

AGENDA

Meeting: Staffing Policy Committee

Place: Council Chamber - County Hall, Trowbridge BA14 8JN

Date: Wednesday 15 September 2021

Time: 10.30 am

Please direct any enquiries on this Agenda to Kevin Fielding, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01249 706612 or email kevin.fielding@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Stuart Wheeler (Chairman)
Cllr Helen Belcher
Cllr Allison Bucknell
Cllr Richard Clewer
Cllr Simon Jacobs

Cllr Carole King
Cllr Jacqui Lay
Cllr Antonio Piazza
Cllr Tamara Reay
Cllr Ricky Rogers

Substitutes:

Cllr Liz Alstrom
Cllr Caroline Corbin
Cllr Mel Jacob

Cllr Bob Jones MBE
Cllr Kathryn Macdermid
Cllr Ashley O'Neill

Covid-19 safety precautions for public attendees

To ensure COVID-19 public health guidance is adhered to, a capacity limit for public attendance at this meeting will be in place. **Please contact the officer named on this agenda no later than 5pm on Tuesday 14 September if you wish to attend this meeting**

To ensure safety at the meeting, all present at the meeting are expected to adhere to the following public health arrangements to ensure the safety of themselves and others:

- Do not attend if presenting symptoms of, or have recently tested positive for, COVID-19
 - Wear a facemask at all times (unless due to medical exemption)
 - Maintain social distancing
 - Follow one-way systems, signage and instruction

Where it is not possible for you to attend due to reaching the safe capacity limit at the venue, alternative arrangements will be made, which may include your question/statement being submitted in writing

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County Hall, Trowbridge
Bourne Hill, Salisbury
Monkton Park, Chippenham

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meetings at County Hall you will need to log your car's registration details upon your arrival in reception using the tablet provided. If you may be attending a meeting for more than 2 hours, please provide your registration details to the Democratic Services Officer, who will arrange for your stay to be extended.

Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

PART I

Items to be considered while the meeting is open to the public

1 **Apologies for absence**

2 **Minutes of Previous Meeting** (*Pages 7 - 10*)

To confirm the minutes of the meeting held on Thursday 17 June 2021

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee

4 **Chairman's Announcements**

5 **Public Participation**

The Council welcomes contributions from members of the public

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Thursday 9 September 2021** in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **Monday 13 September 2021**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website

6 **Mandatory COVID Vaccination Policy** (*Pages 11 - 14*)

7 **Fixed-Term Contract Policy** *(Pages 15 - 22)*

8 **Purchase of Annual Leave**

An update on savings following policy changes approved by the Staffing Policy Committee

9 **Inclusion Strategy**

10 **Quarterly Report - April-June 21** *(Pages 23 - 28)*

Michael Taylor – written report

11 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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Staffing Policy Committee

MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 17 JUNE 2021 AT COUNCIL CHAMBER, COUNTY HALL, TROWBRIDGE.

Present:

Cllr Helen Belcher, Cllr Simon Jacobs, Cllr Carole King, Cllr Ricky Rogers and Cllr Stuart Wheeler (Chairman)

Also Present:

Jo Pitt - Director – HR & OD, Paula Marsh - HR & OD Strategic Delivery Manager, Michael Taylor – Workforce Insight Analyst and Kevin Fielding - Democratic Services Officer

1 **Apologies for absence**

Apologies for absence were received from Cllr Allison Bucknell, Cllr Richard Clewer, Cllr Jacqui Lay and Mike Osment – Unison Representative.

2 **Minutes of Previous Meetings**

Decision

- **That the minutes of the Staffing Policy Committee meeting held on Thursday 11 March 2021 and the Senior Officers Employment Sub-Committee held on Friday 26 June 2020 were confirmed as the correct record**

3 **Declarations of Interest**

There were no declarations of interest made at the meeting.

4 **Chairman's Announcements**

There were no Chairman's Announcements made at the meeting.

5 **Public Participation**

No statements or questions were received.

6 **Appointment of Sub-Committees**

The following Sub-Committees were agreed for 2021-2022:

Senior Officers Employment Sub Committee

Cllr Stuart Wheeler, Cllr Richard Clewer, Cllr Helen Belcher

Substitutes: Cllr Allison Bucknell, Cllr Simon Jacobs, Cllr Carole King, Cllr Jacqui Lay, Cllr Antonio Piazza, Cllr Ricky Rogers

Appeals Sub-Committee

Cllr Stuart Wheeler, Cllr Richard Clewer, Cllr Carole King

Substitutes: Cllr Allison Bucknell, Cllr Helen Belcher, Cllr Simon Jacobs, Cllr Jacqui Lay, Cllr Antonio Piazza, Cllr Ricky Rogers

Grievance Appeals Sub- Committee

Cllr Stuart Wheeler, Cllr Allison Bucknell, Cllr Carole King

Substitutes: Cllr Helen Belcher, Cllr Richard Clewer, Cllr Simon Jacobs, Cllr Jacqui Lay, Cllr Antonio Piazza, Cllr Ricky Rogers

7 **Quarterly Report - Jan-Mar 21**

Michael Taylor – Workforce Insight Analyst outlined the written report (October-December 2020) contained in the agenda pack

Points made included:

Whilst COVID-19 cases peaked in January 2021 following the temporary relaxation of national restrictions around Christmas, the imposition of a third national lockdown saw cases reduce steadily throughout the January – March quarter. February saw the Prime Minister set out his intended roadmap out of lockdown, with the 21st June earmarked as the earliest date when all restrictions on social contact could be lifted. Whilst an end was in sight, the COVID-19 situation had continued to impact the council's workforce and the way in which it delivered services throughout this quarter.

The council had continued to monitor the effect of COVID-19 on team capacity, and during this quarter around 3.5% of the workforce were impacted to the point that they were unable to perform the duties of their role, i.e. they were either unwell with the virus, or were self-isolating and unable to work. This figure had risen from 2.4% in quarter 3 in line with the national trend.

The council introduced recruitment controls in July 2020 in support of our intention to emerge from the pandemic leaner and stronger, and to create and encourage an internal flow of staff. As a result, both permanent and casual

employee salary costs had continued to reduce in this quarter. Agency costs had seen a slight increase from last quarter, predominantly in the Digital & Information and Finance & Procurement directorates, due to the need for specialist workers in these areas that could not be resourced through internal recruitment. Agency costs had also increased in the Adult Care Operations and Learning Disabilities & Mental Health directorates, areas that had been and remain critical to resource, particularly during this difficult and unprecedented time. It should be noted that, in spite of the slight increase, the figure of £736k remains significantly lower than the £1.5m agency costs of quarter 1, April – June 2020.

Decision

- **The Staffing Policy Committee noted the report**

The Chairman thanked Michael Taylor for his report

8 Urgent Items

There was one urgent item, it was agreed by the Staffing Policy Committee that this item would be taken as a part II paper.

(Duration of meeting: 11.30 - 11.55 am)

The Officer who has produced these minutes is Kevin Fielding of Democratic Services, direct line 01249 706612, e-mail kevin.fielding@wiltshire.gov.uk

Press enquiries to Communications, direct line ((01225) 713114 or email communications@wiltshire.gov.uk

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Staffing Policy Committee
15 September 2021

Mandatory COVID-19 vaccination policy

Purpose

1. To seek approval to take the newly drafted “Mandatory COVID-19 vaccination” policy to JCC in October for consultation and then for this policy to be applied straight after JCC and before the next SPC in November to be able to meet the legislation implementation date of the 11 November 2021.

Background

2. With effect from 11 November 2021 the Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021 (the “Regulations”), make it mandatory for those who work or are required to enter the indoor premises of a Care Quality Commission (CQC) home to have the COVID-19 vaccination.
3. The council has 3 CQC homes (Bradbury house, Bradbury Manor and Meadow Lodge) where we employ approximately 100 staff. In addition, we have approximately another 300 staff in adult social care who as part of their duties visit CQC homes which are owned by other organisations, eg Order of St John Care Trust.

Main considerations

4. To ensure compliance with the Regulations, the “Mandatory COVID-19 vaccination” policy has been drafted.
5. By the 11 November 2021 relevant staff must have had both COVID-19 vaccinations, unless they are medically exempt or under the age of 18. Any booster vaccinations are not currently included in these Regulations. The Regulations make it the responsibility of the “registered person” with the CQC for ensuring that everyone who enters their care home is either vaccinated or exempt. We have 4 staff at the council who are defined as the “registered person”.
6. For staff that have been vaccinated by the NHS in England they can demonstrate their vaccination status using the NHS COVID Pass service, either via the NHS App; the NHS website; or the NHS COVID Pass letter by calling 119
7. For staff who have been confirmed as being medically exempt* from vaccination the service will need to undertake a risk assessment to reduce risk of transmission. This may result in a change in duties for these staff.
8. During implementation of this new policy where when asked, any current member of staff refuses to be vaccinated, one of the council’s registered person, with support from

HR advisory and additional professional advice from Public Health and Occupational Health as necessary, will consider what options are available, which may include looking at alternative roles for them. Ultimately as the requirement to have the vaccination is now a legal requirement and if an alternative role is not possible or available, the disciplinary policy would be applied.

9. As part of the recruitment process successful applicants into roles which either work or need to enter a CQC home will be required to provide evidence that they are fully vaccinated with an approved COVID-19 vaccine or that they are medically exempt. It will state in the advert this requirement and will be one of the pre-employment checks.
10. As the Regulations apply to all CQC care homes across all sectors, the council asking for mandatory vaccination as part of the pre-employment checks will be the same as all other organisations that run CQC homes. Therefore, it is not expected the Regulations will adversely impact recruitment or retention of council staff.

Reason for the policy

11. It is a legislative requirement that from the 11 November 2021 the council ensures its staff who work in or need to enter a CQC care home as part of their work, have had the COVID-19 vaccination or are medically exempt.
12. The council's registered person also has to check and record that all other people who enter one of our CQC homes have also been vaccinated. This includes, volunteers, students, agency staff and contractors. There are exemptions for emergency situations. The "*coronavirus (COVID-19) vaccination of people working or deployed in care homes: operational guidance*" provides further advice for the registered person to follow.
13. It is also a legislative requirement that the council hold a record to prove that all staff in relevant roles have had the COVID-19 vaccination or are medically exempt. This information will be held in SAP and can be reported out when required as part of a CQC inspection.

Environmental impact of the proposal

14. It is anticipated that this policy will have a neutral environmental impact.

Equalities impact of the proposal

15. This policy will be taken to an equality impact assessment panel and all comments from that panel will be considered against this policy and the legislation.

Risk Assessment

16. It is a legislative requirement that the council ensures its staff who work in or need to enter a CQC care home as part of their work, have had the COVID-19 vaccination or

are medically exempt. If the council fails to comply with the legislation, there are risks to service delivery and potential reputational risks.

Financial Implications of the proposal

17. There are no material financial impacts arising from the implementation of the policy.

Recommendations

18. It is recommended that Staffing Policy Committee confirm their agreement of this new draft policy to go to JCC for consultation, and to implement following consultation.
19. If during consultation any amendments to the current draft policy are required SPC give authority to the Director HR&OD to consider these amendments and update the policy as necessary.

Joanne Pitt
Director HR&OD

Report Author: Janice Hiscock, HR Consultant, Policy and EDI
Supported by: Jan Juillerat, HR & OD Strategy & Insight Manager

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Wiltshire Council Human Resources

COVID-19 Vaccination policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

With effect from 11 November 2021 the Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021 (the “Regulations”), make it mandatory for those working in care homes to have COVID-19 vaccination.

The legislation applies to care homes in England that:

- are registered with the Care Quality Commission (CQC); and
- provide accommodation for residents who require nursing or personal care, including younger vulnerable adults.

Vaccination against COVID-19 is the best way that workers can keep themselves and those they care for safe from the effects of the virus. Sustaining high levels of staff vaccination now, and in the future, as people enter the workforce, is important to minimise the risk of outbreaks in care homes, which continue to be high-risk settings.

Go straight to the section:

- Who does it apply to?
- When does it apply?
- When does it not apply?
- Data protection and GDPR
- Mandatory vaccination
- Recruitment of staff
- Wiltshire Council’s registered person
- Emergence assistance
- How to get a vaccination
- Evidence of a vaccination
- Recording of vaccination
- Medical exemptions
- Refusal to be vaccinated
- Roles and responsibilities

Who does it apply to?

This policy applies to all Wiltshire Council employees, volunteers, students, agency staff and contractors who work in or are required to enter the indoor premises of a CQC care home that provides accommodation for residents who require nursing or personal care, including vulnerable adults.

This policy does not apply to teaching and non-teaching staff employed in maintained schools or academies.

When does it apply?

It applies for all roles that either work in or visit a CQC home as defined by the Regulations. This includes anyone who enters a CQC care home for a job interview.

When does it not apply?

This policy does not apply to employees, volunteers or agency staff who:

- are under the age of 18; although under 18's are encouraged to have the vaccination
- enter to assist with an emergency or are carrying out urgent maintenance work; or
- work only in the outdoor surrounding grounds of a care home's premises.

Data Protection and GDPR (General Data Protection Regulations)

Medical information that you have received a vaccine will constitute special category data so Wiltshire Council will keep records of this and do so in accordance with GDPR and the Data Protection Act 2018.

Data protection (privacy notice)

Wiltshire Council processes personal data collected during all stages of this policy and procedure in accordance with its data protection policy as required by GDPR. Data collected is held securely and is only disclosed to and accessed by individuals.

Inappropriate access or disclosure of employee data constitutes a data breach and must be reported in accordance with the Council's data protection policy. Any such breaches may result in an investigation which could lead to action under the disciplinary procedure. The full privacy notice can be read on the front page of HR Direct.

What are the main points?

Mandatory vaccination

In accordance with legislation you must have had a full course of the approved MHRA (Medicines & Healthcare products Regulatory Agency) COVID-19 vaccine, unless you are medically exempt.

By the 11 November 2021 you must have had both doses.

Booster doses are not currently included in the regulations, but managers are strongly advised to encourage staff to take up booster vaccines if eligible, and a provision for booster vaccines may be added to the regulations in the future.

Recruitment of staff

As part of the recruitment process successful applicants will be required to provide evidence that they are fully vaccinated with an approved COVID-19 vaccine or that they are medically exempt.

It will state in the advert this requirement and will be one of the pre-employment checks and will be part of the employment contract.

Wiltshire Council's registered person

The registered person is the person registered with the CQC as a manager or service provider. The registered person is responsible for ensuring that everyone who enters their care home is either vaccinated or exempt, as defined in the legislation.

Registered persons may arrange for another person to carry out certain tasks to help comply with the regulations. While this is acceptable, the registered person is the one who remains legally responsible for compliance with the regulations.

The registered person must ensure that they do not allow anyone to enter the inside of a care home, unless they have had a complete course of doses of an authorised vaccine or fall into one of the exempted groups. Refer to the [“Coronavirus \(COVID-19\) vaccination of people working or deployed in care homes: operational guidance”](#) section 7 for more guidance on this responsibility.

Emergency assistance

If someone is entering the care home for emergency assistance for an incident in the care home itself, or in relation to an incident in a neighbouring building (for example if access is required to respond to a fire), they will not need to show proof of vaccination or medical exemption.

It is the registered person's responsibility to use their professional judgement to determine whether a situation is an emergency. Registered persons will be

expected to keep a log of all emergency situations, including details of the circumstances, during which people entered the home without showing proof of vaccination or exemption.

An emergency could include (but is not limited to):

- members of the public assisting in the event of flood or fire
- social workers responding to immediate safeguarding concerns

In addition, emergency services staff attending the care home in the execution of their duties are exempt from the requirement.

How to get a vaccination

Vaccinations can be booked online through the National Booking Service or by ringing 119. It is also possible to visit one of hundreds of walk-in centres across the country without the need to book in advance. Find your nearest centre at nhs.uk/grab-a-jab.

For staff who are required to have the mandatory vaccination they are able to take paid time off attend a vaccination appointment during work time.

Evidence of vaccination

For staff that have been vaccinated by the NHS in England can demonstrate their vaccination status using the NHS COVID Pass service via the following three routes:

- [The NHS App](#) - the vaccination status can be found within the NHS COVID Pass service of the NHS App.
- [the NHS website](#) - the NHS COVID Pass can be accessed via the NHS website. This displays the same information as is contained within the NHS app via an online web page - and can be accessed via [Get your NHS COVID Pass](#).
- [the NHS COVID Pass letter](#) – an employee can get an NHS COVID Pass letter sent to them in the post, which shows that they have been vaccinated against COVID-19. They do this by requesting a COVID Pass letter online via [Get your NHS COVID Pass](#) or calling 119 (for those vaccinated in England only)

Scotland, Wales or Northern Ireland vaccination certificates:

For staff vaccinated in Scotland information on how to obtain a record of their COVID-19 vaccination status can be found nhsinformscot.

For staff vaccinated in Wales information on how to obtain a record of their COVID-19 vaccination status can be found gov.wales.

For staff vaccinated in Northern Ireland information on how to obtain a record of their COVID-19 vaccination status can be found nidirect.gov

Recording of vaccination

As it is a legislative requirement that employees who work in or are required to enter a CQC home have had the MHRA COVID-19 vaccination the council has to hold a record that for each employee this has been recorded. This information will be held in SAP (infotype 34) with the date the evidence of the vaccination was seen. Managers can contact recruitment@wiltshire.gov.uk with this information so it can be held in SAP against the employee. When required during a CQC inspection the information can be reported out to be provided to the CQC inspector.

Medical exemptions

For a small number of people vaccination it is not appropriate due to clinical reasons. These medical exemption reflect the Green Book on Immunisation against infectious disease (COVID-19: the green book, chapter 14a) and clinical advice from The Joint Committee of Vaccination and Immunisation (JCVI).

Staff where this applies would have to demonstrate a clinically approved exemption from this requirement.

For staff where it has been confirmed they are medically exempted from vaccination the service should undertake a risk assessment to reduce risk of transmission. This might include a change to their duties where such a change is appropriate. It should also be taken into account that those that are exempt from vaccination may also be in the clinically extremely vulnerable category.

Refusal to be vaccinated

It is a legislative requirement that employees who work in or are required to enter a CQC home have had the MHRA COVID-19 vaccination by the 11 November 2021.

If an employee is not medically exempt from having the vaccination and still refuses to be vaccinated the registered person, with support from HR advisory, will consider what options are available, which may include looking for an alternative role.

As the request to have the vaccination is a requirement of the employment and where an alternative role is not possible or available the disciplinary policy will be followed where a decision of dismissal could be considered.

Roles and responsibilities

Employee responsibilities

1. For those employee's whose roles requires them to have the COVID-19 vaccination to read this policy and engage with the requirements of the legislation.

Line manager responsibilities

2. To support the registered persons at the council to identify all roles which require the mandatory COVID-19 vaccination and to ask these employees for evidence that they have had the vaccination and ensure this is recorded in SAP
3. To sign post employees to additional information and support regarding the COVID-19 vaccination as required
4. To ensure that for any employees who are medically exempt that a current risk assessment is done
5. To take action, with support from HR advisory, where an employee is not vaccinated and is not medically exempt.

HR responsibilities

6. To provide further support as necessary

Definitions

MHRA - Medicines & Healthcare products Regulatory Agency
JCVI - Joint Committee of Vaccination and Immunisation

Equal Opportunities

This policy has been Equality Impact Assessed ([link to EIA for policy](#)) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Managers will make any necessary adjustments to ensure that all employees are treated fairly. For further information see the guidance on equal opportunities in ([link to equal opps guidance](#))

Legislation and codes of practice

- The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021
- The Health and Safety at Work Act 1974
- Code of Practice on Infection Prevention and Control

This policy has been reviewed by an external legal organisation to ensure compliance with (the above legislation and) our statutory duties.

Advice and guidance

If you require help in accessing or understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

Government information

Department of Health and Social Care: Coronavirus (COVID-19) [vaccination of people working or deployed in care homes: operational guidance](#)

There are a range of published resources with information about the vaccine that can be used to support vaccination conversations with staff:

- <https://www.gov.uk/government/publications/COVID-19-vaccination-guide-for-older-adults>
- <https://www.gov.uk/government/publications/COVID-19-vaccination-what-to-expect-after-vaccination>
- <https://www.gov.uk/government/publications/COVID-19-vaccination-and-blood-clotting>
- <https://www.gov.uk/government/publications/COVID-19-vaccination-women-of-childbearing-age-currently-pregnant-planning-a-pregnancy-or-breastfeeding>
- <https://www.gov.uk/government/publications/COVID-19-vaccination-easy-read-resources>
- [NHS England and NHS Improvement London » COVID-19 vaccine communication materials \(videos in different languages\)](#)
- [UK COVID-19 vaccination uptake plan](#) (published 13 February 2021).
- The Department of Health and Social Care has produced a toolkit of resources that is tailored for the adult social care sector. This is available online at [Public Health England's Campaign Resource Centre: Vaccine Communications Toolkit for Adult Social Care](#).

For further information please speak to your supervisor, manager, service director or contact your [HR case adviser](#).

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Staffing Policy Committee
15 September 2021

Fixed Term Contract policy

Purpose

1. To seek approval on the new Fixed Term Contract (FTC) policy which will replace the current FTC dismissal policy, with the intention to implement this with effect from 1 November 2021

Background

2. The current FTC dismissal policy was last reviewed in 2012 and details the process for ending a FTC. Where a FTC ends on the date stated in the contract no notice is applicable, but where the FTC needs to end on a different date, contractual notice must be given.
3. The current policy focuses solely on the ending of a FTC.
4. All employees on a FTC have the same employment rights as permanent council employees.

Main considerations

5. To have a FTC policy which provides advice to managers and staff on the recruitment, circumstances of the application of a FTC or the extension of a FTC in addition to the ending of a FTC.
6. Where FTCs have ended on a date different to the one stated in the contract, the contractual notice period, which is 4 weeks for staff up to grade H and 12 weeks for staff on grade I or above, has resulted in an additional period of contractual notice when the task and funding for the FTC has already ended, incurring additional cost for the service.

Amendments proposed

7. The updated FTC policy provides advice and guidance on:
 - a. the appointment to a FTC,
 - b. reasons when a FTC should be used and length of a FTC for the same task should not be for longer than 23 months
 - c. extension of a FTC, and
 - d. process when ending a FTC including the payment of statutory notice where applicable.
8. Managers are advised to ensure that the FTC is ended on the date as stated in the employee's contract, or in any subsequent extension to the original contract, so that no notice is required when the FTC ends on the date as stated.

9. Where a FTC needs to end on a date earlier or later than stated in the FTC statutory notice will be given of 1 week for each year of service up to a maximum of 12 weeks.

Reason for changes to the policy

10. If the council fails to address the length of notice periods for FTC employees whose contract needs to end on a date different to the one stated in their contract will result in paying contractual notice, of a minimum of 4 weeks or 12 weeks depending upon grade, when the reason and funding for the FTC has already ceased. Therefore resulting in additional costs.
11. If we don't have a policy and procedure that covers the whole process of applying a FTC from recruitment to dismissal it may result in the offer of a FTC not being undertaken correctly and consistently across the council.
12. We intend to implement this policy from November 2021 to enable any recent recruitment to a FTC to be offered on the basis of this new policy.

Environmental impact of the proposal

13. It is anticipated that this policy will have a neutral environmental impact, unchanged from the current policy

Equalities impact of the proposal

14. This policy has been taken to an equality impact assessment panel and all comments from this panel have been considered against this policy.

Risk Assessment

15. If the council fails to address the length of notice periods for FTC employees whose contract needs to end on a date different to the one stated in their contract will result in paying contractual notice, of a minimum of 4 weeks or 12 weeks depending upon grade when the reason and funding for the FTC has already ceased.

Financial Implications of the proposal

16. The policy supports the best use of a FTC and reduces possible additional costs due to contractual notice.

Recommendations

17. It is recommended that Staffing Policy Committee confirm their agreement of this new FTC policy

Joanne Pitt
Director HR&OD

Report Author: Janice Hiscock, HR Consultant, Policy and EDI
Supported by: Jan Juillerat, HR & OD Strategy & Insight Manager

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Fixed Term Contract (FTC) policy and procedure

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy and procedure details the process for the appointment and contract termination of an employee on a fixed term contract (FTC) of employment.

Go straight to the section:

- Definition of a FTC
- Terms and conditions relating to a FTC
- Ending a FTC
- Reasons for ending a FTC

Who does it apply to?

This policy applies to all Wiltshire Council employees who are on a FTC. This policy does not apply to teaching and non-teaching staff employed in maintained schools or academies.

In matters that involve chief / statutory officers and deputy chief officers (executive director and directors) these procedures must be read in conjunction with their terms and conditions of employment and [Wiltshire Council's constitution](#).

When does it apply?

This policy applies where you are employed on a fixed term contract of employment.

When does it not apply?

This policy does not apply to agency workers or casuals.

What are the main points?

Definition of a FTC

1. A FTC contract will be used where the requirement for the role is for a specific period or purpose and for no more than 23 months.
2. An employee is on a FTC which is due to end when a specified date is reached or a specified task has been completed.
3. The contract will include a reason as to the temporary nature of the role and its end date or, if based on completion of a specific task, the expected end date.
4. Where a FTC ends on the date as stated in the original contract of employment no notice will be given.
5. Example reasons for having a FTC (but are not limited to):
 - The post is dependent on time-limited funding or other resources.
 - The purpose of the post is to complete a specific project or purpose and once completed the contract will end.
 - Providing cover for another employee who is absent on leave/currently not in their substantive post, eg maternity leave, secondment, long-term sickness absence.

Terms and conditions relating to a FTC

6. The employee will have a contract of employment and have the same terms and conditions as permanent contracted staff, apart from:
 - a. The contract will end on the date stated and no notice will be given unless,
 - i. The FTC is ended earlier than the date stated in the contract.
 - ii. the FTC end date has passed (lapsed) and no further FTC date had been given
 - b. Where any notice period is required (as per points i and ii above) statutory notice will be given as detailed in the contract.
7. FTC can be extended and a new FTC end date will be given to the employee, for example, should further funding be obtained or further time is required for the project/FTC specific work to be completed, however;
 - i. No FTC should be extended beyond 2 years.

Ending a FTC

8. Where a FTC ends on the date as stated in the original contract of employment, or in any subsequent extension notification no notice is required.

9. Where the FTC is to end earlier than the date stated in the contract or in the extension notification, or the end date has passed, then statutory notice of one week for each year of service up to a maximum of 12 weeks will be given.
10. The employee has the right of appeal against their dismissal in line with the appeals policy and procedure.

Reason for ending a FTC

11. The ending of a FTC will be due to the end of a specific task / reason as detailed in the employee's contract or subsequent extension notification

Equal Opportunities

This policy has been Equality Impact Assessed to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Legislation

Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
Fixed-term Work Directive 1999

Data protection (privacy notice)

Wiltshire Council processes personal data collected during all stages of this policy and procedure in accordance with its data protection policy as required by GDPR. Data collected is held securely and is only disclosed to and accessed by individuals for the purpose of completing the disciplinary process and procedure.

Inappropriate access or disclosure of employee data constitutes a data breach and must be reported in accordance with the Council's data protection policy. Any such breaches may result in an investigation which could lead to action under the disciplinary procedure. The full privacy notice can be read here. [\(add in link\)](#)

Advice and guidance

If you require help in accessing or understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

Further information

There are a number of related policies and procedures that you should be aware of including:

Appointments policy

Redundancy and service redesign policy

Some other substantial reason termination procedure (SOSR)

Equality and diversity policy and guidance

For further information please speak to your supervisor, manager, service director or contact your HR case adviser.

Policy author	HR Policy Team
Policy implemented	DD-MM-YYYY
Policy last updated	DD-MM-YYYY

Equality, Diversity & Inclusion (EDI) update for SCP

15 September 2021

Inclusive workforce strategy



Inclusive workforce strategy 2021 - 2025

LIVE·WORK·BELONG

Wiltshire Council

[Link to strategy](#)

Our vision:
“We are an inclusive organisation that reflects the diverse backgrounds of the communities we serve, where everyone is valued as an individual and where fairness and respect run through everything that we do.”

Update on activities

- Reverse mentoring pilot
 - 6 directors and 6 staff networks members
- Staff networks
 - 220+ members
 - Meetings and workshops held by BME, Women's and Carers and Disability network.
Upcoming events for Black History Month and World Menopause Day
- Inclusion and Diversity training
 - 20% of managers have attended Creating an inclusive workplace
 - 16% of managers have attended Equality and Diversity in the workplace
- EDI steering group update
- Upcoming plans
 - service insights, stepping up programme, comms and action plan for next year etc

Key dates

- Next EDI steering group meeting: 12 Oct, 2:00-3:30
- 27 September – 3 October: National Inclusion Week
- October: [Black History Month](#)
- 11 October: South West Black History Month Online Conference, 1pm-5pm
- 19 October: Lunchtime #EPIC Talk on menopause

Training

- [L&D Hub: Equality, diversity and inclusion training](#)
- [Terminology - the language of race](#)

[EDI steering group directorate champions](#)

[EPIC Hub: Inclusion and diversity](#)
[Inclusion calendar](#)

Quarterly Workforce Report

April – June 2021



Observations and Exceptions

During this quarter the council, and the country, were successfully accomplishing the key milestones, easing restrictions and concluding their respective roadmaps, with all government restrictions lifting shortly after the end of the quarter. The UK government also continue to successfully roll out a mass COVID-19 vaccination programme, with currently over 90m vaccinations administered: 88% of the UK population over 16 given a first dose and 78% given both doses of the vaccine, supporting the decision to lift government restrictions.

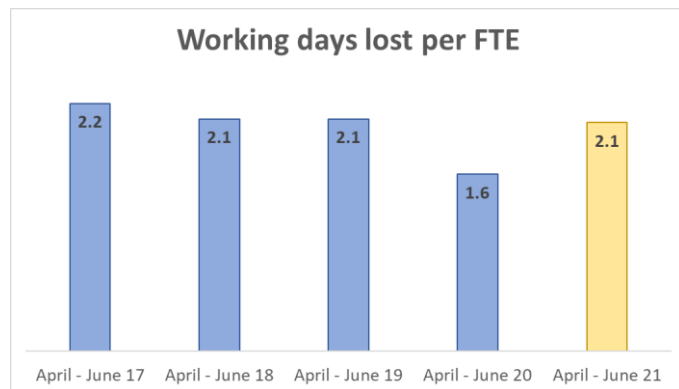
The council continues to operate with restrictions inside of council-owned buildings to safeguard staff and Wiltshire residents, with workplace access restrictions and social distancing measures remaining in place. The council has continued to roll out pilot schemes to evaluate a new ways of working, trialling new 'hybrid' meeting technology, dedicated collaboration spaces and the desk booking app. Utilisation and feedback of these pilot schemes has been largely positive. These are being reviewed to ensure they are fit for purpose and HR & OD and the Workplaces and Workspaces workstream are liaising with services that are less engaged with the pilot schemes for feedback. The council have also recently concluded another Wellbeing and Engagement Survey, the results of which are due to be published imminently. Initial review of the survey findings suggest that most staff feel moving to a hybrid/blended way of working will have a positive impact on wellbeing, work-life balance, feeling part of the organisation and how effective they are in their role.

The pandemic has reinforced the need for a more agile and adaptable workforce, and work through our Organisational Recovery programme continues to address this. The Agile workstream have introduced the Agile Workforce Pool which provides staff with the opportunity to undertake temporary placements in critical service areas, providing opportunities for staff to build their career, develop skills and expand their knowledge of the council and allows the council to meet short term demand.

The COVID-19 virus has had significantly less impact on sickness absence during this quarter, contributing 18 absences totalling 198 working days, a 75% reduction compared to the previous quarter (January – March), which saw 79 COVID-related sickness absences totalling 789 working days. COVID-related sickness absence represents only 2.8% of the total days lost from April - June, making COVID-19 the 11th most common absence reason for absence (previously second most common in January – March). This reduction is aligned with a reduction in cases seen nationally during the same period. However, since the end of the April to June quarter the council has experienced a slight increase in COVID-related sickness absence, also aligned with a similar trend nationally, mostly likely due to the increased transmissibility of the Delta variant. The council also experienced a increasing trend in those self isolating since the end of June, also likely due to the delta variant and people being notified to self isolate through the NHS COVID-19 app which hit a peak in July. However, it should also be noted that even when numbers peaked in July, this was still only affecting around 1% of our workforce and the council are continuing to mitigate transmission with restrictions remaining in place

regarding workplace access and social distancing measures in council buildings. Since these numbers peaked in July, however, the number of staff self isolating has reduced significantly, a figure which is expected to further reduce with all government restrictions ceasing and no longer requiring to check in to venues. At the time of writing, the automatic requirement to self isolate when identified as a COVID-19 case contact has been removed for most of the population in England. COVID absence figures continue to be reported on a weekly basis and reviewed by the corporate leadership team.

Previously we have reported that sickness absence levels have been significantly lower than usual due to the pandemic; however this quarter the council have reported a sickness absence rate of 2.1 days lost per FTE (increasing from 1.8 days lost per FTE last quarter), returning to similar levels experienced in this quarter prior to the COVID-19 pandemic, as detailed by the adjacent graph. This is particularly significant as the council would normally experience a reduction in sickness absence in this quarter following the more usual seasonal spike in the January to March quarter (during the winter months).



Stress-related absence has largely contributed to the increase in sickness absence this quarter. Stress-related absence has increased by almost a third (31%), compared to the previous quarter, and has contributed almost half of the total absence days lost in the quarter (43%). Contributing to this were significant increases in social care (both children's and adults), Joint Commissioning and IT. Results of the July 2021 Wellbeing and Engagement Survey and intelligence from the relevant HR Business Partners suggests that social care are experiencing increased demand (adults) and latent demand (children's) and are having to work very differently as a result of the pandemic. Many of the staff in these areas report that they do not feel empowered to take a break from work to support their own mental wellbeing, which could be contributing to this increase in stress-related absence. The survey shows a similar trend experienced by Joint Commissioning. In addition there is a restructure underway within IT and results from the recent Wellbeing and Engagement Survey suggests that staff in this area are feeling pessimistic about the future and are currently citing future uncertainty as their biggest concern, which may be contributing to the increase in stress-related absence. These responses will be discussed in senior management team meetings and the Wellbeing and Engagement Survey action planning process, to understand how the council can support these services.





The council are facing financial constraints as a result of the pandemic, and therefore costs are under constant scrutiny. Costs of both casual and agency staff this quarter have continued to follow a reducing trend, realising a combined reduction of around £1m compared to the same quarter last year (April to June 2020). The permanent costs have increased, however, by around £457k (1.6%), largely due to eligible staff receiving a pay increment in April 2021.

We can also see from the graphs below, within the turnover section, that significantly more staff have left this quarter without providing a reason. Understanding why staff are leaving and identifying any trends is critical to retaining staff and maintaining a sufficient workforce. HR & OD are currently reviewing the leavers process, and with it the exit questionnaire, to streamline the questions, and promote completion, to ensure it gives us sufficient and valuable insight on trends.

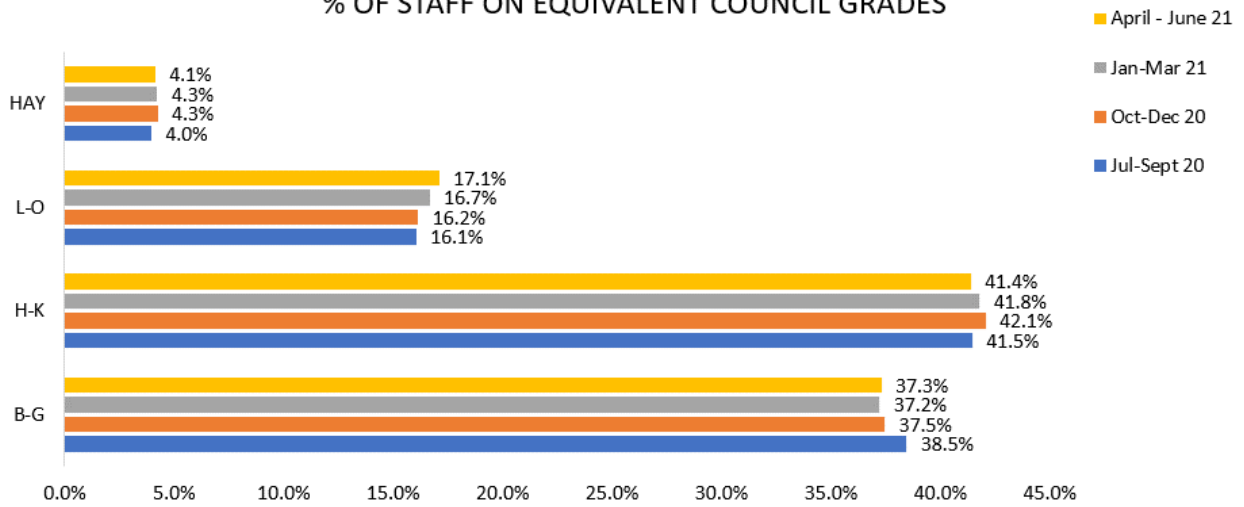
Maintaining a sufficient and sustainable workforce is critical to service delivery and providing a consistent service for Wiltshire residents. Of particular note are the data relating to the headcount by

age band graph in the section below, which show a trend of reducing numbers of staff under 25 years of age (and under 34) over the previous three quarters and the turnover table, which shows an increase in staff leaving who are under 25. Looking in more detail at the data, over the last 4 quarters, 59% of leavers under 25 were in Leisure. Leisure generally has a high turnover of staff due to the seasonal nature of the work, however due to the closures and reduced service being delivered in Leisure during the pandemic, turnover of staff under 25 has increased compared to the financial year prior to the pandemic (42%). 'Places Leisure' is to be brought back in to the council in October 2021, at which point we will see an increase in the proportion of staff under 25.

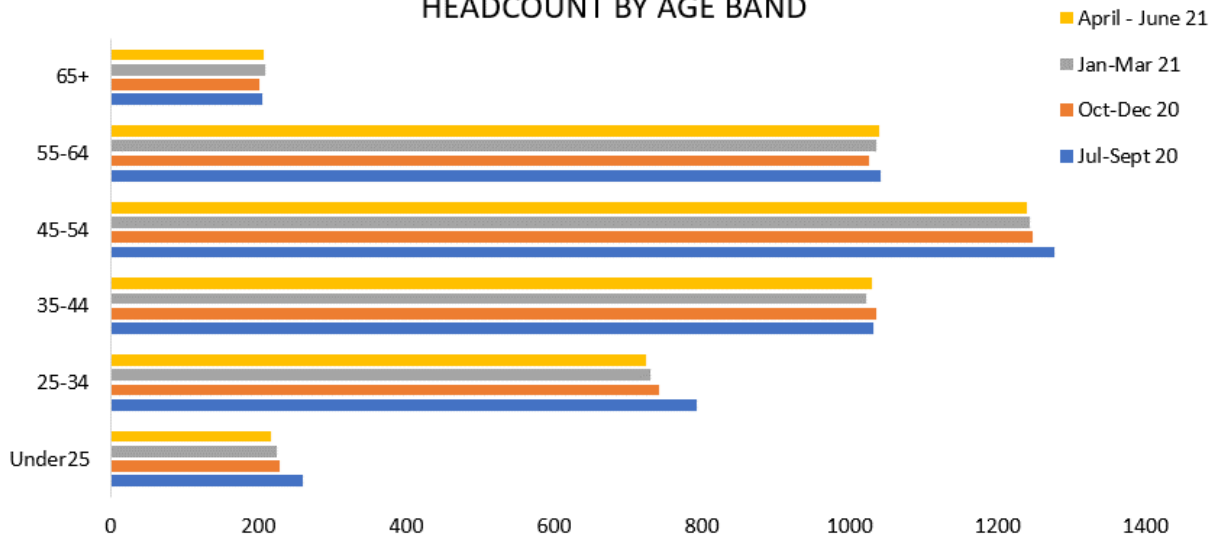
WORKFORCE DEMOGRAPHICS

 Headcount	Current quarter	4461	 FTE	Current quarter	3468.5	 Disability	Current quarter	8.2%	 Ethnicity	Current quarter	3.1%
	Jan-March	4470		Jan-March	3467.5		Jan-March	8.4%		Jan-March	3.2%
	Oct-Dec	4482		Oct-Dec	3453.8		Oct-Dec	8.0%		Oct-Dec	3.1%
	Jul-Sept	4610		Jul-Sept	3496.3		Jul-Sept	8.0%		Jul-Sept	3.0%

% OF STAFF ON EQUIVALENT COUNCIL GRADES



HEADCOUNT BY AGE BAND



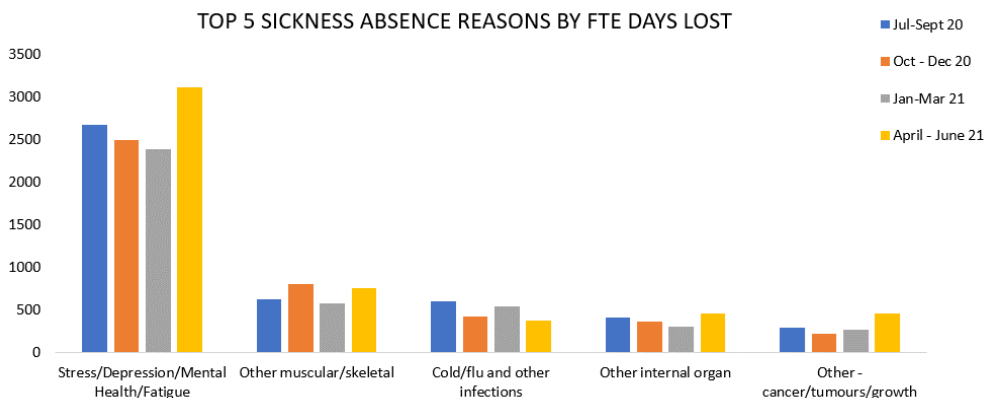
SICKNESS ABSENCE

Working days lost per FTE for directorate

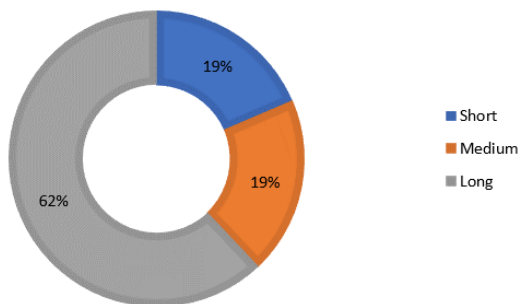
April - June 21

2.1

↑ an increase from last quarter (1.8)



SICKNESS ABSENCE BREAKDOWN APRIL - JUNE 2021



Long term absence: 20 working days or more in the quarter
 Medium term absence: more than 5 days (less than 20)
 Short term absence: 5 days or less

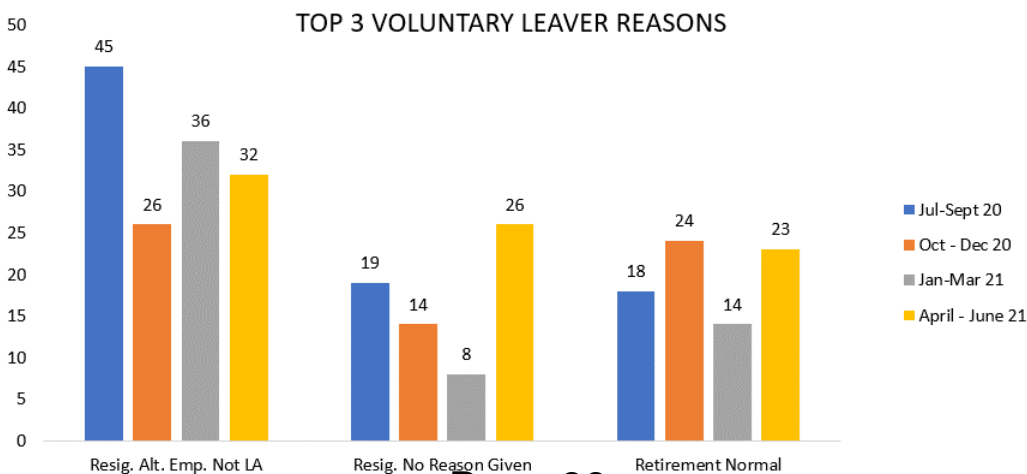
TURNOVER

Leavers under 25 years old

Current quarter	15
Jan-March	7
Oct-Dec	8
Jul-Sept	18

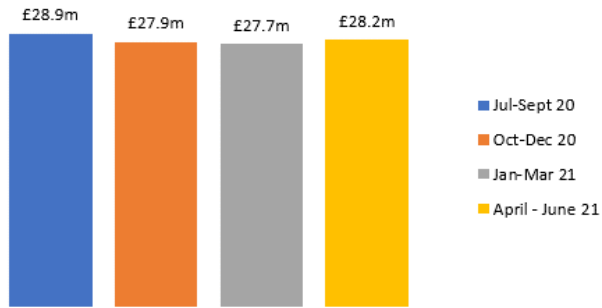
Leavers with less than 1 years' service

Current quarter	15
Jan-March	13
Oct-Dec	13
Jul-Sept	14

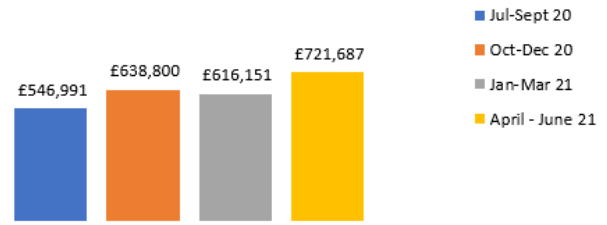


EMPLOYEE COSTS

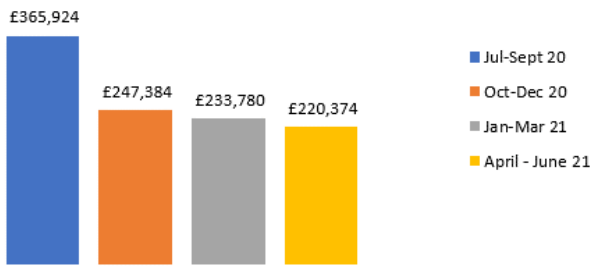
PERMANENT EMPLOYEE SALARY COSTS



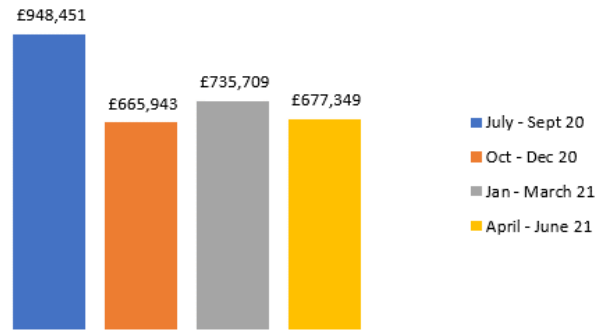
SICKNESS ABSENCE COSTS



CASUAL EMPLOYEE SALARY COSTS



AGENCY COSTS



ADVISORY CASES

Disciplinary

	New cases this quarter	Variance from previous quarter
Current Quarter	12	-6
Jan-March	18	7
Oct-Dec	11	1
Jul-Sept	10	-2

Absence & Health

	New cases this quarter	Variance from previous quarter
Current Quarter	140	11
Jan-March	129	-24
Oct-Dec	153	21
Jul-Sept	132	38

Grievance

	New cases this quarter	Variance from previous quarter
Current Quarter	3	-5
Jan-March	8	4
Oct-Dec	4	-4
Jul-Sept	8	6

Improving Work Performance

	New cases this quarter	Variance from previous quarter
Current Quarter	5	0
Jan-March	5	4
Oct-Dec	1	-3
Jul-Sept	4	2