

AGENDA

Meeting: Staffing Policy Committee
Place: The Kennet Room - County Hall, Trowbridge BA14 8JN
Date: Thursday 10 May 2018
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@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 Allison Bucknell (Chairman)	Cllr Andy Phillips
Cllr Tony Jackson (Vice-Chairman)	Cllr Ricky Rogers
Cllr Richard Clewer	Cllr Baroness Scott of Bybrook OBE
Cllr Mike Hewitt	Cllr Hayley Spencer
Cllr David Jenkins	

Substitutes:

Cllr Fleur de Rhé-Philippe	Cllr Gordon King
Cllr Peter Evans	Cllr Ian Thorn
Cllr David Halik	Cllr Ian McLennan
Cllr Jon Hubbard	Cllr Tony Trotman
Cllr Bob Jones MBE	

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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 5 - 10*)

To confirm the minutes of the meeting held on 7 March 2018. (Copy attached)

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 **Wednesday 2 May 2018** 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 4 May 2018**. 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 **General Data Protection Regulations - GDPR** *(Pages 11 - 22)*

A report by the Director, HR & Organisational Development is attached.

7 **Agreement of Annual Pay Award (NJC) 2018/19** *(Pages 23 - 26)*

A report by the Director, HR & Organisational Development is attached.

8 **Apprenticeships Update** *(Pages 27 - 38)*

A report by the Director, HR & Organisational Development is attached.

9 **Quarterly Workforce Report: January to March 2018** *(Pages 39 - 46)*

A report by the Director, HR & Organisational Development is attached.

10 **Date of Next Meeting**

To note that the next scheduled meeting of the Committee is due to be held on **Tuesday** 24 July 2018 at County Hall, Trowbridge, starting at 10.30am.

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

STAFFING POLICY COMMITTEE

MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 7 MARCH 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Allison Bucknell (Chairman), Cllr Tony Jackson (Vice-Chairman), Cllr Richard Clewer, Cllr Mike Hewitt, Cllr David Jenkins, Cllr Andy Phillips, Cllr Hayley Spencer and Cllr Tony Trotman (Substitute)

Also Present:

Cllr David Halik

12 Apologies for absence

Apologies for absence were received from Cllr Ricky Rogers and Cllr Baroness Scott of Bybrook OBE, who was substituted by Cllr Tony Trotman.

13 Minutes of Previous Meeting

Resolved:

To confirm and sign as a correct record the minutes of the previous meeting held on 10 January 2018.

14 Declarations of Interest

There were no declarations of interest made at the meeting.

15 Chairman's Announcements

The Chairman made the following announcements:-

- **Time off for fostering policy – update** The time off for fostering policy was presented at the last meeting of this Committee on the 10 January 2018. When the paper was presented to committee for approval for this policy it was done partly on the basis that it would enable the Council to become part of the fostering friendly network. However, the fostering

friendly network have since informed the Council that to be part of the network we would need to broaden out our policy to include all staff who were also foster carers, not just those who were foster carers in Wiltshire (as currently specified). This would mean extending the policy to include staff also fostering in other counties and with foster agencies. The conclusion from the fostering service was that they did not wish to open up the policy to include other agencies in this way and therefore the policy would remain unchanged in this respect. Members were asked to note that the Council would therefore not be part of the fostering friendly network but would still offer paid time off in line with the policy to Wiltshire foster carers.

- **EPIC Lecture** The meeting was informed that the Council was launching an exciting new series of free public lectures called #Epic Talks. The first of the #Epic Talks, 'The impact and influence of social media', was due to be held on 26 March 2018 from 5.30pm to 7.00pm at County Hall, Trowbridge and would be free for everyone to attend. The talk would be delivered by Dr. Charles Kriel specialist advisor to the DCMS (Digital, Culture, Media and Sport) Select Committee on fake news at the House of Commons. Dr. Kriel was from the Corsham Institute, whose work focused on education and research to promote lifelong learning in the digital age. Those who wished to attend would need to register on line at Event Brite.

16 **Public Participation**

There were no members of the public present or councillors' questions.

17 **Equality & Diversity Monitoring Report**

The Committee received a report by the Director, HR & Organisational Development which presented the updated annual Equality and Diversity Employment Monitoring Report. It was noted that the Council was required to produce this information annually as part of the Public Sector Equality Duty in line with the Equality Act 2010.

In January 2017 the Council published its Equality and Diversity Employment Monitoring Report 2015/16 on its website. However, this year the Council would be required to publish its updated monitoring report for 2016/17 by 30 March 2018 in order to bring the publishing date into line with the new requirement for gender pay gap reporting which was introduced by the Government last year.

During discussion members noted the reluctance of some staff to complete an equalities monitoring questionnaire. Whilst this reluctance was appreciated, there was some concern that in some instances staff might be fearful of some perceived prejudice should the questionnaire be completed. It was noted that ongoing work was being carried out to explain to staff why this information was

required. Members suggested that the questionnaire be examined to see if the questions about bullying might be clarified and possibly made more user friendly.

Resolved:

- (1) To note the contents of the report.**
- (2) To request the officers to refer the draft equalities monitoring questionnaire to this Committee for approval prior to its next distribution.**

18 Gender and Pay Gap Reporting

Consideration was given to a report by the Director, HR & Organisational Development which presented the gender pay gap data and report, which was required to be published on behalf of Wiltshire Council for the reference date of 31st March 2017.

It was noted that gender pay gap reporting came into effect from April 2017 and required organisations with 250 or more employees to publish and report specific figures about their gender pay gap - the difference between the average earnings of men and women, expressed relative to men's earnings. These figures were also required to be published on the Council's website for a period of three years from the publication date to ensure accessibility to employees and the public.

Members noted with pleasure that the Wiltshire mean (average) gap between male and female staff was 7.81% compared with the national mean of 17.4%. They considered that the work being carried out was a great move towards equality and welcomed the ongoing work being undertaken which included the upskilling of apprenticeships and recruitment training.

Resolved:

To note the contents of the gender pay gap report and the obligations placed on the Council with regards to the publishing of gender pay gap data.

19 Updated Discretions Policy for Wiltshire Council

The Committee received a report by the Director, HR & Organisational Development about the updated Local Government Pension Scheme (LGPS) Employer Discretions Policy for Wiltshire Council.

The LGPS regulations 2014 required Wiltshire Council to regularly review its existing pensions discretions policy and to publish a new policy as appropriate.

The discretions policy stated how the Council would apply its discretionary powers in relation to specific provisions of the pension scheme.

The LGPS regulations provided a set of 12 discretions for employers to review and agree. Eight of these discretions were the same as stated in Wiltshire Council's existing discretions policy, with the addition of three new discretions and a minor amendment to one discretion.

The proposed changes were explained to members of the Committee.

Resolved:

To approve the recommendations concerning the discretions policy as stated in paragraphs 5 & 6 of the submitted report, namely:

- **Discretion 3 – flexible retirement (revised discretion);**
- **Discretion 7 – waiving actuarial reductions on compassionate grounds for rule of 85 (new discretion)**
- **Discretion 11 – extending the 30-day deadline for members to elect for a shared cost APC (new discretion)**
- **Discretion 12 – permitting arrangements for additional voluntary contributions (AVCs) of shared costs additional voluntary contributions arrangements (SCAVCs) (new discretion)**

20 **Trade Union Deduction of Contributions at Source (DOCAS)**

A report by the Director, HR & Organisational Development was received which provided an update on the Council's proposals regarding an appropriate calculation for each union so that deduction of contributions at source (DOCAS) regulations were complied with. The report presented the current draft "Service Level Agreement" (SLA) on DOCAS that would need to be signed by payroll and each trade union by 10 March 2018.

During discussion, Mike Osment, UNISON Branch Secretary confirmed that UNISON accepted the proposal to charge a 2.5% administration fee to process the monthly membership fee with effect from April 2018.

Resolved:

To agree that a 2.5% charge is applied and that the Council and the trade unions sign the service level agreement as attached at appendix A to the report, subject to legal advice.

21 **Quarterly Workforce Report: October to December 2017**

The Committee received a workforce report, excluding fire, police and school staff, for the quarter ended 31 December 2017.

The Committee noted that the report was being provided in a new format which aimed to raise awareness of the size and makeup of the workforce and of the issues that affected it. The first section of the report gave the key observations from the data analysed for the quarter. This was followed by a themed commentary which provided a deeper analysis and insight into a specific current topic for the Council. Indicators were provided at the end of the report which gave an instant view of selected trends over the last year in order to understand the wider picture of what was changing in the workforce.

During discussion, it was noted that the headcount had slightly increased (by 13), this being due to new employees and also to contractual arrangements for some existing staff. Members were also pleased to note that the level of sickness had decreased this quarter.

The use of agency staff had changed during this quarter, whereby the monetary cost had increased but the FTE number had slightly reduced. This was due to a higher than usual use of interim staff at a senior management level at tiers 1 and 2 of the organisation.

Given these results and the current focus on engagement, the current Quarterly Workforce report provided a detailed analysis of the Council's recent and planned engagement activities and their impacts.

Members noted that more use was being made of apprenticeship schemes at all levels. Apprenticeships were becoming increasingly popular and modules were being developed to provide new leadership and management apprenticeship schemes and in-house programmes. It was suggested that in future reports apprenticeship statistics should include grade and age. In particular it would be interesting to note the number of employees starting under the age of 25 years.

Resolved

To note the Quarterly Workforce Report.

22 Date of Next Meeting

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Thursday 10 May 2018 at County Hall, Trowbridge at 10.30am.

23 Urgent Items

There were no urgent items of business.

(Duration of meeting: 10.40 am - 12.00 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

**WILTSHIRE COUNCIL
STAFFING POLICY COMMITTEE**

10 May 2018

General Data Protection Regulations - GDPR

Purpose of Report

1. The purpose of this report is to present to staffing policy committee the impact that the GDPR regulations will have on HR&OD processes and to outline the action being taken to prepare for this new legislation.

Background

2. The GDPR regulations are the first major change to data protection law in twenty years. The regulations come into effect on 25 May 2018 and, although they are EU regulations, the UK government has confirmed they will form part of UK law both pre and post Brexit.
3. Although the GDPR's data protection principles are similar to those under the Data Protection Act the conditions for obtaining valid consent for processing personal data will be stricter, as follows:
 - There will be a greater focus on the legal basis for processing data.
 - There will be an increased obligation to provide information to employees and job applicants about the processing of their personal data.
 - Individuals will have increased rights to access their personal data.
 - The processing and sharing of information will be limited to what is necessary for each purpose.
 - There will be new record keeping obligations and greater transparency obligations in that employers will have to provide more information on what data they hold and what they do with that data.
 - Personal data must not be stored for any longer than necessary and there will be increased financial sanctions.
4. The information and governance team has overall responsibility for producing Wiltshire Council's GDPR data protection policy, and other GDPR data protection information such as a council privacy notice. The team has recently purchased software for GDPR purposes (Flowz) which, when fully operational, will contain a comprehensive record of all the personal data and assets that the council holds.
5. In addition each council service that collects personal information and data about individuals will also need to undertake an audit of this personal information and produce a service privacy notice.

Main Considerations for the council

6. To prepare for GDPR, HR&OD has drafted privacy notices (attached at appendix 1 and 2). These contain a record of the personal information and data that is collected to manage the employment relationship with our employees or potential employees. They detail how the information is obtained, what it is used for, who it is shared with, how it is protected and the employee's rights under the GDPR regulations.
7. The first privacy notice (appendix 1) covers the overall functions of HR&OD, and the second privacy notice (appendix 2) is specifically for recruitment purposes. These privacy notices will be available on HR Direct for employees to access, and the recruitment notice will be available on the careers website for all applicants to see.
8. The HR&OD team is in the process of checking employment policies, forms, letters and contracts of employment to make sure they are GDPR compliant and, where applicable, include a reference to the GDPR regulations. As this affects many of our policies we are prioritising the key policies such as sickness absence, disciplinary, improving work performance and grievance where personal information is collected as part of the investigation process. The team are also updating the contract of employment templates to incorporate a reference to GDPR compliancy, and links to accessing the HR&OD privacy notices and the council's GDPR data policy.
9. To prepare for the transfer of data onto the new GDPR software that the information and governance team is implementing HR&OD has conducted an audit of its HR processes and HR personal data and updated the information assets register. This includes the purpose for processing the data and the basis for doing, for example whether it is a legal obligation or it is necessary for the performance of the employment contract.
10. The team are also working with the information and governance team and the legal team to produce a suggested contract document which is GDPR compliant for 3rd parties (e.g. schools) to consider using if they buy our HR&OD services, e.g. payroll, recruitment and advisory services.
11. As a new piece of legislation there is still quite a bit of clarification needed on the GDPR. The Data Protection Bill which will replace the Data Protection Act 1998, and will supplement the GDPR, is still going through parliament. If passed the Data Protection Bill will define legitimate interests for public authorities as a legal reason for processing under GDPR, as at present there is a limitation on public authorities being able to do this. It is also expected that there will be further provision on the processing of special categories of personal data and criminal conviction data.

Environmental Impact of the Proposal

12. None

Equalities Impact of the Proposal

13. As forthcoming legislation, the GDPR must be complied with but for processing special categories of information such as sensitive personal data including racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data concerning health, sex life or sexual orientation there are restrictions unless one of the specific grounds set out in the GDPR applies. This includes that processing the data is necessary for carrying out obligations or exercising rights under employment law and equal opportunities monitoring, which has been detailed in the HR&OD privacy notice.

Risk Assessment & Financial Implications

14. Fines can be imposed by the information commissioner's office, which is the government office responsible for data protection, if employers fail to meet their obligations under GDPR. The advice from the information and governance team is that the information commissioner has stated that no organisation is going to be fully GDPR compliant by 25 May 2018, but it needs to show that it is working towards compliancy.

Recommendation

15. It is recommended that staffing policy committee note the contents of the report, and that the HR&OD team are working towards compliance. An updated report will be provided in due course to outline any further GDPR developments in HR&OD as a result of receiving clarification on some aspects of the GDPR and the Data Protection Bill being passed.

Joanne Pitt
Director – HR and Organisational Development

Report Author:
Margaret Roots – HR Policy Officer

Human Resources and Organisational Development, Wiltshire Council

This notice informs you on how Wiltshire Council collects and uses your personal data in HR and OD (Human Resources and Organisation and Development).

Wiltshire Council is committed to being transparent about how it collects and uses the data of its employees to manage the employment relationship and in accordance with the data protection obligations under the General Data Protection Regulation (GDPR), May 2018

Data controller: Wiltshire Council is the data controller for the personal information you provide and can be contacted at dataprotection@wiltshire.gov.uk

Data Protection Officer: Andrew Holyoake, Corporate, Services and Digital Directorate.

What employee information does the Council collect?

Wiltshire Council will use your personal information to manage the employment relationship. This information is collected in a variety of ways. For example, data will be collected through application forms, CVs or resumes; obtained from passports or other identity documents such as a driving licence; from forms completed when applying for a position or during employment; from correspondence; or through interviews, meetings or other assessments.

This includes:

- your name, address, date of birth and gender and contact details including your email address and telephone number.
- your application form or CV with details of your qualifications, skills, experience, employment history including volunteering.
- your terms and conditions of employment as detailed in your contract of employment.
- details of your bank account and national insurance number to administer your pay and other contractual benefits such as pension deductions, tax and national insurance contributions.
- information about your remuneration, including entitlement to benefits such as pensions, child care vouchers, cycle to work scheme etc.
- information about your marital status, next of kin, dependants and emergency contacts
- pre-employment checks including criminal record checks, nationality and entitlement to work in the UK checks and reference checks
- details of your work schedule (days of work and working hours), information about absences including annual leave, sickness absence, unpaid leave, family leave (maternity/paternity/adoption etc) and the reasons for the leave.
- information about medical or health conditions and if there is the need for reasonable adjustments. Correspondence and information relating to sickness absence reviews.

- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued and related correspondence.
- assessments of your performance, including appraisals, one to one supervisory meetings and any improving work performance plans and related correspondence.
- details of trade union membership.
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief.

What is the data being used for?

Wiltshire Council needs to process data to meet its obligations with you under your employment contract and to pay you and to administer benefit and pension entitlements.

In some cases, Wiltshire Council needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, in order to deliver its services Wiltshire Council needs to process personal employee data before, during and after the end of the employment relationship including to:

- run recruitment and promotion processes.
- maintain accurate and up-to-date employment records and contact details and records of employee contractual and statutory rights during employment and those connected to the termination and transfer of employment including TUPE.
- operate and keep records of employee relations including disciplinary, grievance and safeguarding processes to ensure acceptable conduct within the workplace
- operate and keep a record of employee performance and related processes to plan for career development, succession planning and workforce management purposes.
- undertake workforce, management and organisational planning activities, including completing statutory and legislative returns, to ensure effective operations of the Council
- operate and keep a record of absence and absence management procedures to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled.
- information about medical or health conditions including occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law and ensure that employees are receiving the pay or other benefits to which they are entitled.
- operate and keep a record of all leave (including annual, maternity, paternity, adoption, parental and shared parental leave etc.) to allow effective workforce management and to ensure that Wiltshire Council complies with its duties in relation to leave entitlement and that employees are receiving the pay or other benefits to which they are entitled.

- ensure effective general HR and business administration.
- provide references on request for current or former employees.
- respond to and defend against any legal claims.

Special categories

Where Wiltshire Council processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out its obligations and exercise specific rights in relation to employment.

Who will the data be obtained from?

In some cases Wiltshire Council may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Who will your data be shared with?

HR and OD will only share your data with third parties where it is required to do so and permitted under legislation e.g. in order to obtain pre-employment references, obtain employment checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. For applicants who require permission to work in the United Kingdom Wiltshire Council may need to share personal data with legal advisers and the Home Office to make sure it complies with immigration requirements.

Wiltshire Council will also share data with third parties that process data on its behalf e.g. in connection with payroll, the provision of benefits and the provision of occupational health services including R powered, Corvid, CGI, SW Audit partnership, HMRC, relevant pension funds and the Ministry of Justice.

Who has access to data?

HR and OD will share your personal data within the Council internally where necessary including your line manager, managers in the service area in which you work and managers if you are transferring to another service area.

How does the organisation protect data?

Wiltshire Council takes the security of your data seriously. The Council has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by its employees in the performance of their duties.

Where the council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. (link to any relevant policies/guidance)

For how long does the organisation keep data?

Wiltshire Council will hold your personal data for the duration of your employment and to comply with statutory legislation. The periods for which your data is held after the end of employment are detailed in the corporate retention schedule ([link](#)).

Your rights

As a data subject you have a number of rights.

Your rights are set out in Articles 13 to 22 of the General Data Protection Regulation 2016 and include:

- the right to access your personal information, to request rectification or erasure of certain personal information and to object to processing in certain circumstances.
- the right to withdraw any consent you may have given to process your personal information.
- the right to complain to the Information Commissioner if you feel we are processing your personal information unlawfully.
- the right to restrict processing activity in certain circumstances.
- the right to object to certain types of processing activity.

If you would like to exercise any of these rights, please contact our information governance team at dataprotection@wiltshire.gov.uk

What if you do not provide personal data?

Under your employment contract you have some obligations to provide Wiltshire Council with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Council with data to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the organisation to enter a contract of employment with you. If you do not provide this information, this will hinder Wiltshire Council's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Employment decisions are not based solely on automated decision-making.

Link to full Privacy Notice

For further information about how Wiltshire Council uses your personal data including your rights as a data subject, please see the Council's Corporate Privacy Notice on ([link to website](#))

Job applicant privacy notice

This privacy notice in accordance with the General Data Protection regulation (GDPR), May 2018 informs job applicants about how Wiltshire Council will use their personal data.

As part of any recruitment process Wiltshire Council collects and processes personal data relating to job applicants. Wiltshire Council is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Data controller: Wiltshire Council is the data controller for the personal information you provide and can be contacted at dataprotection@wiltshire.gov.uk

Data protection officer: **Andrew Holyoake**, Corporate Services and Digital Directorate

What information does the Council collect?

Wiltshire Council collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number.
- details of your qualifications, skills, experience and employment history.
- information about your current level of remuneration, including benefit entitlements.
- whether you have a disability for which the Council needs to make reasonable adjustments during the recruitment process.
- information about your entitlement to work in the UK for the purpose of immigration requirements.

Wiltshire Council can collect this information in a variety of ways e.g. from application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

Wiltshire Council may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. The council will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so apart from safeguarding roles within children's services when references will be sought prior to interview.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

Why does Wiltshire Council process personal data?

Wiltshire Council needs to process data to take steps, at your request, prior to entering into a contract with you. It may also need to process your data to enter into a contract with you.

In some cases, Wiltshire Council needs to process data to ensure that it is complying with its legal obligations e.g. it is required to check a successful applicant's eligibility to work in the UK before employment starts.

Processing personal data from job applicants and keeping records of the process allows the Council to deliver a service, manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. Wiltshire Council may also need to process data from job applicants to respond to and defend against legal claims.

Wiltshire Council may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics for equality monitoring purposes. It also collects information about whether applicants are disabled to make reasonable adjustments for candidates who have a disability. Wiltshire Council processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles Wiltshire Council is obliged to seek information about criminal convictions and offences. Where the Council seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.]

If your application is unsuccessful, Wiltshire Council may keep your personal data on file in case there are future employment opportunities for which you may be suited. The Council will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

Who has access to data?

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process and managers in the service area with a vacancy.

Wiltshire Council will not share your data with third parties unless your application for employment is successful and it makes you an offer of employment. If successful, the Council will then share your data with former employers and personal referees to obtain references and with employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks. The only exception to this is for safeguarding roles in Children's Services when references will be requested before interview.

For applicants who require permission to work in the United Kingdom Wiltshire Council may need to share personal data with legal advisers and the Home Office to make sure it complies with immigration requirements.

If you seek employment outside the EEA we may supply a reference to a prospective employer in response to an official reference request.

How does Wiltshire Council protect data?

Wiltshire Council takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

For how long does Wiltshire Council keep data?

If your application for employment is unsuccessful, Wiltshire Council will hold your data on file for 12 months after the end of the relevant recruitment process so it can respond to any queries and for statistical purposes in order to produce the annual equalities data report.

If your application is unsuccessful and the Council wants to hold your personal data on file for a further period (specify period) to consider you for future employment opportunities your consent will be obtained. At the end of that period (or once you withdraw your consent), your data will be deleted or destroyed.

Should Wiltshire Council conduct a resident labour market test for the sponsorship of a non-UK/EU applicant because there are no suitably qualified candidates from the UK/EU personal data for unsuccessful applicants may need to be retained for up to seven years for Home Office compliance audit purposes.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained for the duration of your employment. The details on your personnel file will be held in accordance with the Council's retention policy.

Your rights

As a data subject you have a number of rights.

Your rights are set out in Articles 13 to 22 of the General Data Protection Regulation 2016 and include:

- the right to access your personal information, to request rectification or erasure of certain personal information and to object to processing in certain circumstances.
- the right to withdraw any consent you may have given to process your personal information.
- the right to complain to the Information Commissioner if you feel we are processing your personal information unlawfully.
- the right to restrict processing activity in certain circumstances.
- the right to object to certain types of processing activity.

If you would like to exercise any of these rights, please contact our information governance team at dataprotection@wiltshire.gov.uk

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to Wiltshire council during the recruitment process. However, if you do not provide the information Wiltshire Council may not be able to process your application properly or at all.

Automated decision-making

Recruitment processes are not based solely on automated decision-making.

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WILTSHIRE COUNCIL STAFFING POLICY COMMITTEE

10 May 2018

Agreement of annual pay award (NJC) 2018/19

Purpose of the report

The purpose of this report is to provide staffing policy committee with information about the annual pay award 2018/19 which has recently been agreed by the national joint council (NJC).

Background

1. The majority of roles at the council (paid on grades A to O) have [pay rates](#) based on the national pay spine which is determined by the NJC for local government services which comprises of the national employers and the recognised trade unions – UNISON, GMB and UNITE.
2. Different [pay scales](#) apply to senior management staff on HAY grades (around 121 staff) with pay rates that are determined locally and are linked to market pay using the HAY pay databank for the public and not for profit sector.
3. A small number of specialist employees are covered by different terms and conditions, including [Youth and Community Workers](#), Teachers and [Soulbury](#) (90 in total) and therefore have salary scales which are negotiated separately by their national negotiating bodies.
4. The NJC pay award is negotiated and applied to the national pay spine on an annual basis. Following a three year pay freeze from 2010 to 2012 the majority of staff have been subject to a 1% pay increase each year from 2013 until the most recent two year pay deal agreed in 2016. In order to meet national living wage requirements these pay deals have had bottom loaded pay increases, meaning those on the lowest spinal points have received a higher percentage annual increase than those further up the pay spine.
5. The recent changes to the national pay spine have meant that points 1 to 5 of the pay spine have been removed so that all of the lowest paid workers have been placed onto point 6. This has resulted in the erosion of the pay differentials between staff and supervisors on the lower grades, particularly in schools.
6. Individual councils negotiate local arrangements for how they map grades against the national pay spine. Wiltshire Council currently has 15 grades, each grade spanning between 3 and 4 points of the national pay scale, except for the lowest grade which now has just one salary point. The council's pay grades were implemented and agreed with the unions as part of the pay reform agreement in 2007.
7. Each council also has the discretion for how employees progress through the grades and in Wiltshire Council incremental progression is based on time served in the grade. However, pay progression was frozen for two years as a result of changes to terms and conditions negotiated with the trade unions in 2016. Incremental progression recommenced in April 2018.

8. The implications of the recent national pay awards means our lowest pay grade (Grade A) now only has a single pay point and there is only a 5 pence per hour differential between those who are employed on Grade A and those at the bottom of Grade B. This currently has a low impact due to the very small numbers of staff on these grades but will have significant impact if this were to continue further up the pay scale, especially within schools.
9. The government has planned for the national living wage rate to continue to increase, with an expectation that it will reach at least £9 per hour by 2020 (potentially £10 per hour under a labour government). Currently the lowest point of the pay scale is £8.50 per hour. Based on the current pay spine this would require a 12.5% increase for those on the bottom spinal point of the scale.
10. As part of the two year national pay deal covering 2016/17 the national employers recognised the impact of the planned increases in the national living wage and promised to undertake a technical review of the NJC pay scale in time for the negotiations for the 2018/19 pay award.

Main considerations

11. Following a period of negotiation in 2017 the unions balloted their membership in February / March 2018 about the implementation of the national employers pay offer which was a 2% increase on the majority of spinal points with higher increases at the lower end of the scale. The offer also contained details of the agreed new spinal column to be implemented in April 2019.
12. Whilst members of GMB voted to accept this offer it was rejected by members of UNISON and Unite. However, as it was only narrowly rejected by UNISON members, further consultation took place within the UNISON branches and a meeting will take place in early April between all the unions to agree a way forward.
13. At that meeting UNISON and GMB both voted to accept the national employers' pay offer while Unite voted to reject. However, in line with the constitution of the NJC, Unite accepted the collective majority decision of the other unions that the pay award should now be implemented.
14. The pay award (appendix 1) will result in a pay increase of at least 2% for staff on grades A - O (including apprentice rates of pay), with grades at the bottom of our pay scale receiving an increase of up to 10%. This means that our lowest spinal point will be £8.50 per hour, higher than the new national living wage of £7.83 which was implemented on 1 April 2018.
15. The pay for April 2019 sees the lower end of the pay scale increase to at least £9.00 per hour in line with the government's desire to see the living wage increase to £9 per hour by 2020. There may have to be changes to the way we group spinal points in our grades as a result of these changes to the pay spine and work will be carried out this year to review how the new 2019 pay scale is implemented.

Financial implications

16. It is important to understand that there is no "cost neutral" option of implementing a new pay scale in 2019, as even if we decided not to continue to be part of national pay bargaining we would still need to implement a new pay spine which met living wage requirements going forward.
17. On 1 April 2018 the freeze on incremental progression was lifted and because there are a higher than usual number of employees with headroom to progress through the grade (due to the increment freeze), salary costs are set to increase faster than usual for the following two years. The impact of this and the impact of applying the new pay spine for 2019 to current staff employed (as at 1 July 2017) suggests that salary costs may increase by between 5 - 6% for

council staff and 6 – 7% for school support staff over the next 2 years (2018/19 & 2019/2020) if there are no changes to our grading structure.

18. The exact increase in costs can only be determined once there is agreement on how the pay spinal points will be grouped in grades from April 2019. Any changes to the grading structures will involve negotiation with the unions who will take a view on the impact on grades and pay and on the application of all the spinal points in the new table.
19. The council may also wish to take this opportunity to review and adjust the pay grading structure (implemented in 2007), but it would be difficult to achieve this without incurring even more additional costs.

Recommendation

20. It is recommended that staffing policy committee note the contents of this report and receive a further report later in 2018 outlining the options for consideration with the implementation of a new pay spine in April 2019.

Joanne Pitt
Head of HR & OD

Report author: Amanda George, Strategic Delivery Manager

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WILTSHIRE COUNCIL

Staffing Policy Committee
10 May 2018

APPRENTICESHIP UPDATE

Purpose

1. The purpose of the report is provide Staffing Policy Committee with an update on the progress on apprenticeships within the council's workforce since the implementation of the apprenticeship levy in May 2017, and to outline future plans to ensure the levy is maximised to support the development of our workforce.

Background

2. In October 2013, the government announced a number of reforms to the national apprenticeship programme as a way of introducing more rigorous standards, being more responsive to the needs of employers¹ and to meet the commitment of having 3 million apprenticeships in place by 2020. At the heart of these reforms is the aim to increase both the quantity and quality of apprenticeships.
3. The two elements of the above reforms which will have the most impact for Wiltshire Council are the levy, and the proposed public sector target.
4. The apprenticeship levy is charged at a rate of 0.5% of an employer's pay bill and is collected monthly by the HMRC through PAYE deductions, and is therefore another tax on employment costs. For the council's workforce the contribution was £470k in the first year and the total amount that the Council, including maintained and VC schools, will pay into the levy during any one year roughly equates to £1m.
5. The Public Sector Target is for public sector bodies with more than 250 employees in England to employ an average of at least 2.3% of their staff as apprentices from 2017-2021. This means that the council needs to have approx. 106 apprentices in the workforce each year until 2021, and for schools this is approx. 150 apprentices.

Main considerations

Current position

6. The current number of apprentices employed by the council is 90 (as at 16 April 2018). Of these 16 are newly recruited apprentices, and 74 are existing staff who are accessing apprenticeship training to upskill and gain qualifications that support their personal development and career progression, and also the council's succession plans. The table in Appendix 1 shows the current breakdown of where these apprentices are employed per corporate director area and the information in Appendix 2 breaks this down further to detail the number of apprentices per service area.
7. In addition to the 90 apprentices currently in place there are a further 8 civil engineering, 3 data analyst and 3 residential care apprenticeships pending. The apprenticeship standards for civil engineering have only recently become available and six of these will be for existing staff who will complete qualifications to support their own development and career progression, as well as two new apprentices. The civil engineering apprenticeships are

important opportunities for services where there has previously been recruitment and retention issues.

8. The total value of the 90 apprenticeships already in place in terms of the draw on our apprenticeship levy account is £622,863. This is the total amount that we will have used from our levy account once the apprenticeship training for these staff is completed. The value of the 14 apprenticeships pending and outlined above is £195,000. The value of each apprentice varies, with a greater draw on our account for those apprentices completing professional qualifications.
9. This current number of apprentices and the 14 pending equates to 98% of the public sector target and means we have 2.2% of our staff as apprentices.

How has this been achieved?

10. We have adopted a clear strategic approach and have focussed on organisational design and effective succession planning. A new role in HR&OD has been implemented to support this. The apprenticeship & training coordinator is responsible, as the council's apprenticeship expert, for providing advice and guidance on apprenticeship standards and the levy, supporting apprentices and also manages the council's levy account.
11. We have made good progress with our apprenticeship numbers and have started to roll out the HR&OD model of a planned approach to its recruitment strategy and succession planning. This is being used in discussion with services, led by the HR business partners and apprenticeship & training co-ordinator to identify opportunities for new apprentices and apprenticeship conversions.
12. A number of actions to attract and recruit new apprentices have been taken, and will continue. This includes:
 - The development and implementation of a recruitment marketing plan for apprenticeships, which includes our own apprenticeship landing page on the Wiltshire Council Careers site and social media channels (internal/external).
 - Working with schools, further education and higher education institutions to identify opportunities for sourcing apprenticeships into the council. This involves building partnerships, attending careers fayres and visiting schools to ensure Wiltshire Council's apprenticeship opportunities gains visibility.
 - Working with services to identify opportunities for apprenticeships in structures where these roles can support effective succession and meet future workforce plans. The aim will be that each service area will employ at least one apprentice.
 - Promoting and raising awareness of apprenticeships and the opportunities the levy provides to support succession planning and address recruitment and retention issues.
 - Ensuring a permanent role in the service establishment is available once the apprenticeship training is complete.
13. A significant proportion of our current apprentices are existing staff who are accessing apprenticeship training to upskill, and this has been achieved by:
 - Identifying opportunities for employee conversions to support succession planning.

A significant amount of the apprenticeship funding is being used to train and develop the council's current workforce. Staff remain in, and are paid against their substantive post, whilst they undertake the qualification or training required to complete an apprenticeship.

These opportunities for apprenticeship conversions are being identified within service areas as part of the work to support service re-design and re-structure and as part of regular workforce planning conversations. Heads of service are being encouraged by their HR business partners to take the opportunity to develop their staff and provide effective succession planning to meet both current and future needs. To support these discussions, apprenticeships have been mapped against current role descriptions using the apprenticeship standards which have been developed.

- Accessing apprenticeship levy to fund a new accredited leadership and management programme.

Levy funding to support accredited leadership and management development is being used. This programme will ensure we have clear career pathways and will strengthen leadership and management capabilities within the organisation as part of the overall learning and development offer. As well as providing development for existing managers, this has also provided opportunities for employees who aspire to be a manager to convert onto an apprenticeship that will enable them to acquire the skills and competencies needed to secure their first management position as part of a structured programme that leads to a recognised management qualification. This development aims to support their transition to a new role, and improve management and leadership skills for those already in a managerial role.

14. As well as developing aspirational and existing managers to ensure the council has effective leaders, this approach also supports effective succession planning, aids staff retention and supports staff engagement. The access to apprenticeship training to upskill existing staff also supports personal progression and the achievement of individual career aspirations, whether within or outside the council.

What's next?

15. Plans that have been developed to further increase apprenticeships and sustain the progress and include:

- A further cohort of Leadership and Management apprentices at Level 3 and 5, with the programme starting in October 2018. This is part of a rolling programme of leadership and management development now in place.
- Working with adult care as part of the transformation of services to embed apprenticeships, especially in health and social care roles.
- Opportunities for staff to complete a level 6 Chartered Manager degree as an apprenticeship.
- Involvement in the CIPS (Chartered Institute of Procurement & Supply) level 6 trailblazer.
- Opportunities for staff to complete a level 7 Senior Leaders Masters as an apprenticeship.

16. In addition we are also anticipating the availability of level 8 apprenticeships, and whilst there has been a delay in the availability of social work apprenticeship standards, we are anticipating these being available from the autumn.

17. Other plans include:

- Offering higher-level and degree-level apprenticeships.

There will be opportunities to offer higher level apprenticeships within services in highways and transport, where there have been recruitment and retention issues.

These apprenticeships will provide training to acquire the high level of technical skills and the qualifications required in these services. This will also reduce recruitment and advertising costs and improve succession planning and resilience within the services by providing new and current staff with access to higher level qualifications, and therefore career progression within their service. A review of service structures to create entry level opportunities has also been completed and we now have 1 employee undertaking a Civil Engineering Degree Apprenticeship in Highways & Transport, and as outlined a further 8 in the pipeline.

- Other opportunities to develop higher level/degree level apprenticeship are also being explored, in particular those aimed at roles in services where there are technical/hard to fill roles. The main aim of this approach is to support current workforce plans in services where there has been difficulty recruiting and retaining staff, and where there are limited or no opportunities for lower level apprenticeships. In addition, these apprenticeships have a greater draw on the levy than the lower level apprenticeships. For example, a level 2 business administration apprentice will draw down approximately £2,000 of the apprentice levy, whereas a level 3 team leader apprenticeship draws down £5,000 of funding from the levy, and some level 6 degree/professional level apprenticeships draw down £27,000.

- Limiting recruitment of apprenticeships to roles graded C to E

A level 3 apprenticeship qualification, or equivalent, is required for most posts graded C to E. Therefore there is the opportunity to restrict recruitment to these posts as far as possible to new apprentices where a relevant standard is available, and the 20% off the job training can be accommodated without affecting service delivery. Current workforce data suggests that there is the potential for up to 66 new apprenticeships per year to fill grade C to E posts based on the current headcount and turnover in posts which may be suitable for an apprentice. This approach would further maximise the levy funding we have available, so further work to explore this as a standard process will be taken over coming months

- Targeting services

A structured programme to target service areas where there are currently no apprentices will be developed and actioned, and this will include exploring with managers the options they have to create apprenticeship opportunities in their services. This may include setting a target for achievement. For example based on 67 service areas if all recruited 2 new apprentices, or converted 2 current staff for upskilling, this would represent 134 apprentices and means that we would exceed the proposed public sector target. Further work to explore the viability of this as an option will be taken, taking into account services where this may not be achievable based on service size, and availability of suitable apprenticeship standards as we are aware that there is a delay in certain standards being delivered, (for example in planning), and in some cases there are still no standards being developed.

- Care Leavers/Looked After Children

The council is the corporate parent to care leavers and looked after children (LAC) in Wiltshire and has a responsibility to improve the lives of these young people. As a result the apprenticeship policy has been updated to include a guaranteed interview to any Wiltshire care leaver or LAC who applies for an apprenticeship with the council, where the role is grade C-E, and the care leaver/LAC has disclosed their status in their application form. Where this requires the care leaver/LAC to complete their functional skills as part of the apprenticeship (this gives them sufficient literacy & numeracy skills

equivalent to GCSE grade C), additional support will be provided by the apprenticeship provider, and the apprenticeship training will not be completed until the apprentice competes their functional skills.

Some initiatives are also being progressed to help to raise the profile of the council with care leavers/LAC's as an employer, as well as providing them with valuable employability skills and experience and pathways to apprenticeships. These are:

- A mock interview scheme for care leavers/LAC's is being developed within the council. These interviews are designed to give young people the chance to experience what may be their first interview, or hone their existing interview skills, in a safe place. They will receive feedback following their interview. Managers who have experience of interviewing have been asked to participate. Future calls for volunteers to be on the interview panel may go wider than just managers, so long as they have significant interview experience. A pack to support the interviewees with preparation, including lots of helpful hints and tips has also been developed. Interviewees will be able to choose between three jobs (facilities operations officer, leisure centre receptionist and apprentice business support officer in planning) to be interviewed for. Interviewers will be provided with all interview questions and a feedback sheet.
 - Opportunities for frontline work experience are being developed, initially in facilities management and leisure, with a view to extending to jobs in our environment services in the future. These week-long placements will be designed to be as flexible as possible, for example, could be undertaken as one day a week for five weeks rather than all in one week. Frontline placements are preferable as no IT equipment or access is needed.
- Business Apprentices
18. The option to develop a pool of business administration apprentices will be explored, possibly targeting school leavers, on the understanding that once they complete their apprenticeships it is likely that there would be a vacancy in the council based on turnover rates for these types of posts. Alternatively, they could be employed via the Wiltshire Temporary Bank until a suitable vacancy becomes available to meet to meet fluctuating demands on services, and to support changes in business priorities and increased demand affecting capacity, for example the long term staff absence and the recent incident in Salisbury. Funding to support this initiative would need to be agreed.

- Social Care Apprentices
19. Options to use the levy funding for social care apprentices within the council and with our provider services in health and social care are being explored. This would support the work to resolve the widespread recruitment and retention difficulties in these services.

Apprenticeships in schools

20. Based on the current number of apprentices employed by the council, and the rate at and basis on which we currently employ apprentices, we are on track to reach the public sector target in relation to council employees. However, our apprenticeship levy also includes levy contributions from maintained/VC schools who therefore have their own target, which equates to approx. 150 apprentices per year.
21. As outlined the council's contribution to the levy in respect of the non-schools pay bill is estimated to be £0.47m and the contribution for maintained/VC schools is 0.53m. These amounts are, as outlined, in one levy account which the council manages as the guidance

has confirmed that we cannot disaggregate the funding for the council to separate the amount that applies to schools.

22. This means that the council has to manage the levy on behalf of schools and as a consequence this has raised resource implications for managing the levy as the management of the schools element of the levy is, and will continue to be, an additional demand on resources in HR&OD, and there has been no potential to recover the cost of this from schools based on current arrangements.
23. The take up of apprentices in schools has been slow. The pace is affected by the size of the workforce in each school and the availability of roles suitable for apprenticeships. Currently there is 1 apprentice employed in our maintained/VC schools, and 3 are currently pending.
24. The apprenticeship & training co-ordinator has recently attended Right Choice events in the county to raise awareness of apprenticeships in schools (maintained & VC schools) and apprenticeship advice and support is now available to schools via this website at a charge.
25. If the availability of these apprenticeship services to schools demonstrate demand on our apprenticeship & training co-ordinator, and capacity becomes stretched, then the income generated will be used to recruit/allocate additional resource to assist with schools so that they can maximise our apprenticeship levy.

Commissioning training provision and managing the councils levy account

26. Several procurement exercises have been undertaken to ensure the council has a framework of preferred training providers, as one single training provider cannot meet all of our apprenticeship requirements. In addition the council is required to demonstrate that it is securing value for money, and has to meet the apprenticeship levy rules relating to procurement of training providers published by the Education and Skills Funding Agency (ESFA).
27. The apprenticeship & training co-ordinator, who is the council's apprenticeship expert and who commissions the provision of apprenticeship training, monitors the quality of the training provision and manages our levy account. Some of these tasks were previously carried out by the training providers but under the new levy funding reforms they are now the responsibility of the council and this role. Other tasks carried out by this role include monitoring attendance at training, supporting apprentices who are finding the training difficult and liaising with managers to ensure the apprentices are adequately supported.
28. The implementation of the apprenticeship levy has also had an impact on the capacity within the payroll team, as management of the interface with the HMRC, configuration of payroll to ensure that the levy is paid appropriately and the reconciliation payments that are made is now the responsibility of this team. This additional demand on team has so far been absorbed within existing resources.

Levy opportunities to support the economy

29. From April 2018, employers can transfer up to 10% of their apprenticeship levy to smaller firms who do not contribute to the levy. This has been designed to allow larger employers to support their supply chains, and local SME's (small & medium size enterprises).
30. For 2018/19, the ESFA have stated that employers can only transfer up to 10% of the levy to one employer but from 2019/20 employers will be able to transfer up to 10% to multiple

employers. This will allow us to support our local economy and many of our local micro businesses and SME's to grow. HR&OD will work closely with our services, the employment & skills team, Higher Futures and the SWLEP to ensure businesses are supported.

Conclusion

31. Our realistic and achievable plan to employing apprentices needs to add value to the organisation, considering current job types/roles and the future skills/capabilities needed, and needs to be developed and matched against the new apprenticeship standards available.
32. Progress has been good in the first year since the levy was implemented. The council has already achieved 96% of the target for apprenticeships and future plans means that the target should be met and sustained.
33. There is still some work to do to develop the understanding of the opportunities the levy now provides with some services, and plans to target services to employ apprentices or convert existing staff to apprentices to support their own succession plans and to support personal development and career progression for their staff will assist with this.
34. New apprenticeship standards are being developed all of the time and as they become available we will continue to work with services to identify how they can make use of these new standards to aid recruitment and retention issues, for example in social work.
35. Whilst advice and support is available to schools it is unlikely that the public service target in respect of the schools workforce will be met. Identifying apprenticeship opportunities in schools is more difficult due to the size of the workforce in each school which means there are limited opportunities for new apprenticeships and limited capacity to provide the level of supervision needed. However we are confident that the council will exceed its own target for apprentices, and this will contribute to the overall target of approx. 256 that are needed by 2021.
36. Feedback from the council's National Apprenticeship Service account manager about the progress we have made has been very positive, and he has endorsed our approach with the actions we have taken and initiatives outlined in this report. Feedback is that we are ahead of many other organisations and are embedding a sustainable approach to utilising our apprenticeship levy, in particular by ensuring that on successful completion of an apprenticeship a permanent job is available.

Financial considerations

37. As outlined in paragraph 4 the apprenticeship levy is charged at a rate of 0.5% of an employer's pay bill and is collected monthly by the HMRC through PAYE deductions. Based on current calculations this means that the council's contribution to the levy per annum will be approx. £0.47m, with schools (maintained and VC) contributing £0.53m to the same levy account. These figures are an approximation as our staff numbers fluctuate and, therefore, so does our employer's pay bill.
38. Funding for apprenticeship training stays in our digital account for 24 months and then any unused funding will disappear.
39. Based on the 90 apprentices currently in place and the 8 that are pending we will have used £622, 863 of our levy by the time the apprenticeship training is complete. However for some apprenticeship the full cost of the training will not be drawn from the levy for up to 3

years, and in particular for this will be the case for some of the higher level apprentices. It is important therefore that every step is taken to create opportunities for apprenticeships to maximise our return on the levy.

40. As outlined in paragraph 10 a new role in HR&OD is now in place to co-ordinate and monitor the apprenticeship programme of work, support the apprentices, provide advice and support to council services and schools and manage the councils levy account. This resource costs around £39,000 per annum the cost of this has been absorbed within the HR&OD revenue budget.

Legal considerations

41. Legal considerations have been sought and taken into consideration around procurement regulations and implications.

Equalities considerations

42. The apprenticeship programme will support the council in fulfilling its responsibilities under the Public Sector Equality Duty/PSED (2010) through increasing equality of opportunity and improving life chances, particularly for those groups named within the Equality Act (e.g. disabled people) and vulnerable groups such as children in care.
43. Actions developed as part of a wider council strategy will ensure that full consideration is paid to the Equality Act and the PSED.

Risks

44. A lack of engagement from services in recruiting new apprentices and/or converting existing staff to apprentices is a risk to the achievement of the public sector target for apprentices which must be achieved by 2012, and means that the council would not maximise the use of the funding that we have contributed to the levy, which is significant.
45. There is a risk that the capacity in HR&OD required to support the apprenticeship programme may not be continue to be available. The cost of the new apprenticeship & training coordinator role has been absorbed within the HR&OD revenue budget against which there are further salary savings targets for 2018/19. In addition the service is meeting increased demand as a result of significant transformation programmes that are taking place, for example ASC transformation and FACT (families & children transformation). The position will be monitored and steps will be taken in consultation with the corporate leadership team to address this when required.

Recommendations

46. It is recommended that Staffing Policy Committee note the contents of this report and that a further report will be provided in 12 months to give a further update on the progress of apprenticeships.

Joanne Pitt
Director, HR&OD

Report author: Heather Keaveney, OD Delivery Manager

Appendix 1

Number of Apprenticeships per Corporate Director Area

Corporate Directors							
Vacant Adult Social Services		Terence Herbert Children & Education		Alistair Cunningham Growth, Investment & Place		Dr Carlton Brand Communities, Resources & Digital	
Apprenticeship	No. enrolled	Apprenticeship	No. enrolled	Apprenticeship	No. enrolled	Apprenticeship	No. enrolled
CMI L6 Degree Apprenticeship		CMI L6 Degree Apprenticeship		CMI L6 Degree Apprenticeship		CMI L6 Degree Apprenticeship	
L3 HR Support		L3 HR Support		L3 HR Support		L3 HR Support	1
L5 HR Consultant/Business Partner		L5 HR Consultant/Business Partner		L5 HR Consultant/Business Partner		L5 HR Consultant/Business Partner	5
L4 Data Analyst		L4 Data Analyst	1	L4 Data Analyst		L4 Data Analyst	
L3 Digital Marketer		L3 Digital Marketer		L3 Digital Marketer		L3 Digital Marketer	
L4 Social Media & Digital Marketing		L4 Social Media & Digital Marketing		L4 Social Media & Digital Marketing		L4 Social Media & Digital Marketing	1
L3 Lead adult care		L3 Lead adult care		L3 Lead adult care		L3 Lead adult care	
L2 Business Administration		L2 Business Administration		L2 Business Administration		L2 Business Administration	
L3 Business Administration		L3 Business Administration	4	L3 Business Administration	2	L3 Business Administration	4
L4 Business Administration		L4 Business Administration	1	L4 Business Administration		L4 Business Administration	1
CMI L3 Diploma in Principles of Leadership & Management	4	CMI L3 Diploma in Principles of Leadership & Management	4	CMI L3 Diploma in Principles of Leadership & Management	7	CMI L3 Diploma in Principles of Leadership & Management	7
CMI L5 Diploma in Leadership & Management	7	CMI L5 Diploma in Leadership & Management	4	CMI L5 Diploma in Leadership & Management	11	CMI L5 Diploma in Leadership & Management	17
L3 Assistant Accountant		L3 Assistant Accountant		L3 Assistant Accountant		L3 Assistant Accountant	2
L3 Building Control		L3 Building Control		L3 Building Control	1	L3 Building Control	
L6 Degree Apprenticeship in Civil Engineering		L6 Degree Apprenticeship in Civil Engineering		L6 Degree Apprenticeship in Civil Engineering	1	L6 Degree Apprenticeship in Civil Engineering	
L3 Plumbing & Heating		L3 Plumbing & Heating		L3 Plumbing & Heating		L3 Plumbing & Heating	
L3 Carpentry		L3 Carpentry		L3 Carpentry		L3 Carpentry	
L3 Vehicle Mechanic (old framework)		L3 Vehicle Mechanic (old framework)		L3 Vehicle Mechanic (old framework)	1	L3 Vehicle Mechanic (old framework)	
L3 Customer Service		L3 Customer Service		L3 Customer Service		L3 Customer Service	1
L3 Management (old framework)		L3 Management (old framework)		L3 Management (old framework)	3	L3 Management (old framework)	
Total	11	Total	14	Total	26	Total	39

Appendix 2

Number of apprenticeships per Service area

Directorate	Service Area	Apprentice New Starts	Apprentice Upskillers	Total
Public Health	Health Promotion & Prevention		2	2
	Public Health			0
Social Care - Interim	Adult Care Ops - Access and Reablement		6	6
	Adult Care Ops - Continued Support		3	3
	Total	0	11	11
Commissioning	Commissioning - Community Services			0
	Joint Commissioning	1	1	2
	Specialist Commissioning		1	1
Family & Children's Services	0-25yr SEND Service		2	2
	Child Sexual Exploitation Team			0
	Childrens Support & Safeguarding	1	2	3
	CSI Secondment			0
	Early Help			0
	Family & Children's Services			0
	Peformance & Information Team	1	1	2
	Placement Servi - Fostering and Adoption	2		2
	Quality Assurance & Principal Social Wrk			0
Education and Skills	Education and Skills			0
	Employment and Skills		1	1
	School Effectiveness	1		1
	Total	6	8	14
Econ Reg, Emp & Skills, Major Projects	Dev Mgmt, Operations & Spatial Planning		1	1
	Development Management			0
	Econ Reg, Emp & Skills, Major Projects			0
	Economic Regeneration			0

Directorate	Service Area	Apprentice New Starts	Apprentice Upskillers	Total
	Major Projects Services			0
	Operations		3	3
	Spatial Planning Services			0
Highways and Transport	Highways and Streetscene - North		2	2
	Highways and Streetscene - South			0
	Highways and Transport			0
	Highways Assets & Commissioning		6	6
	Passenger Transport		1	1
	Sustainable Transport			0
Housing and Commercial Development	Housing - Strategy & Assets		3	3
	Housing Operations and People		3	3
	Strategic Asset & FM		4	4
Waste and Environment	Culture and Operational Change	2	1	3
	Environment Services			0
	Waste and Environment			0
	Waste Management Commissioning			0
	Waste Services			0
	Total	2	24	26
Finance & Procurement	Business Services Finance			0
	Finance	2		2
	Finance - Care			0
	Finance - Corporate		1	1
	Finance - ENV		1	1
	Finance & Procurement			0
	NEW Pensions			0
	Pensions			0
	Revenue and Benefits			0
	Strategic Procurement			0

Directorate	Service Area	Apprentice New Starts	Apprentice Upskillers	Total
HR & OD	HR & OD			0
	HR Operations		2	2
	Payroll and Service Development	2	1	3
	Resourcing	2	3	5
	Strategic Delivery	1	1	2
Legal & Democratic	Democratic Services		3	3
	Electoral Services			0
	Legal & Democratic			0
	LEGAL SERVICES		2	2
	Registration Service	1		1
Communities and Communications	Communications (Events and Marketing)			0
	Communications (News and Information)			0
	Communities and Communications			0
	Community Engagement & Governance		5	5
	Leisure Operations			0
	Leisure Strategy		2	2
	Library Heritage and Arts			0
	NEW CITY HALL			0
Corporate Leadership Team	Corporate Leadership Team		2	2
Corporate Services and Digital	Corporate Services and Digital			0
	Customer Services			0
	Information Services		1	1
	Policy Partnerships & Assurance		4	4
	Programme Office		3	3
	Systems Thinking			0
	Total	8	31	39
	Grand Total	16	74	90

Quarterly Workforce Report

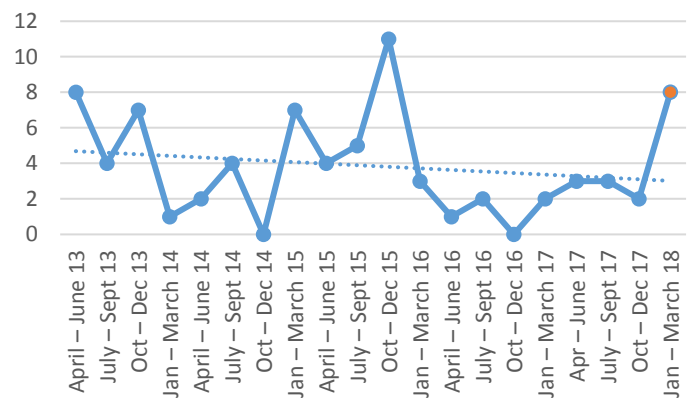
January – March 2018



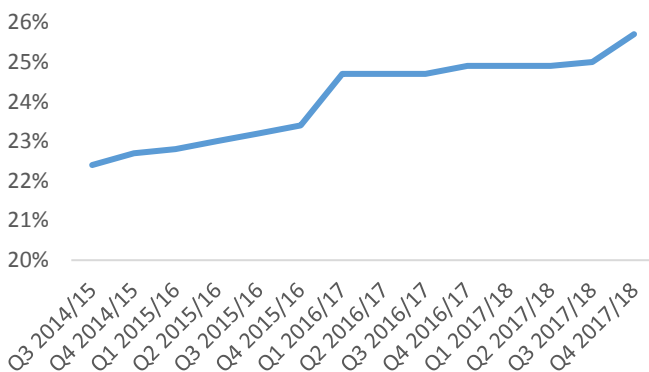
Key Observations

Grievances have increased this quarter however compared with the five-year average, the figure for the current quarter is not significantly elevated. This is set against the context of a downward trend over the last five years. Should there be a developing trend of quarters with an increased number of grievances, this will become an area for further investigation. There is no one specific service from which this increase has come. The HR Advisory team have arranged a series of two-hour workshops on grievances to equip attendees with the right skills to manage these situations.

Grievances



% over 55s at Wiltshire Council



Since October 2014 the percentage of council staff aged over 55 has been slowly increasing, and for the first time now exceeds 25% of all staff. This increases the potential for flight risk and could contribute to succession issues in the workforce, with the potential of losing an average of 14 years' experience at the council per person. Additionally, a significant proportion of these staff are in senior management roles.

There was an increase in voluntary turnover across the council in this quarter. CIPD state that the highest turnover rates tend to be found where unemployment is lowest and where it is relatively easy for people to secure desirable alternative employment (CIPD). Information from the NOMIS website, based on 2017 data, identifies that Wiltshire has favourable unemployment and economically active/employment rates in comparison to the 'South West' and Great Britain as a whole, suggesting that economic factors are likely to having an impact on our turnover rates. The recent agreement of the national NJC pay award and the reinstatement of pay increments may have the opposite effect on turnover; we will be monitoring this over the coming quarters. The research tells us that another factor that is likely to affect turnover is the lack of access to adequate development opportunities, so this factor is explored further in the themed commentary below.



THEMED COMMENTARY

Organisational Development

The 2016 staff survey highlighted 'Learning and Development Opportunities' as a corporate priority

The aims of the 2017 – 2027 People Strategy are to ensure that our systems, practices and policies are progressive and innovative, and we develop and enable our staff to work together and in partnership to deliver our services to build stronger communities. Our learning and development offer is supported by the apprenticeship levy to not only improve the education of our young people, provide employment opportunities, and grow the Wiltshire economy it will also enable us to invest in existing staff and ensure we high performing, capable and skilled staff.

The priorities in the new People Strategy have been informed by the results of the 2016 staff survey, which was conducted in late 2016.

Responses were sought to understand employee sentiment and engagement on several different facets of their experiences of work at the council, with the aim of identifying and understanding what the council does well and what we could improve on as an organisation.

The 2016 survey explored how staff felt about the learning & development that was offered to them by the council and in the survey results we saw a reduction in the positive responses to questions relating to learning and development, which was a significant reduction in the compared to the results of the previous survey in 2014.



Learning and development		Section Average: 43% Positive		
		% Positive	% Neutral	% Negative
41	There are sufficient opportunities for me to receive training and development to improve my skills in my current job	45	24	31
42	The learning and development I have received is helping to develop my career	41	37	23
		% Positive 2016	% Positive 2014	% Positive 2012
		45	61	55
		41	52	48

When coupling this quantitative data with analysis of the qualitative free text comments regarding learning and development, we can clearly see that staff were not happy with the learning & development on offer. The results indicated that staff believed there were fewer opportunities to receive learning and development to improve their skills, and also felt that when they did receive training it was not helping to develop their career. In addition, we could see from the responses that many felt that they were not given enough support, or the relevant time away from their work, to attend or complete training.

As a result of the survey, CLT identified learning and development as a corporate priority, leading to the creation of a statement of intent to review our learning and development offer and help staff to develop a “your career is your asset” mindset where they take responsibility for their own learning & development, supported by their manager. The new People Strategy now includes priorities relating to workforce development and retention and these priorities have translated into actions for HR&OD.

Priority 1: Access apprenticeship levy funding to support the workforce with succession, progression and redeployment, and offer learning loans for professional qualifications to support personal development and progression, empowering staff to have a ‘career is my asset’ mindset.

A cultural change programme was developed with the aim of moving toward a “career is your asset” mindset, the idea being it should be the impetus of the employee to put their own career first and make time to develop themselves, rather than rely on traditional “pushed” methods of training from the organisation. The objective of this programme is to empower staff and, utilising our learning and development offer, ensure that we have the right staff with the right skills in the right place to help deliver our business plan.

This was further implemented in corporate strategy, through the current Business Plan which states the need for an ‘outstanding workforce’ with a can-do attitude, supported through learning and development. The Organisational Development (OD) team have utilised the EPIC engagement group to spread the “career is your asset” message and raise awareness of the responsibility to be accountable for your own development.

The introduction of the apprenticeship levy gives the opportunity not only for new recruits to begin a development path with Wiltshire Council, but also gives the opportunity to upskill the current workforce to address skills gaps. To date we have had 16 newly recruited apprentices taking up this offer, and 74 existing staff have begun undertaking a formal apprenticeship. We also have a further 14 new apprentices in the pipeline; together this constitutes achieving 98% of our levy target. The apprenticeship levy can also support managers in thinking more strategically about their workforce and structure, allowing managers to understand what skills are required and where/how they are going to meet those skills. This supports better workforce planning and succession planning within the service/team. Some managers have been utilising the apprenticeship levy to address roles that have previously proved hard to recruit to; by upskilling their current staff. For example we have 6 up-skillers in the pipeline, covering various levels of civil engineering and an employee undertaking a professional technical building control apprenticeship.



Learning loans have had a small initial take up; we will report further on this in the future.

Priority 2: Collaborate with local and national educational establishments and colleges to procure learning for our apprentices, graduate placements and internships

To support the achievement of the apprenticeship levy target, we have entered into contracts with a number of new learning providers and education establishment to provide high quality training and assessment for apprentices. These include Bath and Bournemouth Universities for student social workers, University of the West of England (UWE) and Wiltshire College for delivering apprenticeships across a number of subjects. Over the last year we have been engaging with partners to arrange more strategic pathways to procure apprenticeship providers, an example of this being Nottingham City Council’s public sector procurement arrangement, the Directory of Approved Apprenticeship Providers (DAAP). The OD team will continue to investigate opportunities to deliver newly developed standards and frameworks as they are approved.

Priority 3: Deliver a programme of management / leadership development initiatives which supports and develops aspiring, new and existing senior managers to be role models of good working practice with the skills and knowledge to effectively lead, inspire, performance manage and engage their teams

When the apprenticeship levy was first introduced, the availability of Leadership and Management apprenticeships proved so popular that the OD team have now developed and launched a ‘Leadership & Management Programme’. This is now available to staff who aspire to become a manager and to new and existing managers, and is proving to be quite a success story. The preface being that we develop our current or future leaders to ensure they are more resilient, innovative, creative and support and develop their staff. To date over £440k has already been committed from our apprenticeship levy account to support this programme; we have had 137 applications for the leadership & management programme, with 99 currently attending one of the levels of the programme as follows:

Leadership & Management Programme	Successful applicants
Aspiring Leader in house non-accredited* Programme	26
Developing Leader in house non-accredited* Programme	11
CMI L3 Diploma in Principles of Leadership & Management	23
CMI L5 Diploma in Leadership & Management	39

*Non-accredited meaning not undertaking a formal apprenticeship

Due to its success, there are plans for a 3rd cohort for the Leadership & Management Programme to commence later in 2018.

Priorities 4 & 5: ‘Deliver a blended programme of learning and development that is aligned with demand identified in services that will enable staff to develop the right skills that support the delivery of the business plan’ and ‘Deliver a comprehensive suite of statutory and mandatory training to ensure all staff and managers can perform their jobs competently and legally within our communities’

One of the other overriding themes from the analysis of the answers to questions about learning and development in the staff survey results was that staff do not feel that the training available is relevant to them. The additional capacity to deliver learning and development funded by the apprenticeship levy goes some way in helping to address this. The opportunities that the levy is providing will increase further as more standards become available. We also have the opportunity to start ‘trailblazer’ group to develop standards that are not available, or planned to be available.

We are aware that some staff are not able to commit to completing a formal and lengthy qualification, so we have procured a suite of e-learning content from ‘Learning Pool’ to provide staff with learning and development that is easy to access, and complete. These are award winning, mobile and tablet responsive and fully customisable e-learning modules which are being integrated into our ‘grow’ learning management system. These are currently being used for:

- Compliance/mandatory purposes – i.e. Information Governance training programme, care certificate modules etc.
- To support the Leadership & Management programme – i.e. modules on becoming an effective leader
- Self-development (career is our asset) – i.e. assertive communication, presentation skills
- Bespoke learning for specific groups – i.e. SAP for budget managers

The learning pool content will also be used to support the ongoing transformation programmes in Adults/Children’s social care; HR are currently working with the services to develop a range of care modules. By utilising the grow system to enable us to push mandatory training to staff this ensures that all staff will be performing their jobs competently and legally within our communities and minimises the risk of severe breaches of policy – an area identified as a priority in our current People Strategy.

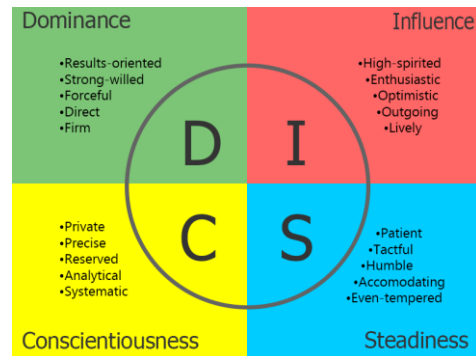
Looking at the numbers of staff undertaking training that is non-mandatory, so self-directed, prior to the staff survey and post staff survey we can see a significant increase; especially when looking at e-learning. From the staff survey, a significant message that came out from it was that the learning that they had received was not relevant. However, we can see from these numbers that the work we have been doing, and the procurement of learning pool, has meant that our learning offer has become much more relevant to staff.

Type of Learning	No. of staff undertaking a non-mandatory course		% Increase
	Apr 17 – Apr 18	Oct 15 - Oct 16 (12 months prior to staff survey)	
E-Learning	2052	758	171%
Face to face and facilitated	7738	5861	32%
Total	9790	6619	48%

Alongside the improvements in the availability of self-directed learning the increased capacity to deliver e-learning through grow also has the potential to deliver similar improvements in accessibility and take up on mandatory learning. An example of this would be the recent launch of a suite of mandatory information governance e-learning modules

Priority 6: Deliver packages of cultural, behavioural and attitudinal initiatives which aim to build organisational capability and capacity and improve collaboration. Embed our behaviours through coaching, mentoring, action learning, facilitation of cultural and train the trainer programmes

The OD team have recently developed a programme of work to better understand and identify the behavioural aspects, and how they influence workforce performance. This includes using techniques such as Personal Profile Analysis (PPA) and an understanding of different behavioural styles in order to support change and working relationships. By categorising the workforce; the OD team can understand how staff respond to information and what motivates them, in order to ascertain the best strategy to engage and develop them. This will enable the OD team to tailor and target learning to specific services' needs, in order for the service to perform competently, and support delivery of the Business Plan.



In conclusion, the movement towards a 'career is your asset' mindset predominantly underpins the successful delivery of the People Strategy priorities which are also aligned with the priorities in the Business Plan. However, this does represent a significant change in culture and, like most cultural change, the timeframe of this is uncertain. The learning and development opportunities that have developed and launched since the 2016 staff survey results were published appear to have been popular choices if take up is a measure of success. However the real proof of this will be reflected in positive business outcomes, such as improved staff retention, the ability of staff to progress leading to improved business continuity, better service provision for the council and the responses we get to the same questions in the next staff survey. To augment our existing measures, we are investigating new ways of effectively quantifying these outcomes.

QUARTERLY WORKFORCE Measures

Quarter ended: 31 March 2018

Staffing Levels				
Measure	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan – March 18
Headcount	4635	4602	4615	4630
FTE	3511	3489	3473	3476
Agency worker use (equivalent number of FTE's used during quarter)	97.3	105.4	100.1	101.2
Ratio of managers to employees	1:10.3	1:10.4	1:10.2	1:10.2
FTE of managers	439	431	440	440
Number of redundancies made during quarter	19	19	17	10
Ratio of starters to leavers (FTE)	1:1.4	1:1.1	1:0.8	1:1

Sickness Absence					
Measure	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan – March 18	Jan – March 17
Working days lost per FTE	2.2 days	2.1 days	2.1 days	2.4 days	2.7 days
% of total absences over 20 days	53.5%	49.4%	42.3%	43.8%	42.9%

Health and Safety <u>RIDDOR</u> related injuries				
Measure	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan – March 18
No. of workplace incidents/injuries reported	0	2	3	tbc

New Disciplinary, Grievance and Absence Cases				
Measure	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan – March 18
Disciplinary cases	16	14	16	18
Grievance cases	3	3	2	8
Absence cases	131	183	153	133

Voluntary Staff Turnover					
Measure	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan - March 18	Jan – March 17
% staff turnover	2.6%	3.3%	2.0%	2.5%	2.2%
% <1 year turnover rate	4.3%	5.9%	3.4%	5.6%	3.2%
% Under 25's voluntary turnover	5.1%	10.5%	4.0%	5.0%	1.9%
Average leavers' length of service	8.1 years	7.2 years	7.8 years	7.5 years	8.4 years

Employee costs					
Measure Relating to Quarter	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan – March 18	Jan – March 17
Total paid in salaries to employees (non casual)	£25.23m	£25.25m	£25.19m	£25.05m	£25.08m
Total paid in salary to casual employees	£0.48m	£0.55m	£0.56m	£0.48m	£0.40m
Total salary pay	£25.71m	£25.80m	£25.75m	£25.53m	£25.49m
Total paid to agency workers	£1.06m	£1.10m	£1.11m	£1.26m	£1.15m
Median employee basic salary	£20,661	£20,661	£20,661	£20,661	£20,456

Why this is important: Clear budgetary constraints mean that keeping track of this information is vital. Whilst we are seeing a reduction in contracted employees we may see some services using alternative resourcing options on a more regular basis such as agency workers, consultants or casuals. This information will highlight whether this is happening or not.

Additional financial information				
Measure (If the figure is negative a saving has been achieved)	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan – March 18
Cost of sick pay	£0.78m	£0.65m	£0.68m	£0.77m
FTE change due to employee hour changes	-4.6	-8.2	-7.3	-9.3
Cost/saving of employee hour changes	-£125,180	-£210,079	-£200,654	-£227,267

Why this is important: Sick pay amounted to £2,889,362 across Wiltshire Council during the 2017-18 financial year and therefore this is a substantial area of spend that should be minimised whenever possible. FTE changes indicate where services may be looking to employees to work more hours than they previously have done to cover gaps where a reduction in the headcount of employees has been made. It could also be an indication that services are adopting a more positive approach to flexible working.

Employee Diversity					
Measure	Apr – June 17	July – Sept 17	Oct – Dec 17	Jan – March 18	Jan – March 17
% < 25	6.5%	6.0%	6.5%	6.5%	6.7%
% 55 and over	24.9%	24.9%	25%	25.7%	24.9%
% Female	70.2%	70.9%	70.6%	70.8%	70.0%
% Part-time	44.1%	44.2%	44.9%	45.4%	43.6%
% Temporary contracts	5.3%	5.7%	5.5%	5.7%	5.5%
% Black or Minority Ethnic	2.0%	2.1%	2.1%	2.2%	2.1%
% Disabled	5.9%*	6.0%*	5.8%*	5.7%*	5.8%*

*These figures have been amended as a result of the collation of multiple data sources.

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