

AGENDA

Meeting: Staffing Policy Committee

Place: Kennet Room - County Hall, Trowbridge BA14 8JN

Date: Wednesday 27 November 2024

Time: 2.00 pm

Please direct any enquiries on this Agenda to Ellen Ghey - Democratic Services Officer of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718259 or email ellen.ghey@wiltshire.gov.uk

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

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Membership

Cllr Stuart Wheeler (Chairman)

Cllr Allison Bucknell (Vice-Chairman)

Cllr Helen Belcher OBE

Cllr Richard Britton

Cllr Richard Clewer

Cllr Carole King

Cllr Jacqui Lay

Cllr Ashley O'Neill

Cllr Ricky Rogers

Substitutes

Cllr Liz Alstrom

Cllr Caroline Corbin

Cllr Mel Jacob

Cllr Simon Jacobs

Cllr Kathryn Macdermid

Cllr Nabil Najjar

Cllr Tom Rounds

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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](#).

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AGENDA

PART I

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

1 **Apologies for Absence**

To receive any apologies for absence or substitutions for the meeting.

2 **Minutes of Previous Meeting** (*Pages 5 - 12*)

To approve and sign as a true and correct record the minutes of the meeting held on 12 September 2024.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

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 **Wednesday 20 November 2024** 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 **Friday 22 November 2024**. 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 **Vexatious and Unreasonable Communications from Members of the Public Policy** *(Pages 13 - 30)*

To consider adopting the Vexatious and Unreasonable Communications from Members of the Public Policy and Procedure.

7 **Update on the Employment Rights Bill** *(Pages 31 - 34)*

To receive an update on the HR policy workplan and the forthcoming changes to employment legislation that will impact on this.

8 **Biannual Workforce Report** *(Pages 35 - 46)*

To receive a report detailing workforce analytics for the period up to and including September 2024.

9 **Staff Car Parking** *(Pages 47 - 50)*

To receive a report outlining the changes to staff car parking in Trowbridge in light of the proposal to build the new Trowbridge Leisure Centre on the old County Hall East Wing site.

10 **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

Staffing Policy Committee

MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 12 SEPTEMBER 2024 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Stuart Wheeler (Chairman), Cllr Allison Bucknell (Vice-Chairman), Cllr Helen Belcher OBE, Cllr Carole King, Cllr Jacqui Lay, Cllr Ashley O'Neill, Cllr Simon Jacobs (Substitute) and Cllr Tom Rounds (Substitute)

20 Apologies for Absence

Apologies for absence were received from:

- Councillor Richard Britton, who was substituted by Councillor Simon Jacobs
- Councillor Richard Clewer, who was substituted by Councillor Tom Rounds
- Councillor Ricky Rogers

21 Minutes of Previous Meeting

The minutes of the previous meeting held on 7 March 2024 were considered. The Chairman raised the resolution under Minute Item 15, Driver Health Screening, and noted that a statement in relation to the resolution had been received from officers which read:

“There were a number of concerns and queries about the Driver Health Screening Policy, mostly about whether the additional checks were a proportionate response to our obligations under the H&S at Work Act. The Head of Legal Services was consulted and their initial view is that by adopting the policy the Council is taking reasonable steps to ensure employees remain fit and safe for work, but that there is little evidence to suggest this is actually a necessary step - so by introducing this in the absence of any meaningful data to support the introduction of this policy, we could be going beyond what is actually necessary.

There is no evidence to suggest that any other Council is conducting these additional checks and there is a cost to the Occupational Health service as well as the services which the drivers work for to introduce these checks. Furthermore, of the small number of reported fleet driver accidents over the last 5 years, none had driver health issues as an identified contributory factor. It is therefore proposed that we do not pursue this policy any further.”

There being no further comments from Members, it was:

Following which, it was:

Resolved:

- 1) **The Committee approved the minutes of the previous meeting held on 7 March 2024 as a true and correct record.**
- 2) **The Committee noted the statement from officers with regard to Minute Item 15, Driver Health Screening.**

22 **Declarations of Interest**

There were no declarations of interest.

23 **Chairman's Announcements**

There were no Chairman's announcements.

24 **Public Participation**

There were no statements or questions submitted.

25 **Apprenticeship Update**

Kathryn Partington, OD Consultant – Apprenticeships, introduced the report and updated the Committee on the Council's Apprenticeship Programme, including a progress report on the recruitment of apprentices and how it is being used to target early careers and the use of the Council's Apprenticeship Levy.

The background to the report was explained alongside further details on the different apprenticeship types and apprenticeship numbers and take up from April 2023 – April 2024 as per Paragraphs 5 to 11 of the report. Officers then explained the apprenticeship levy transfers under the new apprenticeship rules updated in April 2024 and it was highlighted that HR&OD officers were working closely with the BANES, Swindon and Wiltshire Integrated Care Board (BSW ICB) Apprenticeship Group in the joint procurement of apprenticeships through the Salisbury Managed Procurement Services (SMPS) and that Wiltshire Council were the only Local Authority to have a regular presence in the group.

Members were informed that the Council had 55 different apprenticeship standards being delivered by 42 different training providers and that officers monitored the success rates with providers throughout the apprenticeships to ensure quality and value for money. Officers emphasised the hard work made in early careers engagement as detailed in Paragraphs 24 to 29 of the report.

Finally, Members were informed that officers were looking to work with Gloucestershire & Wiltshire Partnership to increase levy sharing, to support more Small to Medium Enterprises that align with the Council's priorities with apprenticeship funding for their employees, and to work closely with service areas to utilise apprenticeships for 'hard to fill' roles and allowing staff to progress internally and build careers with Wiltshire Council.

During the discussion, points included:

- It was confirmed that all apprenticeships were advertised on the Council's career sites, social media pages, and government websites, however it was noted that in respect of the latter, there was a two-week time frame in which the vacancy needed to be posted and closed, which could lead to timing issues. Furthermore, officers were developing a new SharePoint page to make it easier for different directorates to see what opportunities were available for apprentices.
- Members sought further clarification on "sunsetting" funds available for the apprenticeship programme to which officers further explained Paragraphs 21 to 23 of the report. It was further explained that there were few employers who could fully utilise the levy due to the 20% off the job training and the organisational difficulties in supporting the apprenticeship training alongside the day-to-day job. However, it was noted that officers were anticipating potential changes to the levy which could entail more flexibility rather than losing or transferring the levy.
- Due to the delay in the apprenticeship standard being approved, it was explained that Wiltshire Council had many internal staff wishing to undertake certain apprenticeships, such as social workers, therefore officers were prioritising the progression of internal staff.
- In response to a question, it was clarified that officers worked with the Targeted Education Team in supporting Looked After Young People and care leavers in achieving apprenticeships and that officers had held an event specifically to make them aware of the different opportunities through the Council. It was also noted that the Recruitment Team also worked with any apprenticeship referrals to support them through different activities such as mock interviews.
- The pay grades for different apprenticeship levels were explained and it was confirmed that those employees undertaking upskilling apprenticeships did not sacrifice any proportion of their salaries by obtaining the qualification.
- It was noted that there was a good range of different apprenticeship standards being offered through the Council, with a national focus on entry level apprenticeships and a Wiltshire specific focus on early career apprenticeships and how to increase uptake.
- Members queried how young people living in more rural parts of Wiltshire would have equal opportunity to access apprenticeships within more urban parts of Wiltshire. Officers highlighted that they had attended almost every career fair they had been invited to across Wiltshire and were looking to focus on getting different services to attend events, build

interest, and make direct contact with young people. However, it was noted that the Council did not offer a transport service, but that prospective candidates were aware of the need to arrange their own travel to the appropriate hub.

- Officers were thanked for the update, their hard work, and successes as detailed in the report.

At the conclusion of the discussion, it was:

Resolved:

The Committee noted the contents of the report and the work undertaken to support the Apprenticeship Programme and early careers.

26 **Potential Strike Action**

Joanna Richer, Senior HR Case Adviser, verbally updated the Committee on National Pay negotiations and possible strike action.

Members were informed that the National Pay Award for 2024 had not been agreed and therefore, no pay award had been applied. The Unions submitted their claim at the end of February 2024 and following consultation, the National Employers responded with a full and final offer in May 2024 which proposed, with effect from 1 April 2024, an increase of £1,290 (pro-rata for part-time employees) to be paid as a consolidated, permanent addition on all National Joint Council (NJC) Pay Points 2 to 43 inclusive. It was explained that the offer would achieve a bottom rate of pay of £12.26 with effect from 1 April 2024 which would equate to a pay increase of 5.77% for employees on Pay Point 2, and all employees on the NJC pay spine would receive a minimum 2.5% pay increase.

The three Unions then balloted their members on this offer with UNISON and Unite the Union rejecting the offer, and GMB Union accepting the offer. UNISON confirmed that following the rejection, they would be balloting their members on industrial action which commenced on 4 September 2024 and would run until 16 October 2024. Unite the Union also announced that they would be balloting members for industrial action from 27 August 2024 to 15 October 2024, however it was confirmed that staff at Wiltshire Council or within Wiltshire schools would not be balloted.

Officers explained that the outcome of the UNISON ballot would not be known until after 16 October 2024, and if the vote for industrial action was agreed, the Union would need to give at least 14 days notice for strike dates. As industrial action would affect both Wiltshire Council staff and support staff in Wiltshire schools, officers were beginning preparations for the potential impacts of a strike by UNISON Members from early November 2024 onwards. As such, it was confirmed that approximately 700 Council staff were UNISON Members and could strike if industrial action was called, with a significant proportion of those staff working in the Council's front line services. It was explained that a

working group would be established including Heads of Service, Communications, Legal, and HR to consider mitigation for strike action and to put contingency plans in place. Officers would also work with employees in Education and Skills to provide support to any schools and academies who may be impacted alongside other partners such as the NHS and Wiltshire Police. It was noted that there were regulations in place regarding the provision of cover for the workloads of those staff striking, however Members were reassured that these services would be prioritised and resourced to provide support where needed.

Finally, it was confirmed that those members of staff involved in any industrial action would not be paid for the days that they were on strike, and as soon as any strike action was announced, those members of staff would be prevented from booking annual leave on those dates in order to reduce the impact.

Members were reassured that further updates would be provided once the ballot outcome was announced. Following which, it was:

Resolved:

The Committee noted the update.

27 **Update on Review of Terms and Conditions**

Tamsin Kielb, Director of HR & OD, verbally updated the Committee on the progress of the consultation.

Members were informed the following a consultation meeting with the Unions in January 2024, it had been indicated by the Unions that a resolution could be found on standby and callout. As such, further discussions were held, and the Unions voiced their concerns with the proposal which led to amendments being made on standby and callout, and the Unions agreeing to go out to ballot.

A further meeting was held in July 2024 in which the Council raised a new proposal on unsocial hours with an aim to move red lines closer. However, during this meeting, the Unions advised that the proposed changes to standby and callout were rejected and GMB Union declined to discuss the new proposal unless the Council confirmed that they were withdrawing the S.188, which may result in dismissal and re-engagement. In response, the Council advised that they could not withdraw the S.188, as this remained a legal route should the Council be unable to reach a collective agreement on the proposed changes.

Members were reassured that communications were ongoing with the Unions and that further meetings were being organised together with the new Chief Executive, Lucy Townsend.

Following which, it was:

Resolved:

The Committee noted the update.

28 **Refer a Friend Policy**

Laura Fisher, HR&OD Strategy Manager, introduced the report and updated the Committee on the introduction of a policy for the Refer a Friend scheme.

The introduction and objective of the pilot scheme was highlighted as per Paragraphs 2 to 7 of the report alongside the definition of a 'hard to fill role' and some of the highlights of the scheme as detailed in the report.

During the discussion, points included:

- Members commended officers on the scheme and highlighted the cost savings figures and increased chance of successfully filling a hard to fill role long-term.
- It was confirmed that although no family members had been referred through the scheme thus far, the policy did not prohibit such a referral. In response to a query, officers had no concerns as to fraud and/or abuse of the policy during the pilot, however noted that as new positions were added to the list of eligible roles, attention could be paid to the personal details of those applying to prevent such. Furthermore, Members were reassured that the terms of the policy afforded a level of inbuilt protection against such issues.
- When considering apprenticeships, officers highlighted that the scheme was designed for hard to fill roles, however if an apprenticeship was aligned to one of the eligible roles, officers could consider combining the two processes.
- It was confirmed that existing employees could find advertisements for hard to fill roles through the internal careers page and communications and by manager's drawing employees' attention to any available opportunities. It was further explained that the scheme was also part of the application process in which a prospective candidate could state the name of the employee that referred them in order to receive the incentive payments if applicable.
- Members noted Appendix 2 which detailed the list of eligible roles and queried if there were any particular roles or directorates that could be better supported with the introduction of the policy. In response, officers noted that they were looking to focus on the roles within the Planning Service in the future.

Following which, it was:

Resolved:

The Committee approved the implementation of the Refer a Friend policy, formalising the pilot scheme introduced in 2022.

29 **Appointment of Members to Sub-Committees**

The Committee were asked to appoint the Membership of the following Sub-Committees:

- Senior Officer Employment Sub-Committee
- Staffing Appeals Sub-Committee
- Grievance Appeals Sub-Committee

It was noted that both the Senior Officer Employment Sub-Committee and the Staffing Appeals Sub-Committee were required to include at least one Member of the Cabinet. Furthermore, Sub-Committees, like Committees, were required to be politically balanced unless there had been a vote without objection by Full Council setting out otherwise. Accordingly, as each Sub-Committee comprised of three Members, these would need to be two Members of the Conservative Party and one Member of the Liberal Democrat Party. It was also recommended that as the Staffing Appeals Sub-Committee could hear appeals from the Senior Officer Employment Sub-Committee, the Membership should comprise of different Members.

Finally, it was recommended that all Members and substitutes of the Staffing Policy Committee were explicitly confirmed to be substitutes for the Sub-Committee Members to enable flexibility.

Following which, it was:

Resolved:

1) The Committee appointed the following Members to each of the below Sub-Committees for 2024-25:

- **Senior Officer Employment Sub-Committee**
 - **Councillor Stuart Wheeler**
 - **Councillor Richard Clewer**
 - **Councillor Helen Belcher OBE**
- **Staffing Appeals Sub-Committee**
 - **Councillor Allison Bucknell**
 - **Councillor Ashley O'Neill**
 - **Councillor Carole King**
- **Grievance Appeals Sub-Committee**
 - **Councillor Stuart Wheeler**
 - **Councillor Allison Bucknell**
 - **Councillor Carole King**

2) The Committee agreed to appoint all Members and substitutes of the Staffing Policy Committee as substitutes for each Sub-Committee.

30 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.30 - 3.30 pm)

The Officer who has produced these minutes is Ellen Ghey - Democratic Services
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WILTSHIRE COUNCIL

AGENDA ITEM NO.

Staffing Policy Committee

27 November 2024

Vexatious and Unreasonable Communications from Members of the Public Policy and Procedure

Purpose

1. To propose the adoption of the Vexatious and Unreasonable Communications from Members of the Public Policy and Procedure.

Background

2. A small percentage of people contact, correspond with, or complain to the council in a way that could reasonably be described as obsessive, harassing, or unreasonably repetitious.
3. The contact and correspondence received from a minority of individuals takes up a disproportionate amount of council resource and can result in unacceptable stress for staff. The employer's responsibility under Health and Safety legislation is to apply measures that are reasonably practicable to help prevent harm to employees. Harm includes psychological distress.
4. An effective policy is therefore required to provide a consistent framework through which the council can:
 - a) Assess whether individuals' communications are unreasonable or vexatious in their volume, persistence and/or distribution.
 - b) Consider the measures available to manage and restrict such individuals' interactions with the council and their impact on service delivery and officer wellbeing.
 - c) Ensure that such measures are proportionate and used in a way that ensures the council's statutory duties are met, including those under equalities legislation.
 - d) Approve, implement, communicate, record and review restrictions on individuals' communications in a consistent manner.

Main considerations

5. The council already has in place an "Unreasonable Complainants Policy and Procedure", adopted in 2022, intended to meet the objectives set out above. Following a review of this policy, a number of changes are needed and have been made in the new document presented ("the Policy").
6. The improvements made to the Policy are:

- a) Amended title clarifying that the document applies to all members of the public, not just “complainants”, and to include the word “vexatious”, which is how most officers refer to the policy.
 - b) Alignment with the Unwanted Behaviour from Members of the Public Policy ([link](#)) adopted by the Committee in 2023; a separate policy dealing with behaviour that is intimidating, offensive, aggressive, abusive, threatening or violent.
 - c) Guidance on avoiding misuse of the Policy, including ensuring that the council’s formal complaints procedure has been followed where appropriate.
 - d) References to supporting Employee Wellbeing and relevant legislation.
 - e) Two template letters; a warning letter and a letter notifying that restrictions on contact with/from the council are being implemented.
 - f) A flowchart summarising the policy process.
7. We know from staff feedback that at present there is limited awareness of the current policy, what measures it allows and who must authorise these. Therefore, once approved, the Policy will be promoted across the council via the usual internal channels to ensure maximum awareness and appropriate use.

Environmental impact of the proposal

8. There are no environmental impacts directly associated with the proposals in this report.

Equalities impact of the proposal

9. It is vital that the measures set out in the Policy take account of any particular needs or reasonable adjustments that individuals may need to communicate with the council. To ensure this, the Policy requires officers to do the following:
- a) Consider the circumstances of the individual, particularly if they have health conditions that may affect the way they communicate.
 - b) Ask individuals if they require any reasonable adjustments or alternative communication formats.
 - c) Assist individuals in finding an independent advocate.
 - d) Provide individuals with a list of organisations that can provide further advice and support ([here](#)).
 - e) Ensure that only officers of appropriate seniority take decisions to apply the Policy.
 - f) Provide the details of the Local Government and Social Care Ombudsman (LGSCO), who can be contacted if individuals are unhappy with any measures applied.
 - g) Provide a date by which any measures will be reviewed.
10. This policy was presented at an Equalities Impact Assessment panel on 13 November 2024.

Risk Assessment

11. Without an appropriate policy, some individuals' correspondence with the council will have a detrimental impact on its resources, service delivery and staff wellbeing. In addition, without an appropriate policy, officers may implement restrictions on individuals' contact with the council in a manner that:
- is ad hoc, inconsistent and/or disproportionate,
 - is poorly recorded and/or communicated across the council,
 - does not protect delivery of the council's statutory duties,
 - fails to take account of individual needs and circumstances,
 - has not been approved by officers with appropriate authority, and
 - attracts criticism from the LGSCO or legal challenge, causing reputational harm.
12. Inappropriate application of the Policy is prevented by requiring prior consultation with the relevant Head of Service and approval from the Head of Legal & Governance and Deputy Monitoring Officer.
13. Application of the Policy, including letters sent, restrictions imposed and their date for review, will be recorded and monitored by the Democracy and Complaints Manager.
14. Following implementation of the Policy, the Corporate Leadership Team (CLT) has requested an update on its use after six months. This will include a breakdown of the number of warning letters sent, restrictions imposed, by which council services and what kinds of behaviour have required application of the Policy.

Financial Implications of the proposal

15. There will be financial losses attributable to the vexatious and unreasonable behaviour demonstrated by some members of the public. These losses are difficult to quantify, but the Policy proposed will help to reduce them through proactive management of their interactions with the council.
16. Costs associated with criminal or civil litigation in regard to employee health and safety could be significant and court fines for breaches of health and safety legislation are now unlimited

Recommendations

17. That the Committee approves the Vexatious and Unreasonable Communications from Members of the Public Policy and Procedure for implementation.

Perry Holmes
Director for Legal & Governance and Monitoring Officer

Report Author: Henry Powell, Democracy and Complaints Manager,
complaints@wiltshire.gov.uk

Appendices

Appendix 1 Proposed Vexatious and Unreasonable Communications from
Members of the Public Policy and Procedure

Vexatious and Unreasonable Communications from Members of the Public Policy and Procedure

What is this policy?

1. This policy describes the arrangements to respond to members of the public whose communications with the council are vexatious or otherwise unreasonable.
2. Vexatious and unreasonable communications are those that, due to their nature or volume, hinder the council's delivery of its functions – potentially including to the person concerned.
3. There is a separate policy – the **Unwanted Behaviour from Members of the Public Policy** ([link](#)) – addressing behaviour that is **intimidating, offensive, aggressive, abusive, threatening or violent**. Some individuals' behaviour may fall under both policies and the steps in both may be taken simultaneously in such cases.
4. This policy applies to all Wiltshire Council employees, with the exception of teaching and non-teaching staff employed in maintained schools or academies. This policy also applies to councillors, temporary employees, casuals, consultants, agency workers, staff seconded from other organisations and volunteers.

What are vexatious and unreasonable communications?

5. Vexatious and unreasonable communications can be characterised in the following ways:
 - Obsessive, persistent, harassing, prolific, repetitive;
 - Display an insistence on pursuing unmeritorious issues and/or unrealistic outcomes beyond all reason;
 - Display an insistence upon pursuing complaints or issues in an unreasonable manner;
 - A “scatter gun” approach, with correspondence being sent to multiple recipients on a regular basis, often including the media, MPs, senior officers, councillors, other agencies and external regulators;
 - Repeated and/or frequent requests for information, whether or not those requests are made under the access to information legislation.
6. The Local Government and Social Care Ombudsman (LGSCO) has provided the following examples of unreasonable behaviour ([link](#)):
 - Refusing to specify the grounds of a complaint, despite offers of help.
 - Refusing to cooperate with the complaints investigation process.

- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous staff, or detailed letters every few days and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations that the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

Avoiding misuse of this policy

7. Use of this policy must not prevent people from accessing services to which they have a statutory entitlement. It is designed to ensure that the rights of service users are protected, while ensuring that council resources are used fairly and effectively, and staff receive a reasonable degree of protection from the stress that can be caused by unreasonable behaviour.
8. Any actions taken must be proportionate to the nature of the communications received. People may act out of character in times of anxiety or distress and reasonable allowances should be made for this.
9. Consideration should be given to the circumstances of the individual, particularly if they have health conditions that may affect the way they communicate. It may be appropriate to assist them in finding an independent advocate to help them with their communications with the council. More information about advocacy can be found here: <https://adults.wiltshire.gov.uk/information/advocacy>. A list of organisations that can provide complainants with advice and support can be found here: www.wiltshire.gov.uk/complaints-organisations
10. Defining individuals as acting vexatiously or unreasonably is a serious step. It is therefore essential that the decision is evidence-based, made by officers authorised to do so, and reviewed regularly.

Using this policy

11. If a member of staff identifies behaviour that they believe to be vexatious or unreasonable, they should first discuss their concerns with their Head of

Service. They may also wish to discuss the matter with other relevant council teams to understand the individual's wider impact. They will need to be satisfied that:

- The individual's concerns are being/have been investigated properly.
- That the council's communications with the individual have been adequate.
- That no new significant information has been provided by the individual that may affect any response to their concerns or complaint.
- That in respect of their concerns or complaint, the correct decision has been reached.

12. It is important to consider if the individual's concerns should be – or have already been – responded to as formal complaint. The LGSCO may expect the council to have responded to the individual's concerns via the appropriate complaints procedure before we apply restrictions set out in this document. The Complaints team can provide guidance (complaints@wiltshire.gov.uk).

13. If your Head of Service supports your assessment, the following should be prepared:

- a) A brief statement outlining why they consider the individual's communications with the council to be vexatious or unreasonable, including their effect upon staff and/or the service.
- b) An overview of communications from the individual over the previous six-month period, including:
 - information about the nature and frequency of that contact.
 - whom any correspondence was addressed to.
 - how many people/organisations it was copied in to on each occasion.
 - a one-line description of each piece of communication.

14. The information above should be sent to the Head of Legal, Democracy and Governance, copied to the Democracy and Complaints Manager, who will confirm if the communications sufficiently meet the criteria set out in this policy. If they do, the steps below should be followed.

Sending a written warning

15. An appropriate manager or head of service should write to the individual setting out the following:

- The nature of their unreasonable communications, including dates, and why their contact with the council meets the criteria set out in this policy.
- Where appropriate, that a formal complaints procedure has already been completed in relation to the individual's concerns (provide the complaint reference number).
- The impact of the communications on the council and its ability to deliver services and support service users.
- If appropriate, advising that henceforth only correspondence raising materially new issues or information will receive a response.

- What the consequences may be if the unreasonable communications continue (see **Taking action** below).

A [template letter](#) is provided at the end of this document.

16. If the individual's behaviour has **also** been intimidating, offensive, aggressive, abusive, threatening or violent, the steps measures set out in the **Unwanted Behaviour from Members of the Public Policy** should also be considered. In such cases, the warning letter/email to them should also:
- Include examples of this unwanted behaviour, dates, and why the behaviour meets the criteria.
 - State that the behaviour is unacceptable.
 - Inform the individual that their details have been retained for the purposes of protecting staff during any future contact.
 - Where appropriate, state that a report has been made to the police.
17. Any teams that are likely to have future contact with the individual (normally including Customer Services and the Complaints team) should be informed that the letter/email has been sent and what to do if they receive further communications from the individual that are unreasonable or unwanted. In the interests of data protection, only the individual's personal data that is necessary for identifying them should be circulated for these purposes.
18. The letter/email should be sent to the Democracy and Complaints Manager who will maintain a log of the correspondence sent under this Policy and of any restrictions imposed on individuals.

Taking action

19. If the individual's communications continue to be unreasonable, the following action can be taken by the council:
- Appointing a Single Point of Contact (SPOC): This would normally be a member of the team(s) with which the individual communicates most. Where appropriate, the SPOC can be a generic email address that may be managed anonymously by more than one individual. The SPOC will not, except under exceptional circumstances, be a member of the Complaints team.
 - Restricting future contact to:
 - i. telephone or written correspondence only
 - ii. by appointment only
 - iii. access via nominated members of staff only
 - Placing limits on the number and duration of contacts with staff per week or month.
 - Blocking certain email addresses in consultation with ICT.

- Offering a restricted time slot for necessary calls.
 - Taking legal action following consultation with Legal Services.
20. Where appropriate, the following additional restrictions can be implemented under the separate **Unwanted Behaviour from Members of the Public Policy**:
- Removing the right of entry to named council premises for a fixed period.
 - Suspending certain services for a fixed period where statutory duties allow.
 - Applying permanent restrictions to the right to entry or to access of services where statutory duties allow.
21. The decision about which level of measure to apply is to be made only after careful consideration and verification of the behaviour. Restrictions on access and services must be approved by at least a Head of Service or Director and, if appropriate, after consultation with Legal Services.

Notifying the individual

22. Where any of the measures above are taken, the individual must be notified of this in writing, with the email/letter including the following:
- Reference to any previous warnings sent.
 - The further instances of unreasonable or unwanted behaviour seen since (including dates) and how these meet the criteria set out in this policy.
 - What restrictions will now be implemented.
 - Whether the police have been informed of any potentially criminal behaviour.
 - The individual's right to complain about the decision to the Local Government and Social Care Ombudsman (there is no internal route of appeal against the decision).
 - When the restrictions will be reviewed. This should be no more than six months after their implementation.

A [template letter](#) is provided at the end of this document.

23. As above, all officers and teams that are likely to have future contact with the individual (including Customer Services and the Complaints team) or who will be involved in implementing any restrictions imposed, should be informed of the letter/email sent, of the restrictions in place and what to do if they receive further communications.
24. Where a SPOC has been appointed, all relevant officers and teams must be informed that correspondence from the individual should not be responded to directly but should be forwarded to the SPOC for review. Similarly, wherever possible, contact **from** the council should come from the SPOC (excluding

certain statutory services or generic notifications where this is not possible).

25. In the interests of data protection, only the individual's personal data that is necessary for identifying them should be circulated for these purposes.
26. The letter/email should be sent to the Democracy and Complaints Manager who will maintain a log of the correspondence sent under this Policy, of any restrictions imposed on individuals and of the dates set for their review.

Reviewing the decision

27. No more than **six months** after restrictions have been implemented, the decision must be reviewed. Relevant officers should consider whether there has been any improvement in the individual's behaviour over that time.
28. At any time prior to six months, if it is considered that the individual is communicating reasonably, the restrictions can be removed where appropriate.
29. If it is considered that the communications have continued to be unreasonable, provide evidence of this (as above) to the Head of Legal, Democracy and Governance and the Democracy and Complaints Manager. If they agree with your assessment, the individual can continue to be treated as unreasonable, with restrictions reviewed every six months.
30. The SPOC or an appropriate officer should write to the individual advising them of the outcome of the review.

Staff wellbeing

31. If a member of staff is affected by the correspondence received they should discuss this with your line manager and access the [Employee Wellbeing Helpline](#) for any additional support.

Legislation

32. This policy is subject to the Council's policy framework and duties to employees under relevant legislation including Health and Safety at Work Act 1974; The Management of Health and Safety at Work Regulations 1999; and The Equality Act 2010.

Further information

33. For further information members of staff can speak to their manager or contact complaints@wiltshire.gov.uk.

Appendices

34. The following templates are provided to assist managers in written warnings.

1. Template email/letter: Warn and desist behaviour
2. Template email/letter: Further measures template letter/email
3. Procedure flowchart

Policy author	Henry Powell
Policy implemented	
Policy last updated	

DRAFT

TEMPLATE TEXT FOR 'WARN & DESIST' LETTER/EMAIL

PLEASE COMPLETE THIS LETTER TEMPLATE WITH THE RELEVANT ALTERNATIVE DETAILS IN ALL PLACES MARKED WITH * AND THEN REMOVE THIS INSTRUCTION AND ALL HIGHLIGHTING.

Dear

Re: Unreasonable communications with Wiltshire Council

I refer to your communications with Wiltshire Council during the past *INSERT PERIOD, by *telephone, email and letter. During this period, you have contacted the council on X separate occasions. A log containing a summary of these communications is *included below / attached.

Having reviewed your communications with the council during this period, we consider that they meet the following criteria, which are set out in the council's Unreasonable Communications from Members of the Public Policy, in that they:

[DELETE/EXPAND AS APPROPRIATE]:

- Are unreasonably harassing, prolific, repetitious and/or.
- Pursue unmeritorious issues and/or unrealistic outcomes.
- Pursue complaints or issues in an unreasonable manner.
- Take a "scatter gun" approach, being sent to multiple recipients on a regular basis, often including the media, MPs, senior officers, councillors, other agencies and external regulators.
- Contain unreasonable and repeated and/or frequent requests for information
- Refuse to specify the grounds of a complaint, despite offers of help.
- Refuse to cooperate with the complaints investigation process.
- Refuse to accept that certain issues are not within the scope of a complaints procedure.
- Insist on a complaint being dealt with in ways which are incompatible with the council's adopted complaints procedure or with good practice.
- Make unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced.
- Change the basis of the complaint as the investigation proceeds.
- Deny or change statements made at an earlier stage.
- Introduce trivial or irrelevant new information at a later stage.
- Raise many detailed but unimportant questions, and insist they are all answered.
- Submit falsified documents from themselves or others.
- Make excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous staff, or detailed letters every few days and expecting immediate responses.
- Submit repeat complaints with minor additions/variations that the you insist make these 'new' complaints.

- Refuse to accept the decision; repeatedly arguing points with no new evidence.

The **nature and/or volume** of these communications **is/are** unacceptable. They create an unreasonable burden on council staff and impede the council's ability to deliver vital services to Wiltshire residents. You should be aware that if your communication with the council continues to meet the criteria set out above, action may be taken to restrict your communications with the council or remove access to certain services (while continuing to meet our statutory duties) where we consider this necessary to protect the fair and effective delivery of services to others.

DELETE AS APPROPRIATE: Regarding your concerns about **OUTLINE INDIVIDUAL'S CONCERNS**, I consider that you have now been provided with a comprehensive response and that all of your questions have been answered. As such, any further communications from you **on this matter** that do not raise materially new issues or present new information will be recorded for the purposes of record keeping but will receive no response. If you are unhappy with this decision, you are able to contact the Local Government and Social Care Ombudsman via the following details:

www.lgo.org.uk/contact-us

Tel. 0300 061 0614

If you require any of the following to communicate with the council, please provide details by reply:

- support or reasonable adjustments
- This letter in an alternative language or format.

A list of organisations that can provide further advice and support is available here:

www.wiltshire.gov.uk/complaints-organisations

Yours faithfully,

**TEMPLATE TEXT FOR ADDITIONAL MEASURES BEING APPLIED
LETTER/EMAIL**

PLEASE COMPLETE THIS LETTER TEMPLATE WITH THE RELEVANT ALTERNATIVE DETAILS IN ALL PLACES MARKED WITH * AND THEN REMOVE THIS INSTRUCTION AND ALL HIGHLIGHTING.

Dear

Re: Unreasonable communications with Wiltshire Council

I refer to your communications with Wiltshire Council during the past *INSERT TIME PERIOD, by *telephone, email and letter. Since the letter sent to you on *INSERT DATE, your communications with the council continue to be unreasonable in their *volume and/or nature, as defined in the Unreasonable Communications from Members of the Public Policy criteria set out below. A log containing a summary of these communications is *included below / attached.

[DELETE/EXPAND AS APPROPRIATE]:

- Are unreasonably harassing, prolific, repetitious and/or.
- Pursue unmeritorious issues and/or unrealistic outcomes.
- Pursue complaints or issues in an unreasonable manner.
- Take a “scatter gun” approach, being sent to multiple recipients on a regular basis, often including the media, MPs, senior officers, councillors, other agencies and external regulators.
- Contain unreasonable and repeated and/or frequent requests for information
- Refuse to specify the grounds of a complaint, despite offers of help.
- Refuse to cooperate with the complaints investigation process.
- Refuse to accept that certain issues are not within the scope of a complaints procedure.
- Insist on a complaint being dealt with in ways which are incompatible with the council’s adopted complaints procedure or with good practice.
- Make unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced.
- Change the basis of the complaint as the investigation proceeds.
- Deny or change statements made at an earlier stage.
- Introduce trivial or irrelevant new information at a later stage.
- Raise many detailed but unimportant questions, and insist they are all answered.
- Submit falsified documents from themselves or others.
- Make excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous staff, or detailed letters every few days and expecting immediate responses.
- Submit repeat complaints with minor additions/variations that the you insist make these ‘new’ complaints.

- Refuse to accept the decision; repeatedly arguing points with no new evidence.

As the letter sent to you on ***INSERT DATE** made clear, the ***NATURE AND/OR VOLUME** of these communications ***is/are** unacceptable. They create an unreasonable burden on council staff and impede the council's ability to deliver vital services to Wiltshire residents. Given this, the following restrictions are now in place with immediate effect in regard to your communications with the council:

[DELETE AS APPROPRIATE]

- You have been assigned a Single Point of Contact (SPOC). Your Single Point of Contact is ***INSERT NAME/TITLE/CONTACT DETAILS**. All correspondence from you to the council must be directed to this ***person/email address**. Correspondence sent to any other contact at the council may receive no response. All correspondence from the council – excluding from certain statutory or urgent services or generic communications sent to all residents – will also come from this Single Point of Contact.
- Only communications from you that we consider to raise materially new issues or present new information will receive a response.
- All further contact with you will be conducted by ***telephone/email/letter/appointment** only.
- Your contacts with council staff will be limited to ***X occasions/hours** per month.
- Only phone calls to the telephone number above made between ***X and X** on ***INSERT DAY(S)** will be answered.

These restrictions will remain in place for six months until ***INSERT DATE**. The situation will then be reviewed. If your communications have continued to be unreasonable then the restrictions listed above and may be extended or expanded.

If you have any questions about this decision and the restrictions now in place, please contact the single point of contact listed above.

If you are unhappy with this decision, you are also able to contact the Local Government and Social Care Ombudsman via the following details:

www.lgo.org.uk/contact-us Tel. 0300 061 0614

If you require any of the following to communicate with the council, please provide details to the single point of contact listed above:

- support or reasonable adjustments
- This letter in an alternative language or format.

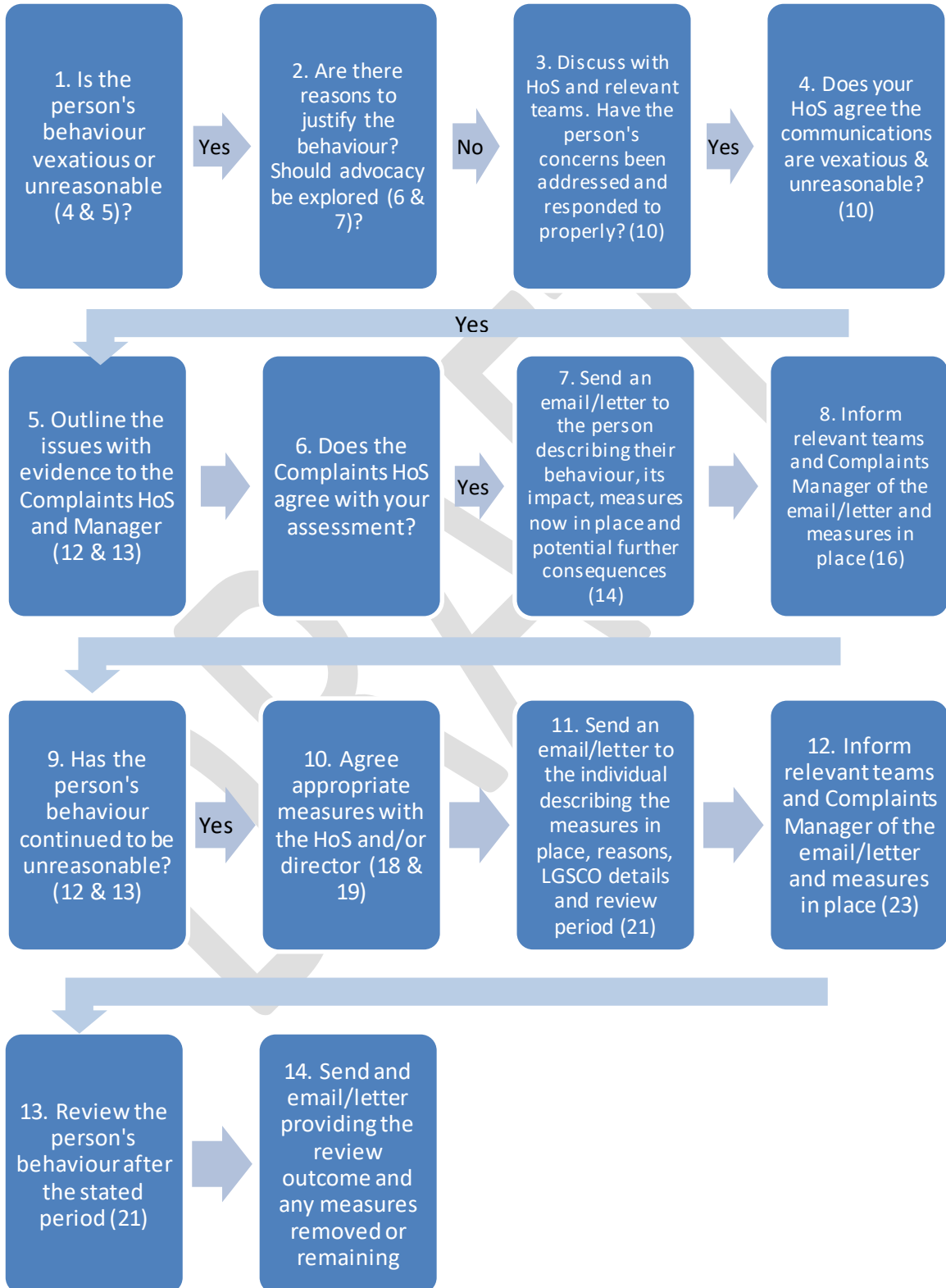
A list of organisations that can provide further advice and support is available here: www.wiltshire.gov.uk/complaints-organisations

Yours faithfully,

DRAFT

Policy Flowchart

(Policy paragraph numbers given in brackets)



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Staffing Policy Committee
27th November 2024

Employment Rights Bill - HR policy workplan update

Purpose

1. The purpose of the report is to update Staffing Policy Committee on the HR policy workplan and the forthcoming changes to employment legislation that will impact on this.

Background

2. As part of the HR Strategy Team's ongoing policy review schedule, updates continue to be made to a number of key policies to reflect legislative amendments as well as revisions required as a result of Oracle implementation and use of automated 'journeys' to support more streamlined processes.
3. Alongside this, the team are reviewing the reforms announced by the government on 10 October 2024 through the draft Employment Rights Bill and assessing impacts on the council and our HR policy framework.
4. The Employment Rights Bill encompasses 28 individual reforms and is accompanied by the 'Next Steps to Make Work Pay' policy paper which provides context regarding the reforms and outlines the vision and objectives driving the proposed changes.
5. The majority of the proposals outlined in the draft Bill will be subject to parliamentary debate and various public consultations and therefore the detail on these has not yet been confirmed. However, key 'headline' measures are noted as being:
 - a. **Day one right to claim unfair dismissal** – The Bill seeks to remove the current two-year qualifying period for unfair dismissal, to allow employees to bring an employment tribunal claim from the first day of their employment. The Government's 'Next Steps' paper states that a statutory 'probationary period' will be introduced which will allow for a dismissal procedure. Consultation will follow on this and the measure's interaction with the existing ACAS Code on Disciplinary and Grievance procedures and the length of the statutory probationary period.
 - b. **Flexible working 'default'** – The Bill introduces an extension to the existing day one entitlement to request flexible working, making flexible working the 'default' position from the first day of employment, with employers needing to set out why any refusals are 'reasonable'.
 - c. **Reforming the law on dismissal and re-engagement** – The Bill introduces restrictions on when this practice can be used to implement changes in terms and conditions. The Government will be seeking views on these proposals through public consultation.
 - d. **Use of zero hours contracts** – The Bill seeks to give workers on zero hours contracts the right to move to a guaranteed hours contract that reflects the hours actually being worked, as calculated over a 12-week reference period. 'Reasonable notice' will be required of any changes in shifts or working time,

with 'proportionate compensation' payable for any shifts cancelled or curtailed at short notice. Consultation will follow on the detail of the proposal.

- e. **Other day one rights** – the Bill also proposes that unpaid parental leave, paternity leave and sick pay will be available from day one of employment. Statutory Sick Pay (SSP) lower limit to be removed to enable low earners to also qualify for SSP.
 - f. **Extension of maternity protections** – the Bill proposes enhanced maternity protections and protection from dismissal.
 - g. **The Fair Work Agency** – the establishment of a new single agency for the enforcement of statutory employment law rights including National Minimum Wage and SSP enforcement. More detail is expected from the Government on this.
6. Outside of the scope of the Employment Rights Bill - but included within the Next Steps paper - are planned reviews of parental leave, carers leave and TUPE, as well as reconfiguration of the current legal distinction between 'employees' and 'workers' and proposed move to a single worker status.

Main considerations

7. Detailed assessment of impact of the draft Employment Rights Bill on the council's HR policies is underway. This will be dependent on progress and outcomes of the planned public consultations on the various measures.
8. The council already has clearly established frameworks relating to flexible working and family and parental rights, although it is anticipated that policies relating to flexible working, family and parental rights, probation periods and the council's approach towards use of casual workers, will require significant review.
9. The Employment Rights Bill will need to be considered and passed by both the House of Commons and the House of Lords. It has already been confirmed that the Bill's 'second reading' in the House of Commons will take place on 21 October 2024, which will be Parliament's first opportunity to scrutinise the Bill and debate its contents. It should be noted that some provisions may be amended, scaled back or even removed during the Bill's passage through both houses.
10. The Government continues to affirm its commitment to consulting on many of the measures proposed, with some consultation commencing shortly and others deferred until next year. Consultation is expected to begin imminently on zero hours contracts, changes to sick pay, fair pay agreements and trade union rights.
11. The HR Strategy team will be following the public consultations and assessing outcomes and the impact of the measures on existing policies. Any substantial changes or requirement to introduce new policies as a result of the Bill's enactment, will be shared with Staffing Policy Committee at future meetings.

Reason for the policy/ changes to the policy

12. It is necessary for the council to review existing policy frameworks in response to legislative changes to ensure that our employment/HR policies are compliant with the latest employment legislation.

Environmental impact of the proposal

13. N/A.

Equalities impact of the proposal

14. Equality impact assessments will be arranged for any new or significantly revised policies resulting from legislative changes. All comments from these panels will be considered.

Risk Assessment

15. To be legally compliant, it is necessary for the council's HR policies to adhere to up-to-date employment legislation. Non-compliance places the council at risk of employment claims.

Financial Implications of the proposal

16. Financial implications can be fully assessed once outcomes from consultation on the Bill is known. The measures relating to extensions to the day one rights and removal of qualifying length of service for unfair dismissal claims could represent additional financial risks to the council.

17. Proposals in respect of review of use of zero hours workers and consideration of a single employment status, may also result in increased financial impact, although scope and impact of these cannot be assessed until further detail is known on these measures.

Recommendations

18. It is recommended that Staffing Policy Committee notes the updates and awaits further updates once these are known.

Tamsin Kielb
Director HR&OD

Report Author: Nikki Cox, HR Strategy Consultant

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Bi-annual Workforce Report:

[Data up to and including September 2024]

Observations and exceptions

Wiltshire Council is continuing to deliver the business plan and address key issues within the community, such as cost-of-living pressures, an aging population, new government policies and upcoming local elections, all of which have an impact on the services we deliver and our workforce.

The Council has recently undergone a change with how workforce reports are produced. In September 2023 the Workforce Insight Analyst role moved from HR&OD to the corporate Data & Insight team to provide longer term resilience and improvement in how we gain insight from our workforce data. Since the start of April 2024, Oracle replaced SAP as the system to organise and collate workforce data across the council. As a result, new reporting methodologies have been established across several KPI measures typically presented within council workforce reporting which has created some differences when comparing data from the two systems.

Establishment

Headcount/ FTE

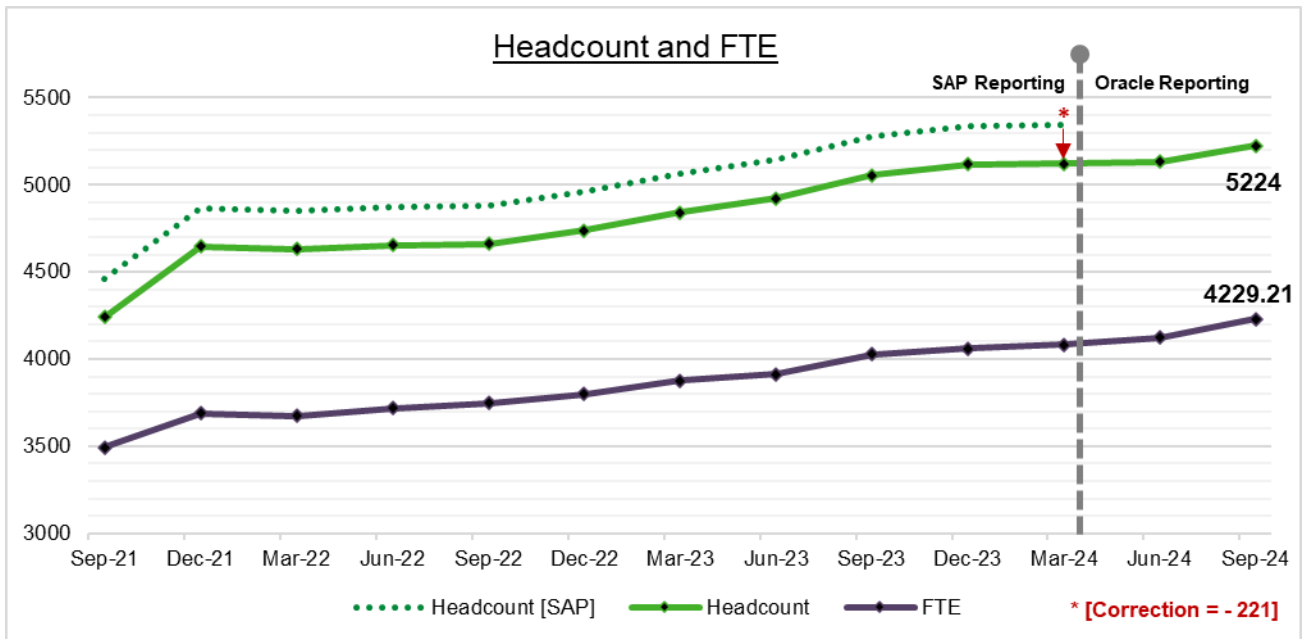
Headcount has steadily risen quarter-on-quarter over the last 3 years, dating back to September 2021. This trendline pattern is mirrored by the rise in FTE during this same period, both of which have risen to their highest amount in the most recent quarter (ending September 2024).

A proportion of the growth visible in Headcount and FTE since Mar 2024 is attributable to filled vacancies, and increased grant funding in several services such as Adult Social Care, Environment and Highways & Transport and insourcing Leisure.

Wiltshire Council has a predominantly female workforce, with females comprising 74.0% (3,863) of the total workforce and males comprising 26.1% (1,361) as of September 2024.

The quality assurance process involved in the change from SAP to Oracle has led to the identification of an inconsistency in headcount reporting. This discrepancy is because previously the headcount calculation was based on position count rather than true headcount, as some staff have more than one position. Based on best practice, it has been agreed that the true headcount figure should now be the reported metric and as a result a correction figure of -221 has been historically applied to each SAP position count. The correction figure

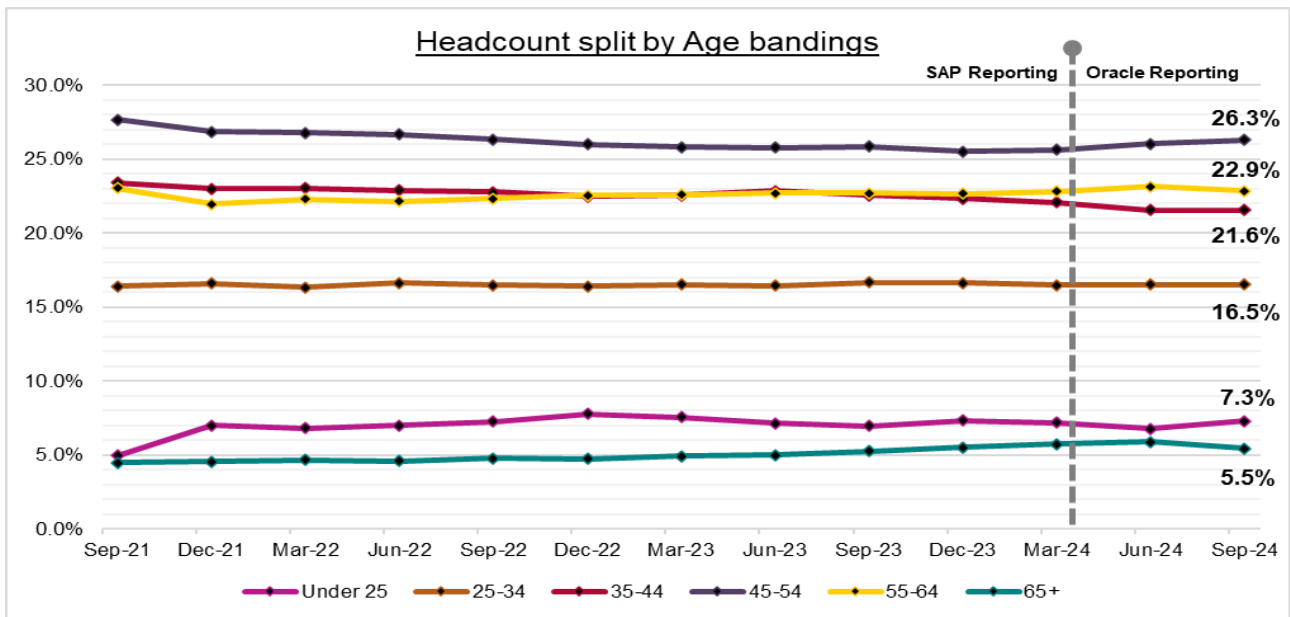
is based on the known difference between the previously reported position count (5344) and current agreed headcount (5123) in March 2024.



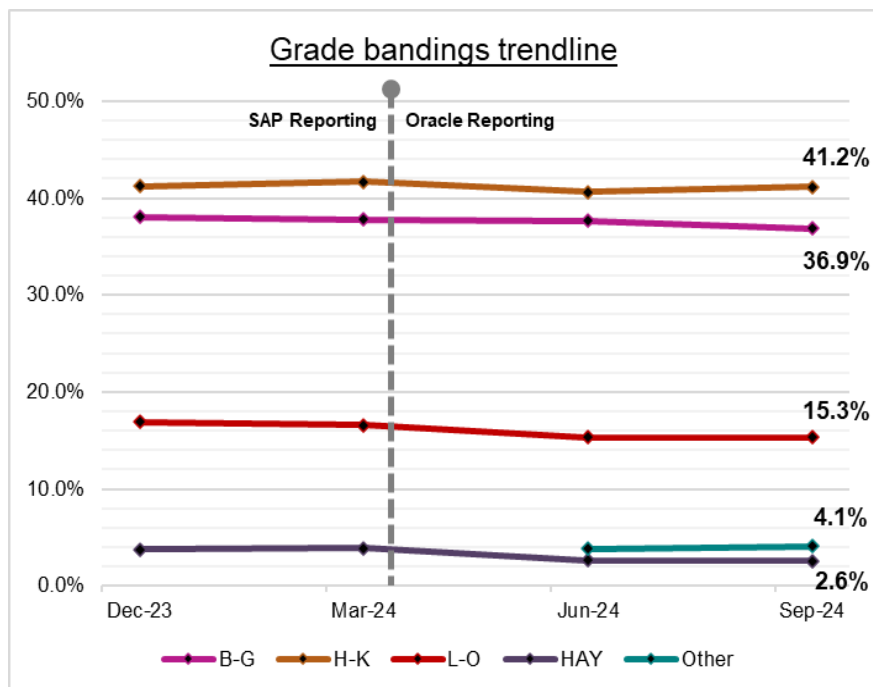
Quarter-Year	Headcount	FTE
Sep-2024	5,224	4229.2
Sep-2023	5,055	4028.1
Sep-2022	4,663	3746.8
Sep-2021	4,241	3494.2

Workforce demographics

Although Headcount has risen steadily over the last three years, the proportional split of ages within the workforce has remained relatively consistent.

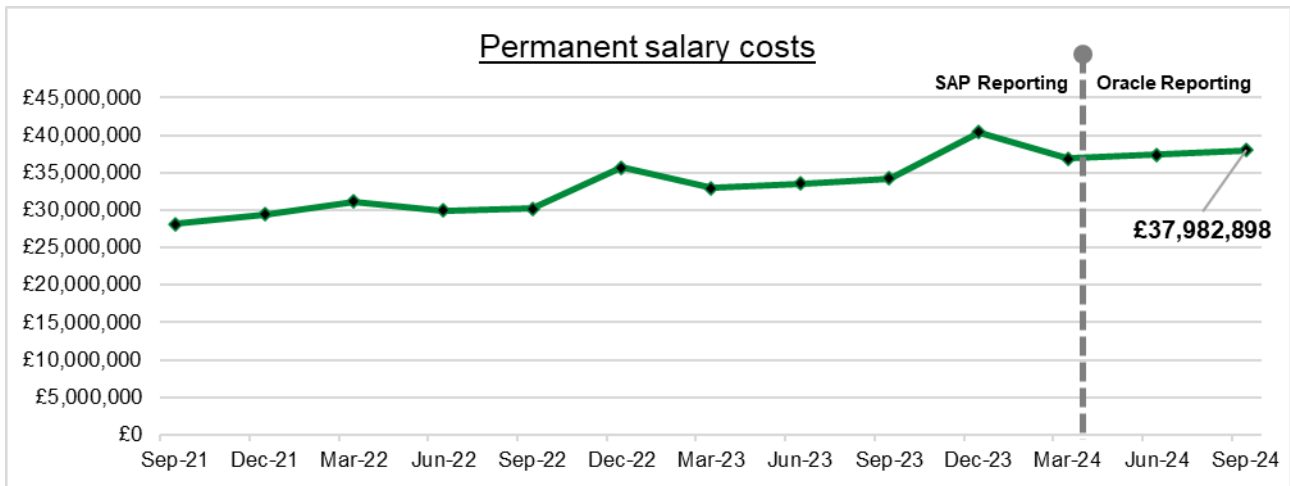


The proportional split of grade bands also remains largely consistent. (Note: the 'other' key contains several anomalous grade bands such as apprenticeship positions, TUPE transferred positions and Soulbury positions)



Salary costs and budget

Permanent salary costs from Oracle are the sum of gross pay made to employees on an annual or variable salary basis per quarter.



The marginal increasing trend seen in headcount is reflected in permanent staffing costs as seen in chart above. The biggest influence in staffing costs is the pay award. Employees received the negotiated pay award in November 2023 which was backdated to April 2023. This explains the spike in the October to December 23 quarter due to staff receiving their backdated pay and subsequent reduction in the January to March 24 quarter returns to what is the new normal cost.

The total cost of permanent salaries amounted to £152.7 million between October 2023 and September 2024, a 12.0% rise on the previous 12-month period (£136.4 million). This increase is largely due to leisure staff being transferred into the council.

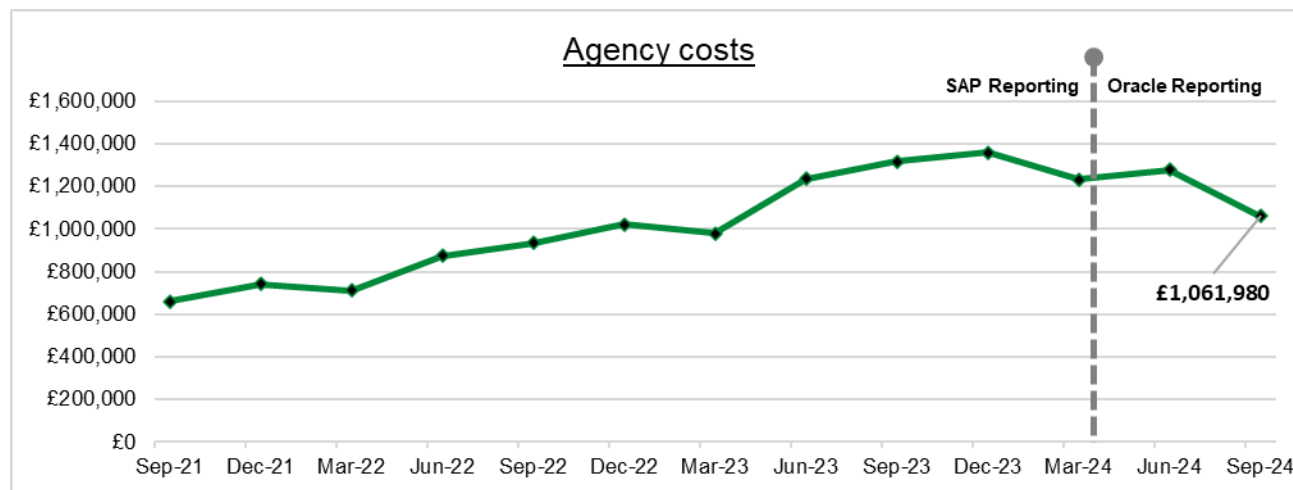
Agency costs

The table below details agency spend by quarter for the 12 months to 30 September 2024, broken down by directorate. Overall costs dropped by -21.86% between the first and last quarters shown, with 6 out of the 12 directorates reducing costs in that period.

Directorate	Dec-23	Mar-24	Jun-24	Sep-24	Total
Families & Children's Services	£524,607	£362,014	£395,165	£365,004	£1,646,790
Adult Social Care	£360,476	£355,160	£334,907	£294,217	£1,344,760
Planning	£170,721	£137,371	£133,506	£135,530	£577,128
Legal and Governance	£155,833	£87,769	£67,272	£37,895	£348,769
Highways and Transport	£31,825	£54,981	£65,482	£90,328	£242,616
Transformation	£0	£65,989	£110,020	£48,122	£224,131

Directorate	Dec-23	Mar-24	Jun-24	Sep-24	Total
Education and Skills	£45,761	£72,032	£25,555	£22,059	£165,407
Finance	£11,318	£22,758	£73,398	£41,084	£148,558
Commissioning	£41,902	£55,071	£0	£0	£96,973
HR & OD	£9,675	£20,486	£29,540	£14,683	£74,384
Assets	£0	£0	£44,386	£13,055	£57,441
Leisure, Culture & Communities	£6,954	£0	£0	£0	£6,954
Total	£1,359,072	£1,233,631	£1,279,231	£1,061,977	£4,933,911

Although agency costs are up by 8.29% from the previous year, recent quarters are showing a downward trend, as seen in the graph below. This is in part due to an ongoing review by HR&OD with the business to reduce reliance longer term.



The council faces significant challenges in recruiting qualified professionals for hard-to-fill roles, particularly experienced social workers, occupational therapists, engineers, and planners. A national shortage of skilled workers in these areas makes it difficult to maintain a stable and effective workforce. As a result, the council often relies on agency workers to fill these crucial positions.

Planning is proving challenging and there is a continuous need to use agency. In a survey of England's district councils, the 'District Councils' Network' found that 84% of planning departments were struggling to recruit and retain staff due to shortages of skills available in the market. Shortages of workforce for this sector is thought to be caused by strained budgets

and the ability to match private sector salaries, alongside a general national shortage within this expertise.

Over the past six months, we have successfully converted seven agency workers into permanent roles within the council in the following service areas: Planning, HR&OD, Adult Social Care, Legal and Highways. If we had continued to engage these workers through agencies, the estimated total cost would have been £574,787. However, by converting them, we have achieved a savings of £282,759.

Vacancies / recruitment

According to the Local Government workforce data survey in 2021 it was reported that 78% of councils had experienced difficulties with recruitment and retention. In August 2024 this has reportedly risen to 94%.

Over the past 12 months, the council has faced both opportunities and challenges in navigating the evolving labour market. Key areas of concern include social care, planning, highways and transport, education and legal services due to factors such as national shortages and private sector pay. It is anticipated that these areas will continue to prove challenging, but the council should also anticipate potential recruitment challenges in the environmental sector given the rapid growth in this sector.

Recruitment and retention trends have been significantly influenced by broader national issues such as the cost-of-living crisis, a competitive job market, national shortages and shifts in candidate expectations. To address these challenges, we are working with services on longer term workforce planning and plans to address skills shortages now and in the future such as “growing our own” talent, partnering with universities for student placements, succession planning, upskilling apprenticeships and we continue to enhance our digital recruitment campaigns and strengthen our employer branding, positioning Wiltshire Council as an employer of choice whilst also focusing on attracting under 25's, a more diverse talent pool and emerging talent.

Increasing the attraction and retention of under 25s, particularly in those areas where there are none, will be a corporate equality, diversity, and inclusion priority in the updated 2025 Inclusion Strategy. Some examples on how this could be driven are through use of apprenticeships, T-level placements, work experience and challenge days. There is also a focus on succession planning for business-critical roles where there is an aging workforce.

An in-depth analysis of the recruitment challenges for Children's and Adult social workers revealed that 83% of councils are having difficulty hiring for children's services, while 71% face similar challenges for adult services. In addition to these roles, the council also faces significant challenges in recruiting occupational therapists and support workers. These shortages highlight the need for targeted strategies to attract and retain skilled professionals across these critical service areas.

The table below details unfilled advertised vacancies, positions filled and average time to hire (TTH) in working days for the 6 months to 30 September 2024.

	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Unfilled advertised vacancies	34	32	44	56	72	69
Positions filled	68	86	102	69	54	17
Average TTH in working days (SLA is 30 days for regular roles and 90 days for hard to fill roles)	28.1	30.3	34.6	34.6	33.3	35.9

Apprenticeships

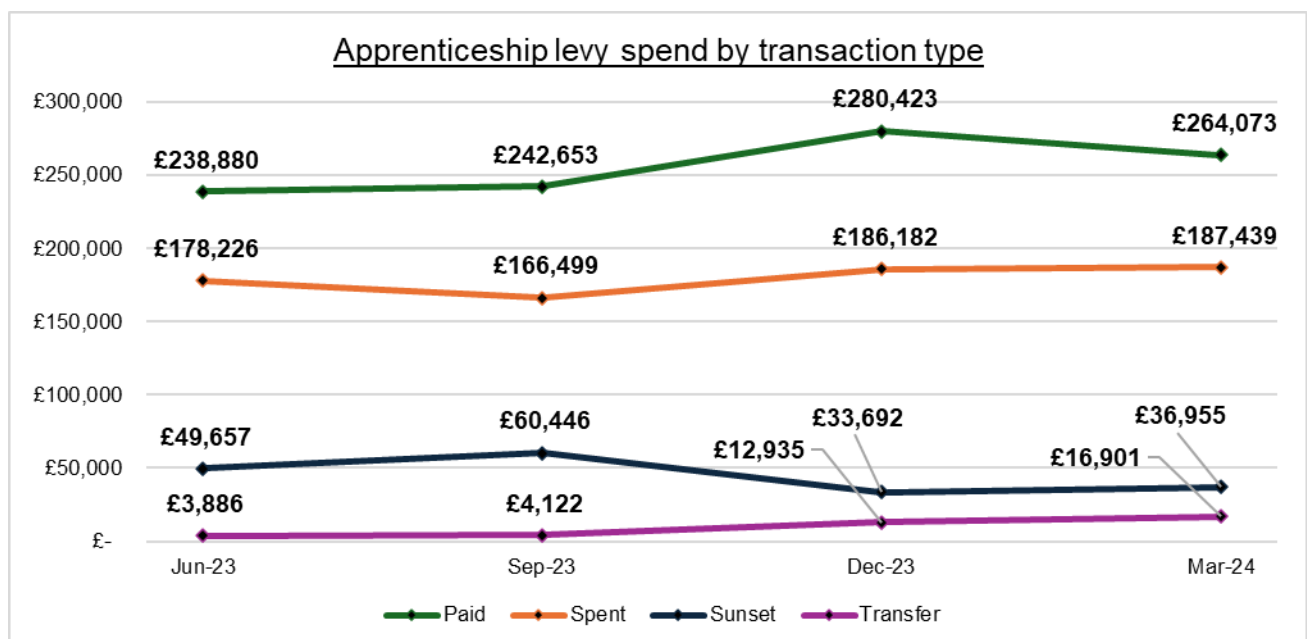
There are currently 221 staff undertaking apprenticeships from Level 2 – Level 7, of these:

- 188 are Wiltshire Council apprentices
- 37 are new start apprentices
- 151 are upskilling apprentices
- 38 are in Wiltshire Maintained schools.

The council has paid £575,949.54 into the apprenticeship levy in the last 6 months, and has spent £344,764 on training staff, as well as transferring £16,818 to support training in SMEs within Wiltshire.

Funds enter the Digital apprenticeship service (DAS) every month and expire 24 months after they enter the DAS. The unspent funds are transferred to the government to provide apprenticeship funding for SME's.

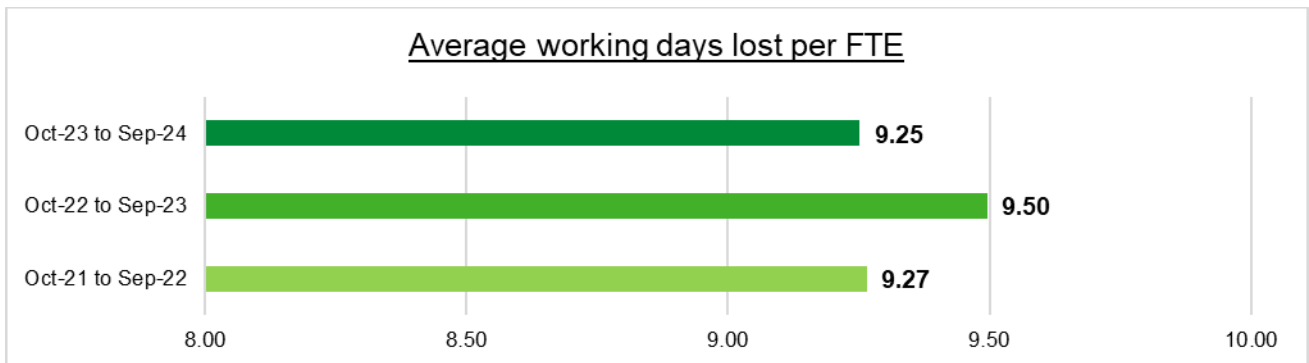
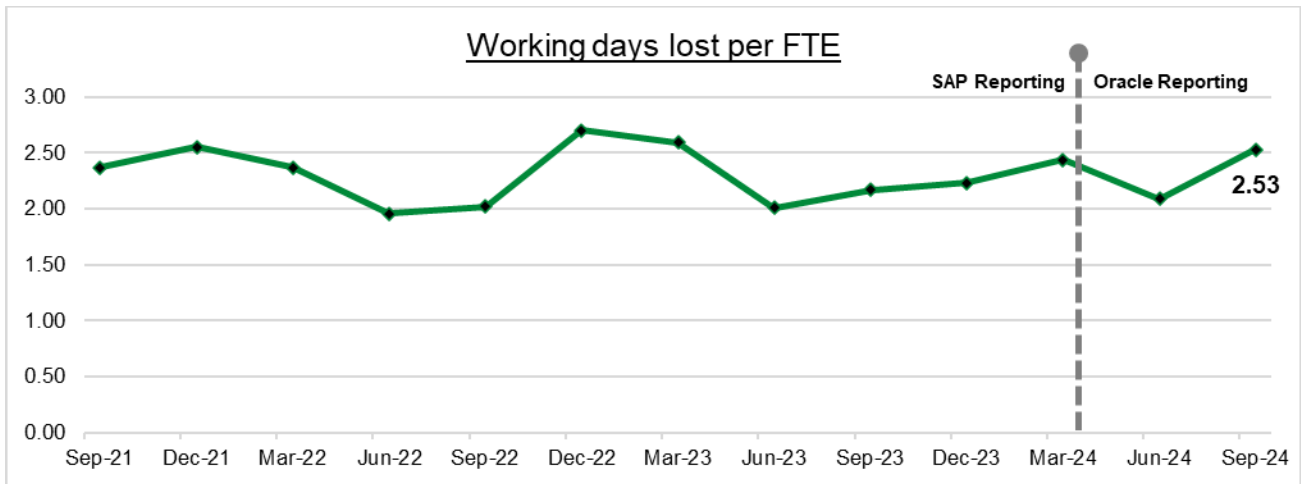
The graph below illustrates how much the council paid into the levy, how much was spent on apprenticeship training, how much was transferred to SME's and how much was sunset and paid back to the government in 23/24.



Sickness absence

The introduction of the Oracle system has brought a change to the way FTE is calculated for the working days lost per FTE metric, moving from a static end of quarter figure to an average of a period start and period end.

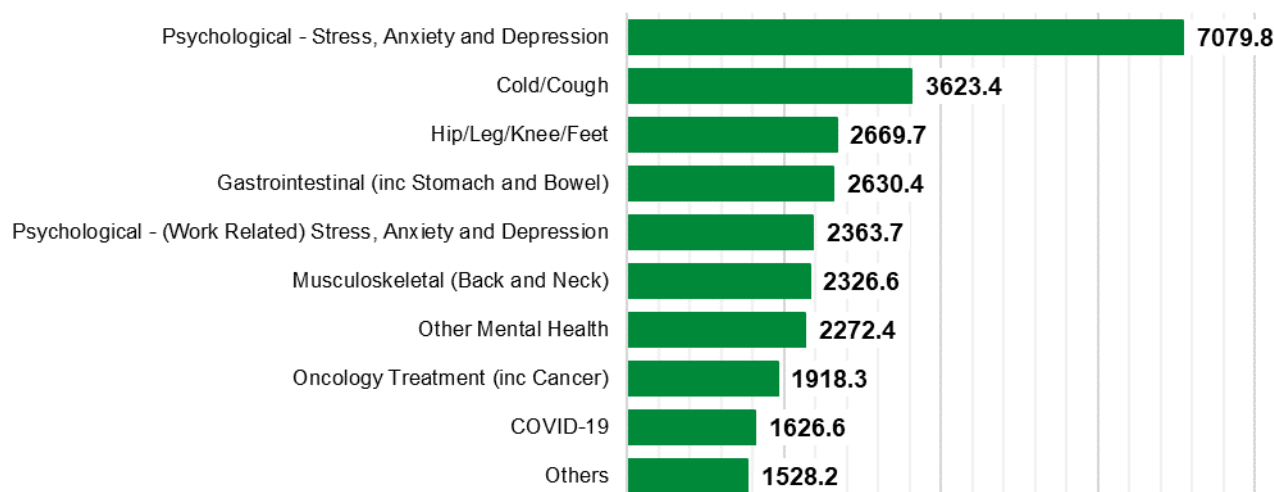
We can see from the days lost per full-time equivalent (FTE) graph below that the July to September (Q2) was higher than what we would normally expect to see in this quarter, and this is being investigated.



Although we have seen a rise in number of days lost per FTE in the most recent quarter, this has not affected the average working days lost per FTE in comparison with previous years.

Mental health and stress-related absences continue to be the biggest contributor to sickness absence, accounting for 31% all days lost in the 12 months to 30 September 2024 and remain three of the top ten reasons for working days lost, as seen in the chart below. The total number of working days lost due to all stress/mental health related absences reduced by -1.14% when compared to the same period for the previous year to Sep-23.

Top 10 reasons for working days lost (Year to Sep-24)



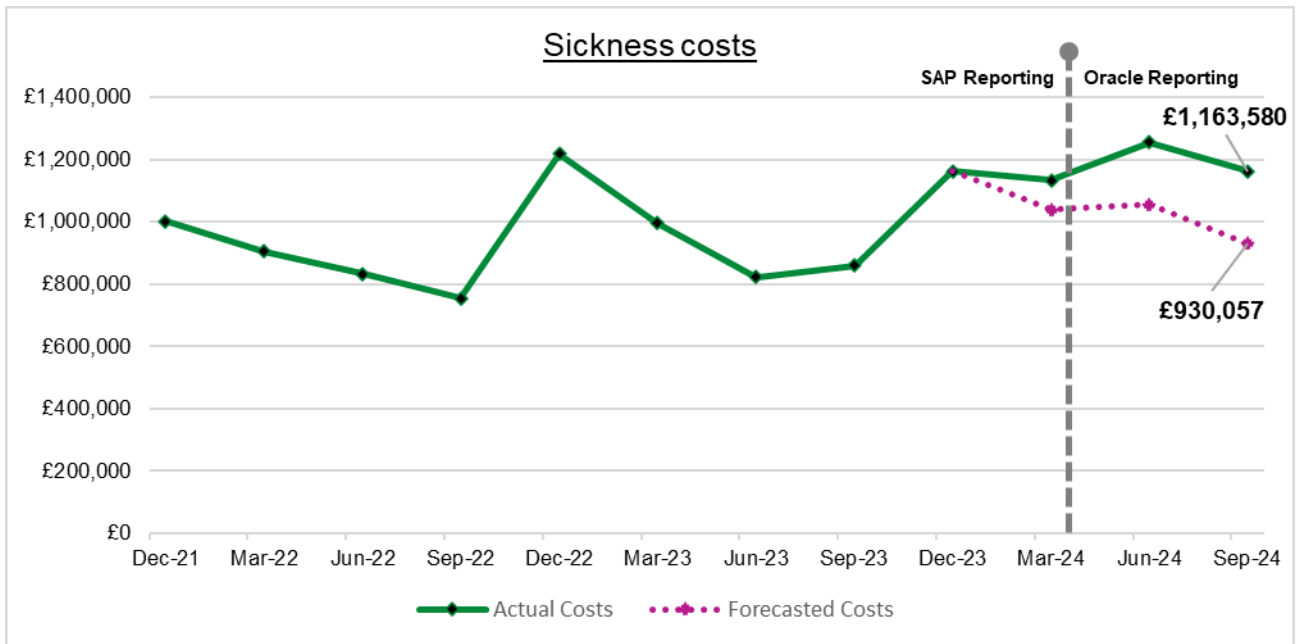
When analysing these absence reasons further, the most significant change in working days lost since the last SPC report can be attributed to 'COVID-19' (+138%, rising from 291 days lost in the quarter ending Mar-24 to 693 days in the quarter ending Sep-24); 'gastrointestinal (inc. stomach and bowel)' (+67%), and 'others' (+56%).

The Directorates whose average annual working days lost per FTE is higher than the overall council figure of 9.25 days for the year to September 2024 are:

- Commissioning = 15.12 days,
- Adult Social Care (DASS) - 14.64 days, and
- Transformation & Business Change - 12.62 days.

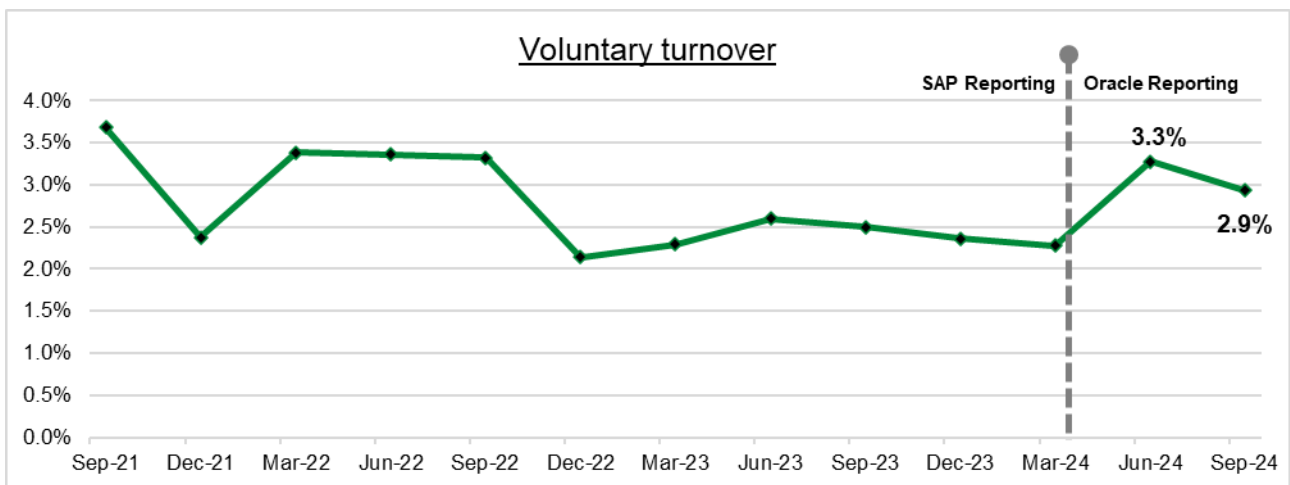
The HR Business Partners are working with these services to analyse the data and put action plans in place where possible to reduce sickness absence levels. They are attending service SMTs and making sure that the profile of sickness absence is raised and discussed with the aim of reducing the absence levels.

Sickness costs have fluctuated between £1.13m and £1.26m in the last four quarters to end September 2024, as shown in the chart below. The sickness costs are higher than what we would typically expect according to the forecasted trend line and is being investigated but is likely to be attributable to the change in process with the move from SAP to Oracle. Further communications and training are planned to support managers.



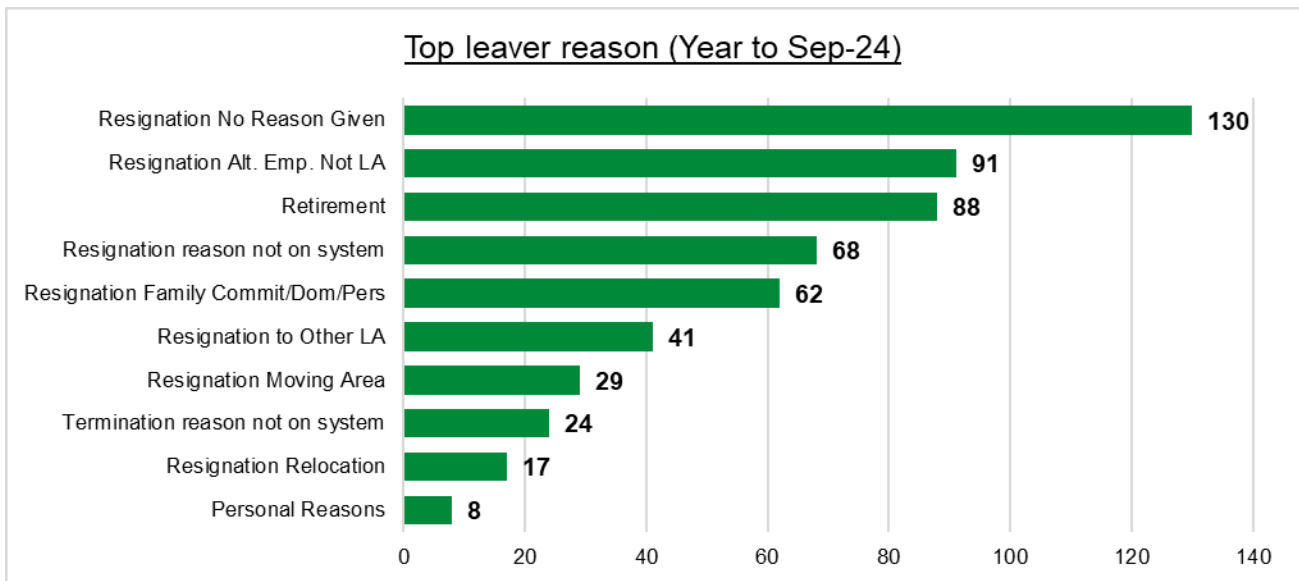
Turnover

Voluntary Turnover on a quarterly basis has fluctuated between 3.7% and 2.1% over the last three years. With exception to these outliers, quarterly voluntary turnover has generally remained around the 2.5% mark for most of the last two years, however, there was a spike in the quarter to Jun 24 of 3.3%.



The HR&OD directorate has seen largest volume of turnover of any Directorate within the council since the start of April 2024, rising to 6.0% in the quarter ending in Jun-24 and 6.7% for the quarter ending in Sep-24. This is primarily due to many staff retiring following the implementation of Oracle. The next largest volume of quarterly turnover is experienced by the Transformation and Business change directorate, reaching 5.5% in the quarter ending in Jun-24. In contrast, the Planning directorate has experienced the lowest volume of turnover since the start of April 2024 at just 2.89% across both quarters combined (compared to a council average of 6.2% across both quarters).

There are data quality issues in Oracle with some leaver reasons not yet recorded, however, work is underway to address this.



HR Advisory

The table below shows the number of active cases at the end of the quarter per case type, for the last four quarters,

Case type	Dec-23	Mar-24	Jun-24	Sep-24
Absence/Attendance	109	118	52	45
Improving Work Performance	4	7	12	21
Disciplinary	19	29	23	39
Grievance	10	12	8	3

There is a significant decrease in active cases relating to absence/attendance between March 2024 and June 2024, this is due to a data cleansing exercise that the team undertook to ensure that inactive cases were formally closed on the data management system in preparation for the commencement of the new data management system.

The HR Advisory team have commenced a data and insight journey with the aims that they are able to report on a breadth of measures in the future. The insight and evidence that is extracted will support in informing initiatives within the team with an aim to ensuring our process and procedures remain effective and efficient or identify where there are opportunities for improvement. This will support with targeted intervention either on a Council wide or service specific basis.

Tamsin Kielb

Director HROD

Staff Car Parking update

Purpose

1. To outline the changes to staff car parking in Trowbridge in light of the proposal to build the new Trowbridge Leisure Centre on the County Hall east wing site.

Background

2. There are currently approximately 590 staff car parking spaces available at County Hall for staff to park in. These car parks are located around the front and sides of County Hall, East Wing and include the Greyhound.
3. Following the proposal to build the new Trowbridge Leisure Centre on the County Hall east wing site, there will be a reduction in staff parking spaces of around 270 spaces.
4. A car parking review is being undertaken which aims to replace the majority of spaces that will be lost as a result of the Leisure Centre build to ensure there continues to be adequate spaces to accommodate staff, councillors and visitors.

Main considerations

Work taken place to date

5. Approximately 50% of the Greyhound car park had been reserved for Passenger Transport (PTU) minibuses which had previously reduced staff parking in this area. As part of this review, all PTU minibuses are being removed from the Greyhound car park.
6. Work has been undertaken to assess the efficiency of the layout of the staff car parks to maximise the space. This has resulted in a small increase to the number of spaces available.
7. Additional car parks have been added to staff parking permits - these are Broad Street and Bradford Road. Lovemead Car Park was added to permits some years ago but has rarely been used by staff in the last few years following the pandemic.

8. The changes to the staff car parks, and the additional spaces at Lovemead, Broad Street and Bradford Road will reduce the deficit of spaces from 270 to 43.
9. A car park utilisation log has been conducted to identify the occupancy rate of the staff car parks. The results showed an average vacancy rate of around 100 spaces per day, indicating there is unlikely to be a problem, although many of these are currently in car parks reserved for those with priority permits.

Visitor spaces

10. There are currently 67 spaces reserved for visitors at the front of County Hall and there is an ongoing review of these spaces to determine occupancy rates. If it is identified that a number of spaces are no longer required, the visitor space allocation will be reviewed. A parking machine will be installed shortly which will issue free tickets for visitor stays for a maximum of 2 hours. For longer stays, visitors will need to pay for parking at Court Street.

Director and Councillor spaces

11. The spaces reserved for directors and councillors are underutilised and therefore we are exploring a reduction to ensure we are making the best use of our spaces.
12. On days where there are full Council meetings a special parking procedure will be in place to ensure there are adequate spaces for councillors.

Priority parking permits and reserved parking

13. Currently a large number of employees are provided with priority parking permits and an initial review indicates that there is an inconsistency in their application, and the allocated space is also underutilised. A review of the current priority parking permit criteria and roles will take place to streamline the use of these permits.
14. There will be a review of the process for temporary health permits to ensure that these are used as intended, meaning that staff who have temporary reduced mobility/ are pregnant can secure parking close to County Hall. Staff with permanent mobility issues will be able to park in disabled parking spaces using their blue badge.
15. The Blue Badge Holder Bays (Disabled Bays) are being reviewed to ensure their provision is appropriate. There will be no reduction in Blue Badge Holder Bays, however, a provision in the visitor parking area will be considered to allow access to the reception.

Car parking distances

16. Whilst East Wing and Greyhound are close for staff at County Hall, Lovemead, Broad Street and Bradford Road are circa ½ a mile walking distance.
17. Monkton Park in Chippenham has a similar set up with Sadlers Mead close to the building and Bridge Centre circa 1/3 mile away. There is no staff car parking on site for our Bourne Hill hub in Salisbury with all car parks a similar walking distance (circa ½ a mile.)
18. Staff will therefore have a not too dissimilar staff car parking experience and length of walk from hub to hub.
19. There has been concern from some staff that they will be unable to carry their work possessions/bag from a car park further away but there are sufficient drop off and pick up spaces (max stay 15 minutes) in front of County Hall, and it is proposed that lockers and storage solutions in County Hall are reviewed, and space allocated as appropriate.

Equalities impact of the proposal

20. A number of staff have caring/parental responsibilities. The current car sharing spaces will now be made available to other staff arriving after 9am which will support those with caring/parental responsibilities in finding a parking space.
21. An equalities impact assessment will be undertaken to identify any groups which are negatively impacted, and steps will be undertaken to mitigate these.

Financial impact of the proposal

22. An assessment of the efficiency of the current staff car park arrangements has been undertaken and some changes proposed to increase the number of spaces available. As a result, there will be a small cost to re-lining some areas of the car parks to maximise their use.
23. It is not anticipated that there will be a loss of income in other council car parks in Trowbridge as a result of some staff using these spaces as the car parks are currently underutilised.

Recommendations

24. Staffing Policy Committee are asked to note that there is a car parking review which will result in some minor changes to staff car parking in Trowbridge. The

work undertaken should not result in a significant loss of spaces, but the location of some of the spaces will change.

Tamsin Kielb
Director HR&OD

Report Author: Rebecca Spence, Associate HR Business Partner