



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

<b>DYDDIAD Y CYFARFOD: DATE OF MEETING:</b>	03 April 2023
<b>TEITL YR ADRODDIAD: TITLE OF REPORT:</b>	Employee Relations Activity
<b>CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:</b>	Lisa Gostling – Director of Workforce & OD (Organisational Development)
<b>SWYDDOG ADRODD: REPORTING OFFICER:</b>	Heather Hinkin, Head of Workforce

**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 employee relations (ER) activity as at 31 December 2022.

**Cefndir / Background**

Following a request from the Board for further information relating to ER activity this report outlines activity in relation to the following areas:-

1. Disciplinary
2. Respect & Resolution
3. Other activity (Capability/Whistleblowing)
4. Suspensions/Restricted practice
5. Employment Tribunal cases
6. Policy Reviews

**Asesiad / Assessment**

This element of the report is based on ER case data available across the three counties as at 31 December 2022

**1. Disciplinary (All Wales and UPSW)**

New Cases (Dec 2022)	Closed Cases (Year to date)	Ongoing Cases (including new)		Appeals
		Informal	Formal	
6	63	0	29	0

The caseload continues to be significant including those requiring consideration under Upholding Professional Standards in Wales (UPSW) process. We have seen an increase in the number of formal disciplinary cases from the previous report. An emerging theme of disciplinary cases has been a breach of patient confidentiality, we have been working with the Information Governance Department to highlight the issue and they have published updated guidance (Global Email 4 January 2023, Persons of Interest) to staff on the importance of confidentiality and the consequences of any breaches.

In terms of the yearly total of cases closed for 2022 there is a 50/50 split of formal and informal cases closed in the period with a small number of resignations bringing the total to 63. 15 formal cases were considered under the fast-track process; this process has been particularly effective in dealing with issues of minor misconduct including persistent tardiness, or minor breaches of confidentiality.

## 2. Respect & Resolution

New Cases (Dec 2022)	Closed Cases (YTD)	Ongoing Cases (including new)		Appeals
1	44	Informal	Formal	4
		6	9	

The above data includes issues raised as either a grievance or a dignity and respect at work issue. The main themes for new and closed cases are bullying and harassment, working relationships, and terms and conditions, however approximately two thirds of cases during the period were successfully resolved through informal resolution within the Workforce Team, avoiding the need for formal intervention.

An informal resolution was found to be most effective in instances where an individual has raised concerns about issues which had arisen in the recent or immediate past, reinforcing the perception that the timeliness of an intervention has a significant impact upon the ability to resolve matters in a more informal and constructive setting. Facilitated conversations supported by the Relationship Managers have proven effective in several issues where interpersonal issues between colleagues have arisen.

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

Ongoing Cases	Closed Cases YTD	Ongoing Cases - breakdown		Appeals
7	2	Informal	Formal	0
		4	3	

This metric includes both performance at work and other types of ER casework not described elsewhere, although the majority of cases at present are in relation to poor behaviour and performance concerns.

#### 4. Suspension/Restricted Practice (In place or closed in December 2022)

As at 31 December 2022 there were 9 members of staff suspended and 9 individuals subject to restricted practice. Due to the sensitive nature of this information and ongoing investigations, details of these cases are reported via In-Committee Board.

#### 5. Employment Tribunal Claims

Due to the sensitive nature of these claims, it is planned for this information to be presented in more detail to In-committee PODCC meetings on an annual basis.

There are currently 8 live Employment Tribunal claims which the Health Board are involved with as at 15 March 2023.

#### 6. Local Policy Review across the Directorate

The number to review across W&OD Directorate between April 2022 and March 2023 = 39 (excludes 4 with an asterisk).

To date:-

- a) 25 reviews have been completed and approved (18 of these are workforce).
- b) Six workforce policies are in the process of being approved or removed by PODCC.
- c) One W&OD policy is at the consultation stage.
- d) Six remain work in progress and a separate request has been submitted to extend three of these whilst working groups are established/or complete their reviews across W&OD.
- e) Two are yet to commence due to ongoing consideration of the Agile Working Report.

#### 7. Workforce & OD Key Performance Indicators (KPIs)

**Completion Rate = 64% (a)                      Progression Rate (WIP) – 28%                      (b+c+d-e)**

Completion rate as at 3 April 2023 will be **79%** (a+b)

##### 7.1 Policy Schedule for 2022/2023

No	Name of Policy	Review Date	Status
1	Employer Pension Contributions – Alternative Payment	NEW	Completed
2	Retirement	31.3.2023	Completed
3	Overpayments	27.4.2024	Completed
4	Work/Life Balance – Flexible Working	31.3.2023	Completed
5	Disclosure & Barring Service (DBS)	N/A	Completed
6	Redeployment	31.3.2023	Completed
7	Maternity, Adoption and Paternity Leave	31.3.2023	Completed
8	Shared Parental Leave	31.3.2023	Completed
9	Ordinary Parental Leave	31.3.2023	Completed
10	Time Off in Lieu	31.3.23	Completed
11**	Employer Pension Contributions – Alternative Payment	18.8.25	Completed
12	Guidelines for extending sick pay	N/A	Completed

13	Adverse Conditions	31.3.23	Completed
14	Dealing with Anonymous Communications	31.3.23	Completed
15	Learning & Development	31.3.23	Completed
16	Organisational Development	31.3.23	Completed
17	Flexible Deployment of Staff	31.3.2023	Completed
18	Rostering	31.3.2023	Completed
19	DBS	NEW	Completed
20**	Employer Pension Contributions – Alternative Payment	18.8.25	Completed
21	Staff Psychological Wellbeing	31.3.23	Completed
22	Industrial Injury Claim	31.3.23	Completed
23	Managing Allegations against Employees	31.3.23	Completed
24**	Retirement	20.6.25	Completed
25	Alcohol & Drugs	31.3.23	Completed
26	Information to Payroll	31.3.23	Completed and removed
27	Use of Overtime	31.3.23	Completed and removed
28	Annual Leave	31.3.23	Completed and removed
29**	DBS Suite	20.6.25	Completed
30	Staff Immunisation	30.6.23	WIP – submitted to PODCC
31	Referral of Employee to OH Service	30.8.23	WIP – submitted to PODCC
32	Providing Employment References	30.4.23	WIP – submitted to PODCC
33	Personnel Employee Records Management	30.4.23	WIP – submitted to PODCC
34	Personal Relationships at Work	30.4.23	WIP – submitted to PODCC
35	General Data Protection	30.4.23	WIP – submitted to PODCC
36	Uniform and Dress Code	31.6.23	WIP
37	Supporting Transgender Staff	30.4.23	WIP – awaiting Stonewall feedback
38	Flexi Time	30.6.23	DELAYED
39	Volunteers	30.4.23	WIP
40	Eagle Strategy	30.6.23	WIP
41	Term Time Working	31.12.23	DELAYED
42	Registration and Re-registration of Health Professionals	30.6.23	WIP
43	Medication Errors	30.6.23	WIP – at consultation stage

## 7.2 All Wales Policy Reviews for 2022/2023

Completed	Date	WIP	Date commenced	Not started but review due
Pay Progression	June 2022	Capability	July 2022	Disciplinary
		Pension Contributions – Alternative Payment Policy	January 2023	Upholding Professional Standards
		Menopause	December 2023	Employment Break
		Organisational Change	January 2023	Secondment
				Managing attendance at work
				Social Media

In addition to the above All Wales table, there are two further local policies due for review which are likely to move to an All-Wales position. These are:-

- Time off for Medical & Dental Appointments
- Relocation Expenses

A request has already been submitted to PODCC to extend the review periods of the above.

## 7.3 Policy Review Programme for 2023/2024

In addition to the above, the following local policies are due for review in 2023/2024. Please note, the list below does include those previously extended from 2022/2023 and will therefore duplicate some of the earlier sections. This is to enable the operational KPIs to be set and monitored in year.

No	Name of Policy	Review Date	Status
1	Providing Employment References	30.4.23	WIP – submitted to PODCC
2	Personal Relationships at Work	30.4.23	WIP – submitted to PODCC
3	General Data Protection	30.4.23	WIP – submitted to PODCC
4	Supporting Transgender Staff	30.4.23	WIP – awaiting Stonewall feedback
5	Volunteers	30.4.23	WIP
6	Preceptorship	1.5.23	Not Started
7	Staff Immunisation	30.6.23	WIP – submitted to PODCC
8	Flexi Time	30.6.23	DELAYED
9	Uniform and Dress Code	30.6.23	WIP
10	Eagle Strategy	30.6.23	WIP

11	Registration and Re-registration of Health Professionals	30.6.23	WIP
12	Medication Errors	30.6.23	WIP – at consultation stage
13	Study Leave for Medical & Dental Staff	30.6.23	Not Started
14	Re-Evaluation of Pay Band	30.6.23	Not Started
15	Domestic Abuse and Sexual Violence	27.8.23	Not Started
16	Referral of Employee to OH Service	31.8.23	WIP – submitted to PODCC
17	Guidance on Starting Salaries	31.8.23	Not Started
18	Ethical Employment	17.12.23	Not Started
19	Carers	17.12.23	Not Started
20	Term Time Working	31.12.23	DELAYED
21	Relocation Expenses	31.12.23	Not Started
22	Time off for Medical and Dental Appointments	31.12.23	Not started
23	Recruitment & Retention Payment	10.2.24	Not started
24	Personnel Employee Records Management	30.3.24	WIP – submitted to PODCC

#### Argymhelliad / Recommendation

PODCC is requested to note the content of the Employee Relations Activity report.

#### **Amcanion: (rhaid cwblhau)**

#### **Objectives: (must be completed)**

Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	3.13 Approve the workforce and organisational development policies and plans delegated to the Committee.  3.8 Ensure robust mechanisms are in place to deliver effective staff engagement in accordance with the Health Board's values and behaviour framework.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable.
Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	7. Staff and Resources 7.1 Workforce
Amcanion Strategol y BIP: UHB Strategic Objectives:	4. The best health and wellbeing for our individuals, families and communities

Amcanion Llesiant BIP: UHB Well-being Objectives: <a href="#">Hyperlink to HDdUHB Well-being Objectives Annual Report</a>	2. Develop a skilled and flexible workforce to meet the changing needs of the modern NHS 8. Transform our communities through collaboration with people, communities and partners
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<b>Gwybodaeth Ychwanegol: Further Information:</b>	
Ar sail tystiolaeth: Evidence Base:	The successful candidates were required to provide evidence of involvement in research during the appointment process.
Rhestr Termau: Glossary of Terms:	Included within the body of the report.
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

<b>Effaith: (rhaid cwblhau) Impact: (must be completed)</b>	
<b>Ariannol / Gwerth am Arian: Financial / Service:</b>	Please see Integrated Impact Assessment Tool, responses 4, 7, 13 & 15.
<b>Ansawdd / Gofal Claf: Quality / Patient Care:</b>	Please see Integrated Impact Assessment Tool, responses 16, 18 & 20.
<b>Gweithlu: Workforce:</b>	Please see Integrated Impact Assessment Tool, responses 26 & 28.
<b>Risg: Risk:</b>	Please see Integrated Impact Assessment Tool, response 33.
<b>Cyfreithiol: Legal:</b>	Please see Integrated Impact Assessment Tool, responses 34 & 35.

<b>Enw Da: Reputational:</b>	Please see Integrated Impact Assessment Tool, responses 39, 40 & 42.
<b>Gyfrinachedd: Privacy:</b>	Not applicable
<b>Cydraddoldeb: Equality:</b>	<ul style="list-style-type: none"><li>• Has EqIA screening been undertaken? No</li><li>• Has a full EqIA been undertaken? No</li></ul> Please see Integrated Impact Assessment Tool, responses 46, 47 & 48.