Drug/Substance Misuse policy	28/02/2026	Request to extend submitted to 17.02.2026 PODCC meeting.
19	Staff Psychological Well-being policy	15/02/2026	Request to extend submitted to 17.02.2026 PODCC meeting.
20	Underpayments and Overpayments of Salary Policy	20/06/2025	Removed in August 2025

It is noted that a number of policies have required requests for extension this financial year due to the volume of policies due for review in this three-year cycle and the ongoing challenges around capacity to deliver.

Seven policies will therefore be added to the 2026/27 policy review schedule although some of these are well advanced in their delivery as they are at the final consultation stage so will be ready for approval before 31 March 2026.

All Wales Policy Reviews for 2025/2026

Work has continued this year with regards to the development and reviews of All Wales policies with the: -

- 1412 - All Wales Procedure for the Recovery of Overpayments adopted in August 2025
- 1433 - NHS Wales Anti-Sexual Harassment Policy adopted in November 2025.

Key employee relations policies currently under review on an All-Wales basis include Managing Attendance at Work, Disciplinary and Capability (renamed Improving Performance at Work) policies. Operational Workforce colleagues are actively engaged with colleagues across NHS Wales to refine and have been involved in the all-Wales policy groups.

Counter Fraud Update on Process

The overpayments process is now run by a central team within Shared Services who link directly with the Local Counter Fraud (LCF) Team, line managers and employees. All letters issued accord with the All-Wales templates that were agreed as part of the All-Wales Procedure for the Recovery of Overpayments adopted by the Health Board in August 2025.

With regard to any lessons learned on the wording of correspondence issued to staff during fraud investigations and the meeting arrangements and its conduct, the review included consideration of the language and tone of these letters.

With regard to the serving of voluntary interview under caution letters, the review by the Local Counter Fraud (LCF) Team was based on feedback from staff. This review also involved engagement with Workforce and OD colleagues to develop the following procedure: -

- Upon identification of a need to undertake a voluntary interview under caution, the Local Counter Fraud Specialist (LCFS) will prepare a written letter, inviting the person under investigation to a voluntary interview under caution. Attached to the letter will be two documents, a notice explaining the persons rights and entitlements under the Police and Criminal Evidence Act and a welfare advice document.
- Having prepared the letter with attachments, the LCFS will liaise with the employee's supervisor and local Operational Workforce Team and a suitable time and date to serve the letter will be identified.
- Having identified a time and date, a suitable location, away from the employee's normal place of work will be chosen. The employee's supervisor will be asked to bring the employee to the location, where they will meet the LCFS and a representative from Operational Workforce.
- The letter will be served and the LCFS will explain the procedure. Note, the LCFS will not be allowed to discuss the case itself, however, they will be able to go through the process and legal requirements. The employee will be asked to review the contents of the letter and contents at their own leisure, before contacting the LCFS later to arrange a suitable time and date of voluntary interview under caution.

- The LCFS will depart, leaving the employee with their supervisor and member of staff from Operational Workforce to go through the support that is available.
- Whilst the letters utilised are based on All Wales templates, suggestions regarding language and tone have been shared with the LCF Team by Operational Workforce and these comments have in turn been shared with the All Wales CF Team for consideration for their next review.

Argymhelliad / Recommendation

The Committee is asked to **DISCUSS** the Employee Relations Activity report.

Amcanion: (rhaid cwblhau)

Objectives: (must be completed)

Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	2.1.3 The organisation's ability to create and manage strong, high performance, organisational culture arrangements.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	N/A
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	2. Timely 3. Effective 4. Efficient 6. Person-Centred
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	2. Culture and valuing people 1. Leadership
Amcanion Strategol y BIP: UHB Strategic Objectives:	Not Applicable
Amcanion Cynllunio Planning Objectives	Not Applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	5. Offer a diverse range of employment opportunities which support people to fulfill their potential 2. Develop a skilled and flexible workforce to meet the changing needs of the modern NHS

Gwybodaeth Ychwanegol:

Further Information:

Ar sail tystiolaeth: Evidence Base:	Not applicable
Rhestr Termiau: Glossary of Terms:	Included in body of report if required

Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Diwylliant, Pobl a Datblygu Sefydliadol: Parties / Committees consulted prior to People, Organisational Development & Culture Committee:	Not applicable
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Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	Not applicable
Ansawdd / Gofal Claf: Quality / Patient Care:	Not applicable
Gweithlu: Workforce:	None arising from this report
Risg: Risk:	None arising from this report
Cyfreithiol: Legal:	Requirement to comply with employment legislation
Enw Da: Reputational:	None arising directly from this report.
Gyfrinachedd: Privacy:	Not applicable – anonymised data provided
Cydraddoldeb: Equality:	Not applicable