



NOTICE OF MEETING

Employment Committee

Wednesday 5 October 2016, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: Employment Committee

Councillor McLean (Chairman), Councillor Allen (Vice-Chairman), Councillors Angell, Mrs Birch, Leake, Ms Miller, Mrs Temperton, Virgo and Worrall

Non-Voting Co-optee

Councillor Heydon

cc: Substitute Members of the Committee

Councillors Brossard, Dudley and Mrs Hamilton

ALISON SANDERS

Director of Corporate Services

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Published: 26 September 2016



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Wednesday 5 October 2016, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

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AGENDA

Page No

1. Apologies

To receive apologies for absence and to note the attendance of any substitute members.

2. Declarations of Interest

Any Member with a Disclosable Pecuniary Interest or an Affected Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

3. Minutes from previous meeting

To approve as a correct record the minutes of the meeting of the Committee held on 6 July 2016.

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4. Urgent Items of Business

Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.

5. Update from the Chairman of the Local Joint Committee

A verbal update from the Chairman of the Local Joint Committee.

6. Amendment to Relocation Policy

The Committee is asked to agree the changes to the relocation policy, which is attached as Appendix A.

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7. Code of Practice on English Language Requirement for Public Sector Workers

The Committee is asked to note the report.

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8. **Annual Performance Report on Retirements and Redundancies**

The Committee is asked to note the report.

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9. **Monitoring the Council's Workforce 2015/16**

The Committee is asked to note the contents of the report and endorse and agree the strategy.

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**EMPLOYMENT COMMITTEE
6 JULY 2016
7.30 - 8.15 PM**



Present:

Councillors McLean (Chairman), Allen (Vice-Chairman), Angell, Mrs Birch, Leake, Mrs Temperton, Virgo and Worrall

1. Declarations of Interest

There were no declarations of interest.

2. Minutes from previous meeting

RESOLVED that the minutes of the meeting of the Committee held on 10 May 2016 be approved as a correct record and signed by the Chairman.

3. Urgent Items of Business

There were no items of urgent business.

4. Update from the Chairman of the Local Joint Committee

The Vice-Chairman of the Committee updated Members on the meeting of the Local Joint Committee held earlier in the day at which the two reports forming the Employment Committee agenda had been discussed. The Union side had expressed thanks for being included in the consultation process but recognised that the proposed redundancies were necessary.

5. Minutes of Sub Groups

The Committee noted the minutes of the Local Joint Committee held on 10 May 2016.

6. Exclusion of Public and Press

RESOLVED that pursuant to Section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of items 7 and 8 which involved the likely disclosure of exempt information under the following category of Schedule 12A of that Act:

(1) Information relating to any individual..

7. Revenue Budget 2016/17 - Employment Implications of Service Changes taken to Public Consultation

The Committee considered a report dealing with additional staffing implications arising from the revised financial position for 2016/17. These arose from the need to

make savings to meet the £2.4m budget gap identified following the budget settlement announcement.

The budget proposals had focussed, as far as possible, on making savings and efficiencies in areas which would have the least direct impact on residents. However, for these services there would be an impact on residents and a twelve week public consultation exercise had commenced on 24 February running until 17 May 2016. No representations had been made during the period. An equalities impact assessment had also been carried out. The savings proposals had been agreed by the Executive on 14 June 2016.

The savings proposed redundancies in two areas:

- a) Youth Services – a saving of £75k from the Youth Service included the deletion of 12 part-time youth worker posts (1.88 FTE) meaning that Centres would be open for less time. Of the 12 posts, four were vacant and two of the remaining eight had been offered redeployment opportunities. The impact was therefore six posts redundant (0.73 FTEs) or, if the redeployment trial was unsuccessful, eight posts redundant (1.48 FTEs).
- b) Childrens' Services – the Council had two Childcare Development Officers in post and the post identified for deletion had responsibility for developing and maintaining the network of home-based childcare provision. The Childminder Network, which had been under review for the past 6 months as it was no longer delivering outcomes for vulnerable families, was due to be wound up and a Development Officer position would no longer be required to support it. The impact was therefore one full time post redundant.

The Committee considered an Exempt Appendix containing schedule of the posts affected, including details of the postholders, redundancy payments, total cost and pay back period for each.

Arising from questions and discussion, the following points emerged:

- Further dialogue was needed with Town Councils that would be affected by the loss of some Youth Centre opening hours with a view to reaching an agreement on a financial arrangement by which the service could be maintained. The Committee was concerned that a final decision on redundancies should not be taken in advance of a conclusion to these discussions, given the important role of Youth Workers in supporting young people in the Borough. The addition of a rider to the recommendation was proposed..
- There was concern that the one remaining Childcare Development Officer may be an insufficient resource to deal with Special Educational Needs duties and provide support where required to the childminders registered within the Borough. Members were invited to take up this concern directly with the Executive Member responsible.

RESOLVED that:

- 1 Authority be delegated to the Director of Children, Young People and Learning, in consultation with the Chairman, to approve the deletion of the posts identified in Exempt Appendix B with effect from the dates indicated, subject to the Council approving the recommendations from the Executive on 13 July.

- 2 Authority be delegated to the Director of Children, Young People and Learning, in consultation with the Chairman, to agree that the post-holders are declared redundant in accordance with the terms set out in that Exempt Appendix with the costs being met from the Structural Changes Fund subject to any appeals, any redeployment opportunities offered to those affected, and the Council approving the recommendations from the Executive on 13 July.
- 3 The Director of Children, Young People and Learning actively pursues discussions with relevant Town and Parish Councils, in order to seek agreement to maintain the Youth Service, before a final decision is made.

8. **Proposed Redundancies - Education Library Service**

The Committee considered a report seeking approval to the redundancy of ten posts arising from the closure of the Education Library Service.

The Education Library Service was a joint service established in 1998 by Bracknell Forest, Reading, Slough and West Berkshire Councils and the Royal Borough of Windsor and Maidenhead for which Bracknell Forest was the host Authority. The service was funded by schools and due to pressures on school budgets, income from sales had reduced consistently since 2010. Since that time the service had been maintained by reducing expenditure on staffing and stock and meeting the deficit by drawing down on reserves built up in previous years.

Future income projections had shown that the service was not sustainable and the agreement of the five Local Authorities to closure with effect from 31 August 2016 had been obtained. The staff concerned had been fully consulted over the proposals and, as a result of discussions between the partner authorities, one postholder had been redeployed (in Bracknell Forest) leaving nine posts to be made redundant. The total cost of the redundancies set out in the report exceeds £300k, of which the Bracknell Forest share (23.5%) is almost £72k. This would be met from the Council's Contingency Fund.

The Committee considered an Exempt Appendix containing schedule of the posts affected, including details of the postholders, redundancy payments, total cost, BFC cost and pay back period for each.

The Committee received answers to a number of questions from which the following points arose:

- About half of Bracknell Schools currently used the service, although there was a lower take up in most of the other areas.
- Schools were being encouraged to exchange their supply of books so that their stock was as up to date as possible by the time the Service closed. The central stock was expected to reduce to around 12,000 books by the end of August, which would need to be stored until they could be disposed of.
- Discussions were in hand with the Borough Library Service to explore how Bracknell Schools could be supported in the future.

RESOLVED that:

- 1 The postholders, identified in the Exempt Appendix A be declared redundant with effect from 31 August 2016 following the decision of the Executive Member for Children, Young People & Learning to close the Education Library Service.
- 2 Authority be delegated to the Director of Children, Young People and Learning, in consultation with the Chairman of the Committee and Chief Officer: HR to retain two of three posts identified in Exempt Appendix A until 31 October 2016, to finalise the stock disposal and other arrangements post closure.

CHAIRMAN

**TO: EMPLOYMENT COMMITTEE
5 OCTOBER 2016**

AMENDMENT TO RELOCATION POLICY (Director of Corporate Services - HR)

1 PURPOSE OF REPORT

- 1.1 To modernise and update the existing relocation policy to reflect the need for the policy to be more flexible to support staff who need to access the policy in order to take up their duties.

2 RECOMMENDATIONS

- 2.1 To agree the changes to the relocation policy, which is attached as Appendix A.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To enable some assistance to be given at the Director's or Chief Executive's discretion but within the policy, to staff who need some relocation assistance to take up their post but will not be selling their family home outside the area.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Keep the policy as is. This runs the risk that some individuals offered hard to fill positions may feel unable to take up the appointment because of the additional costs of accommodation including renting a room/flat in Bracknell, and the Council may be unable to appoint a suitably qualified candidate.

5 SUPPORTING INFORMATION

- 5.1 The relocation policy has been in place for some years and the fundamental principles of it have remained much the same; one of its key conditions is that the individual is expected to move house within one year in order to take up their appointment (or two years at the discretion of the Director or Chief Executive for special cases.)
- 5.2 Over recent years it has become more common for some employees to accept appointments, especially at senior levels, but to be unable to consider relocating their whole family unit and selling their home in another area. Where the distance is too great to represent a realistic commute, these individuals have tended to rent a small room or flat in Bracknell for their accommodation in the working week and return to their family home at the weekends.
- 5.3 Reasons for maintaining the family home elsewhere have included reluctance to disrupt an older child's education at a key point in their schooling by moving to a new school district, or other family commitments in the home area.

- 5.4 For some posts it can be difficult to attract and secure a suitably qualified candidate, and there is not always another suitable candidate if the Council should lose the preferred candidate because of relocation/accommodation difficulties. It is therefore proposed that the relocation policy be updated to become more flexible and to include the option for a Director or Chief Executive to agree a lodging allowance in such cases. The proposed rental allowance is at the same figure as short term lodging assistance under the scheme, that is up to £80 per week.
- 5.5 The relocation scheme has an overall limit of £8000 for each employee, a figure which reflects Inland Revenue limits and which has not changed for some years. Should the lodging allowance be granted, this overall limit would still apply, and so the assistance is not open-ended. Other aspects of the scheme connected with selling or buying a home will not apply as the old home is not being sold, and the policy will still not cover buying a second home – only assistance with renting local accommodation for the postholder to live in during the working week.
- 5.6 The application of the new allowance is at the discretion of the Director or Chief Executive so that they can satisfy themselves there are genuine reasons for not selling the family home, and that the rest of the family are still living there (eg, they have not vacated the family home entirely and rented it out for commercial gain).
- 5.7 In 2015/16 the spend on relocation (excluding mortgage subsidy) was under £14,000 so the figures involved are not large and are offered and limited to key hard to fill roles. Should these changes be agreed, the maximum amount that can be claimed by any one person would not increase.
- 5.8 Chief Officer and Director level recruitment often involves looking for candidates from quite a specialised and restricted pool of candidates who would be sourced from across the UK and within a very competitive labour market, and the calibre of the successful candidate is crucial. The risk is two fold - that a candidate may turn down the offer because there is insufficient assistance with medium term rented accommodation in Bracknell, and that a candidate may accept the offer but then not stay with the organisation long because the task and assistance of trying to relocate successfully within a one or even two year period is too difficult. As property prices in Bracknell may well rise even further when the new town centre is completed, the problem of finding a suitable permanent home at the end of the existing rented period is anticipated to become more rather than less acute. By reviewing the existing policy to make it more flexible, it is anticipated that this will increase the recruitment and retention of key hard to fill positions. In at least one instance over the last year, Members were asked to authorise lodging payments without which the Council would have been able to secure an appointment to a key role at a critical time after an extensive nationwide search and selection process without incurring additional time and expenditure on redvertising.
- 5.9 Members are reminded that the relocation policy is only applied to jobs at the discretion of the recruiting manager, usually where it is anticipated from the outset that it is unlikely a suitable candidate can be found exclusively from the immediate local area. It is not automatically applicable or accessible to all new recruits.
- 5.10 The amended policy is attached at Appendix A. The relevant changes are in item h of the eligibility and item d of Lodging/Travelling expenses.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Treasurer

- 6.1 All costs associated with the relocation policy will be met from within existing budgets.

Borough Solicitor

- 6.2 There are no specific legal implications arising from this report.

Equalities Impact Assessment

- 6.3 It is not anticipated that there will be an adverse impact on any particular group of staff.

Strategic Risk Management

- 6.4 The risk of not appointing to senior positions is described in the report

7 CONSULTATION

Principal Groups Consulted

- 7.1 None

Method of Consultation

- 7.2 Not applicable

Representations Received

- 7.3 Not applicable

Background Papers

None

Contact for further information

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**BRACKNELL FOREST COUNCIL'S
RELOCATION AND MORTGAGE SUBSIDY SCHEMES**

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BRACKNELL FOREST COUNCIL'S RELOCATION AND MORTGAGE SUBSIDY SCHEMES

PURPOSE OF THE SCHEME

The Relocation Scheme provides assistance to people moving house in order to take up an appointment with the Council. The scheme will not necessarily cover the full expenses of moving and is not intended to do so.

The need for removal must be a direct consequence of the employee taking up a post with the Council, and claims will not be considered for employees who move because of a change in their spouse's place of employment.

ELIGIBILITY

This scheme applies to all employees of Bracknell Forest Council except teachers and support staff in schools, but not for all advertised roles. Please contact your local HR team to find out if your role qualifies for assistance.

In order to qualify for the scheme the following conditions will need to be met:

- (a) the appointment must normally be expected to last at least three years (i.e. no temporary or fixed term contract appointments of less than this period). However, the Director or Chief Executive may exercise special discretion to offer the Scheme to a candidate for a fixed term contract of at least one year's duration, with appropriate changes in writing to clauses on repayment on leaving.
- (b) the employee must live more than 40 miles (by the most direct route) from his/her place of work and it must be considered necessary by the Council to move house in order to take up an appointment. Employees who live within a 40 mile radius who believe they are not within a reasonable daily commuting distance (perhaps because of the total travelling time or the difficulty of the route) can approach the Chief Officer: HR for guidance on their eligibility. References to the 40 mile limit throughout this policy and associated documentation should be read in conjunction with this paragraph.
- (c) the employee must move to within a 15 mile radius of their place of work (by the most direct route).
- (d) in order to qualify for all parts of the scheme the employee must be a current owner-occupier. Parts of the scheme will be made available to employees required to live in tied accommodation and those moving from rented accommodation.
- (e) the employee or their partner should not be receiving relocation assistance from another source.
- (f) the employee will normally be expected to move house within one year of taking up their appointment. However, the Director or Chief

Executive has special discretion to agree in advance that an extended period of up to two years may be applicable in appropriate cases.

- (g) the property the employee is selling and their new home must be the main residence; the scheme cannot be used to purchase a second property.
- (h) There may be occasions when the employee's family home is outside the 40 mile radius, and they need to be living within 50 miles of Bracknell in order to take up the appointment, but it is not immediately possible to relocate the rest of the family. The individual may therefore need to rent accommodation in Bracknell for an extended period that can be used during the working week. (This may occur if for example it is difficult to relocate a child during key points in their schooling.) In such cases the Director or Chief Executive has discretion to offer lodging assistance in accordance with paragraph d of the lodging/travelling expenses section below, but other allowances would not apply unless the family house was sold.

CONDITIONS OF THE SCHEME

- (a) Evidence of circumstances (e.g. current home ownership, location of new property, cost of rent paid etc.) will be required prior to any payments being made under the scheme. Employees must have their application - including the use of any special features available at the Director's or Chief Executive's discretion - approved at Chief Officer level or above before embarking on any expenditure.
- (b) A declaration form must be signed agreeing to repay monies granted under the scheme should the employee leave within the pre-determined period.
- (c) Claims will only be paid if invoices are made out to Bracknell Forest Borough Council. In exceptional cases, and with prior approval, payment will be made to an employee direct (subject to the claim being accompanied by a VAT receipt).
- (d) In order to qualify, the relocation package must have been advertised as part of the terms and conditions of the post
- (e) In order to qualify, the employee must have been offered the scheme at the time they were appointed
- (f) In order to qualify, the employee must have the offer confirmed in their letter of appointment or Statement of Terms and Conditions.
- (g) An application under the scheme should normally be made within four weeks of an employee's start date even if all expenses are not to be paid out immediately. Employees must use the "Application for Relocation Expenses" proforma.
- (h) There is an overall maximum grant figure of £8,000 (not including Mortgage Subsidy).

- (i) No additional time off will be given for moving house.

OBLIGATION TO REPAY

An employee receiving relocation assistance and/or mortgage subsidy will be required to enter into a prior undertaking to make a refund if they leave the Council's service within three years in accordance with the following conditions:

- (a) within one year of the removal date - 100% refund of total monies received.
- (b) over one year but within two years of the removal date - 66% refund of total monies received.
- (c) over two years but within three years of the removal date - 33% refund of total monies received.

This repayment will not be pro-rata for completed months' service with the Council – whole years only will apply. If an amended schedule is agreed (eg for those on less than a three year contract), changes to the repayment schedule will be confirmed in writing by the Director of the department or Chief Executive.

If the circumstances of leaving are beyond the employee's control, no refund is payable (e.g. redundancy, termination on grounds of ill health etc).

CEASING MORTGAGE SUBSIDY

Mortgage subsidy will terminate if the employee ceases to reside at the property on which the subsidy is paid or leaves the Council's employment.

Mortgage subsidy payments will continue whilst an employee is on additional maternity leave.

THE SCHEME IN PRACTICE

Lodging/Travelling Expenses

For current house-owners:

- (a) Where an employee has to commute a distance exceeding 40 miles or alternatively has to take up short-term lodgings, for a period of six months, they can receive:
 - (i) the payment of up to £80 per week lodging allowance. In addition either the cost of second class return rail fare or petrol expenses equivalent to 5.5 miles per litre for a trip home once per four week period (to a maximum of £40 per trip)

OR

- (ii) travelling expenses on a daily basis which covers actual cost of either second class rail fare or petrol expenses equivalent to 5.5 miles per litre (to a maximum of £80 per week).
- (b) The Director or Chief Executive has the discretion to agree that lodging allowance of up to £80 per week may be paid, in the case of an employee who rents out their home in another area and takes up rented accommodation in the Bracknell area. This feature is at the Director's discretion to agree but will only apply if the cost of renting in Bracknell exceeds the income of rents from their old home, and will not exceed the actual difference in rents.

For those who are not current homeowners:

- (c) If an employee is moving from one rented accommodation to another, or from rented accommodation to owner accommodation, EITHER a "start up" lodging allowance, OR travelling allowance, of up to £80 per week for an 8 week period can be paid. (Travelling expenses on a daily basis would cover actual cost of either second class rail fare or petrol expenses equivalent to 5.5 miles per litre to a maximum of £80 per week).

For those who are current homeowners but are maintaining their family home outside the area:

- (d) The Director or Chief Executive has the discretion to agree that lodging allowance of up to £80 per week may be paid, in the case of an employee who has to maintain a family home in another area and takes up rented accommodation in the Bracknell area for themselves. This feature is at the Chief Executive or Director's discretion to agree and the period for which it is available will be agreed and regularly reviewed in line with the circumstances of the case. The total lodging allowance paid must in any case not exceed the £8000 maximum for the package.

Removal/Storage/Preliminary Expenses

- (a) These allowances apply to all employees who are required to move as a result of taking up a job with the Council i.e. those moving into tied or purchased accommodation.
 - (i) The cost of one removal will be paid based on the lowest of three quotations up to a maximum of £1,000. If the employee chooses to use a more expensive removal company, they must meet the difference themselves. If the employee chooses to move their household effects themselves, reimbursement based on one move will be given for the vehicle hire charge, fuel costs and insurance.

- (ii) In exceptional cases, temporary storage of furniture will be paid for a period of up to six months. Two estimates must be submitted and approval for the lower amount obtained.
- (iii) The cost of two trips for an employee and partner to look for houses may be paid. This will include either second class rail fare or petrol costs based on 5.5 miles per litre, plus a contribution towards two nights' accommodation of up to £150 per trip.

Professional Fees

- (a) For employees who have a property to buy and sell:

The cost of legal and professional fees for selling and buying a property will be reimbursed up to a maximum of £4,000. These fees include Estate Agent fees, legal costs, stamp duty, land registry and one mortgage survey fee (all full survey fees are the responsibility of the employee).

- (b) For an employee who is not currently a home-owner but who is becoming a first time buyer:

The cost of the fees listed above will be reimbursed up to a maximum of £2,000.

- (c) For a non home-owner seeking rented accommodation:

Security deposits or any finding/letting agency fees will be reimbursed up to a maximum of £2,000. This amount will not, however, cover rent payable in advance.

Disturbance Allowance

- (a) For employees who have a property to buy and sell:

A contribution of up to £750 towards disconnection/reconnection of gas and electrical appliances and telephone, and essential carpets/curtains may be claimed. Examples of items which cannot be claimed includes electrical goods, crockery, linen and other basic domestic goods.

- (b) For first time buyers or for non home owners seeking rented accommodation :

A contribution of up to £375 towards the items listed in (a) above.

Mortgage Subsidy Scheme

The scheme has been set up to help people moving from an area of lower house prices and is based on the six monthly Nationwide survey of house prices. The following criteria apply;

- (a) Employees who sell a house in an area of lower house prices (over 40 miles from Bracknell) to buy within a 15 mile radius of their place of work, may be eligible for Mortgage Subsidy.
- (b) The scheme pays a monthly allowance for up to four years from the removal date from the old property or the date of completion of the new house purchase. The payment is based on a sliding scale over the 4 year period.
- (c) The allowance is regarded by the Inland Revenue as part of an individual's assessable income and is therefore subject to tax and National Insurance contributions.
- (d) The general conditions of the Relocation Scheme (including repayment obligations) will apply.
- (e) The basis of the scheme is attached as Appendix A.
- (f) Employees who have moved from rented accommodation more than 40 miles from Bracknell and who are buying for the first time within a 15 mile radius of their place of work, may be eligible for 50% only of the amount applicable for the South West area in the standard scheme.
- (g) Employees moving from outside the UK, if eligible for Mortgage Subsidy, receive the appropriate amounts based on the rates for the South West area (50% of that amount if a first time buyer.)

CONCLUSION

- (a) The scheme provides for most situations which are expected to arise when a new employee starts. However, should any items arise which are not strictly covered by the scheme, but are in the spirit of its provisions, the Chief Officer: HR has the discretion to agree with the appropriate Director or Chief Executive, any variations to the scheme. This will apply for example where there is any uncertainty over qualification criteria or time limits.
- (b) The relocation amounts payable under the scheme are reviewed periodically. Employees will be entitled to the level of reimbursement which applies on their date of commencement of employment with the Council.
- (c) Any questions relating to interpretation of the scheme should be referred to the Chief Officer: HR.

BRACKNELL FOREST COUNCIL

MORTGAGE SUBSIDY SCHEME

The scheme is intended to help new employees living outside reasonable commuting distance (40 miles from Bracknell), who, due to house prices in the Bracknell area, may experience difficulties in purchasing a suitable property.

The mortgage subsidy allowance is paid for a period of four years on a sliding scale. The figure is based on the difference between house prices in the area of the country from which the employee is moving, and those in the Outer Metropolitan Area (as defined by Nationwide in its list of regional districts) in which Bracknell is situated.

The current allowances payable in respect of property in the various regions of the country are shown on the attached map. The first figure is the amount payable for the first two years and the figures in brackets are the amounts payable for the third and fourth years.

Where employees are moving from rented accommodation at least 40 miles away and are buying their first property in the Bracknell area, 50% of the amounts quoted for the South West area in this document are applicable.

Where an employee is moving from outside the UK, the amounts for the South West area are applicable (50% of that amount if a first time buyer.)

BASIS OF MORTGAGE SUBSIDY FIGURES

The allowance paid is based on the difference in cost between the repayments for a typical modern semi-detached property in the Outer Metropolitan Area, in which Bracknell is located, and other regions of the country.

Regional House Prices

These are taken from the Index of House Prices published by the Nationwide Building Society.

Mortgage Interest

The rate of mortgage interest is that charged by the Council for house purchase loans under the Housing Act 1985.

Review of Allowances

Allowances are reviewed twice a year on 1 February and 1 August. They are adjusted in the light of prevailing house prices and interest rates as follows:

- (a) employees who have been accepted into the scheme and are receiving an allowance have the amount adjusted according to current interest rates.
- (b) employees who have not yet purchased a house have the amount adjusted according to both prevailing house prices and interest rates. They will be sent an updated map indicating the new allowances that apply for each area.

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**TO: EMPLOYMENT COMMITTEE
5 OCTOBER 2016**

CODE OF PRACTICE ON ENGLISH LANGUAGE REQUIREMENT FOR PUBLIC SECTOR WORKERS (Director of Corporate Services - HR)

1 INTRODUCTION

- 1.1 The Government has published a draft Code of Practice which covers a requirement for customer-facing workers to be fluent in spoken English. It is anticipated that the Code of Practice will be finalised in October. The Code of Practice is being described as intended to support public sector organisations to meet the duty, which was part of the Immigration Act 2016, with “minimal burden”. Corporate HR will make minor changes necessary to employment policies and will communicate changes to recruiting managers, and this report is to make Employment Committee aware of this new requirement.

2 RECOMMENDATIONS

- 2.1 That the Committee note the report and HR make the minor changes to appropriate employment policy as necessary in order to comply with the new Code of Practice when finalised in October.

3 SUPPORTING INFORMATION

- 3.1 The new Code of Practice main requirements are not onerous as when someone is recruited to a customer facing role, considerations of whether they can understand and be understood sufficiently to perform the role are already taken into account; but some minor changes are required to demonstrate adherence to the new Code.
- 3.2 Workers from agencies, apprentices, contractors etc are all covered by the Code and the duty.
- 3.3 Workers who as a regular and intrinsic part of their role speak to members of the public in English are considered as working in a customer facing role. Examples in the Code show that a customer services employee would be customer facing because speaking to people is an intrinsic and regular part of the role; whereas a street cleaner would not, as their main duties do not include interacting regularly with the public. Identification of roles to which the requirements apply will need to be done with managers in consultation with HR.
- 3.4 Where a specific language standard already exists (eg for teachers) this code will not impose a higher standard and the current arrangements will be unchanged.

- 3.5 Managers will need to decide the level of fluency required for a particular role and express that when recruiting – for example they could include in recruitment materials or person specifications a sentence such as “The ability to converse easily with customers and provide advice in accurate spoken English is essential for the post”. There is no uniform requirement as the level of fluency should be proportionate to the needs of each role. Where no existing standard for fluency already exists we could adopt CFR B1 Standard but this will need to be reviewed and agreed by HR on a case by case base depending upon the role. It is suggested that the standard be reviewed when a job description or person specification is being revised or reviewed before being used for a recruitment exercise, rather than amending and reissuing existing job descriptions for all customer facing staff.
- 3.6 Fluency can be tested as simply as, by looking at their ability to answer interview questions in English. No special test is required by the code, although it could be included if it was felt necessary. (Accents, dialects, ethnic origins, nationality etc are not the consideration here and every applicant to a customer facing job should be treated equally in establishing if they can communicate in spoken English to a level required for the job. Nobody should be excluded from consideration for an interview, for example, due to untested assumptions about whether they might be fluent in spoken English because of their background.)
- 3.7 Changes which the code says the employer may consider (ie they are not compulsory) include:
- Making clear in advertisements and job descriptions the necessary standard of spoken English
 - Ensuring existing recruitment practices include assessing fluency, and communicating this to people who are involved in interviewing
 - Providing clear guidance on how to assess candidates against clear language criteria in the job description/person specification
 - Ensure recruitment processes do not contravene Equality legislation, and treat all candidates equally in the recruitment process.
- 3.8 The recruitment policy and procedures are contained in three documents, each of which requires a small amendment. The section on “Attracting Applicants” will be amended to reflect the changed requirements for person specifications for customer facing roles, as will a specific guidance note on person specifications; the section on “Planning and Selecting for Interview” will include advice in a section on use of tests in interviews; and the final section on “Interviewing Applicants and Making an Offer” will be amended to include how to ask appropriate questions at interview to assess language fluency, and to advise manager to include their assessment in the interview notes.
- 3.9 Advice evidence and training will be issued to all managers as appropriate about the Code, and what they need to do in practical terms to apply it fairly including assessing fluency and to avoid unfair discrimination.
- 3.10 HR will develop a communication to existing staff to raise awareness of the new requirement.
- 3.11 In the rare case that it should come to light that an employee in a customer facing role does not meet the standards for spoken English for the role, the Code says the employer should consider retraining; redeployment; or changing the role to involve less communication with the public. This will dealt with in accordance with existing Council and HR policies and practices.

4 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Treasurer

- 4.1 Nothing to add to the report.

Borough Solicitor

- 4.2 Section 77 of the Immigration Act 2016 requires the Council to ensure that each person who works for it in a customer-facing role speaks fluent English. The Act defines a person who works in a customer-facing role as someone who, as a regular and intrinsic part of their role, is required to speak to members of the public in English. It applies to Employees, Apprentices and workers but does not extend to workers employed directly by a private or voluntary sector provider of a public service,

In determining how to comply with this duty a public authority must have regard to the Code of Practice. The Council must operate an adequate procedure for enabling complaints to be made to the Council about breaches of this duty and for the consideration of such complaints.

According to the Act , a person speaks fluent English if the person has a command of spoken English which is sufficient to enable the effective performance of the person's role.

Equalities Impact Assessment

- 4.3 For an employee in a customer facing role who uses sign language, the fluency duty can be met by providing a sign language interpreter who speaks English to the necessary standard of fluency for that role.
- 4.4 Advice will be given to recruiting managers on how to avoid unfair discriminatory impact.

Strategic Risk Management

- 4.5 Considered throughout the report.

Background Papers

Draft Code of Practice and Finalised Code of Practice once published.

Contact for further information

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**TO: EMPLOYMENT COMMITTEE
5 OCTOBER 2016**

ANNUAL PERFORMANCE REPORT ON RETIREMENTS AND REDUNDANCIES (Director of Corporate Services – Human Resources)

1 PURPOSE OF REPORT

- 1.1 The Council produces an annual report to outline its current policy on severance issues and explain any potential for change, to show the capital costs and savings on early retirements/redundancies and to report on ill health retirements. The Council has been doing this since 1999 so, in line with established practice, this report summarises the Council's performance during the last financial year i.e. 1/4/15 to 31/3/16.

2 SUPPORTING INFORMATION

PENSION CHANGES

- 2.1 Previous reports to the Employment Committee described the changes to the Local Government Pension Scheme (LGPS) from April 2014 which are now firmly in place.

A report in October 2015 provided information on the Government's proposal to introduce a £95,000 cap on exit payments and introduce recovery provisions if employees return to employment after being in receipt of exit payments.

A separate report at this Committee also explains further potential changes which are being considered. The Committee will receive further information on the proposals when they are confirmed.

ANNUAL REVIEW OF ILL HEALTH RETIREMENTS AND REDUNDANCIES

- 2.2 The following information captures statistics from the last year (2015/2016) and compares them to previous periods.

The numbers of Ill Health Retirements and Redundancies over the age of 55 over the last 3 years are as follows:

	2013/2014	2014/2015	2015/2016
Ill Health	5	5	5
Redundancy (Over 55 with access to pension)	11	3	8
Total	16	8	13

The Employment Committee has received a detailed report on the business case to enact each of the redundancies & early retirements (including the savings accrued) and approved accordingly.

2.3 Ill Health Retirements

The total number of employees leaving as the result of ill health retirements (IHR), including schools, has remained the same in 2015/2016, and still remains at a low level because of two key factors:

- early intervention and robust management by Occupational Health.
- the process to obtain retirement on medical grounds has become very stringent

2.4 Redundancies (over the age of 55)

The number of those employees over 55 made redundant, who had access to their pension, increased in 2015/16 compared to the previous year. This reflects a year where the number of restructures increased as a result of budget reductions.

3 **EQUALITIES IMPACT ASSESSMENT**

- 3.1 No adverse equalities impact as the current policy on discretions is constructed on a fair and equitable basis and applies to all employees. The policy has been the subject of an Equalities Impact Assessment. Each restructure is also subject to an Equalities Screening process which has no identified any adverse impact.

4 **STRATEGIC RISK MANAGEMENT ISSUES**

- 4.1 Identified in the individual reports to the Employment Committee where recommendations on redundancies / early retirements are made.

Background Papers

None

Contact for further information

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TO: EMPLOYMENT COMMITTEE
5 OCTOBER 2016

MONITORING THE COUNCIL'S WORKFORCE – 2015/16
(Director of Corporate Services – Human Resources)

1. INTRODUCTION/PURPOSE OF REPORT

- 1.1 The Council has a legal duty to advance equality of opportunity, eliminate unlawful discrimination and promote good relations between people. Part of this legal duty is to report annually on its workforce composition. The Council has an action plan to deliver on its equality objectives and has already twice met the 'Achieving' level of the Equality Framework for Local Government. There are 3 levels of achievement within the framework 'Developing', 'Achieving' and 'Excellent'. Maintaining the 'Achieving' level helps the Council manage its reputation as a Council that ensures fair treatment and access to services. It also helps it to monitor its progress, recognise areas of strength and identify areas for improvement. The Council intends to apply for assessment at the Excellent Level in 2017. Understanding the workforce and how it relates to the community it serves is an important part of ensuring that the Council identifies and removes any potential barriers to employment for all sections of the community.

2 RECOMMENDATIONS

- 2.1 That the Committee note the contents of this report and endorse and agree the strategy as set out.

3. THE COMMUNITY BACKGROUND

- 3.1 It is important to work towards a situation where the Council's workforce broadly reflects the make up of its local community to ensure that appropriate services are provided to all citizens. The demographic make up of Bracknell Forest is changing, the 2011 Census showed that 15.1% of the Borough's population belonging to minority ethnic groups, (including White Irish and White Other). The previous Census in 2001 showed 9.5% of residents belonged to minority ethnic groups.
- 3.2 Schools censuses show that the number of ethnic minority pupils continues to grow, and that the percentage of minority ethnic pupils is higher than that in the general population. There has been an increase in ethnic minority pupils recorded over the past 11 years from 10.7% to 20.6%. The figure has increased by 1.1% in 2015/16.
- 3.3 The population of the Borough is ageing. Based on 2011 Census data the estimate for the number of people aged 65+ in 2015 is 13.8% of the Borough's population. This is expected to steadily increase from its current level to an estimated 20.1% by 2032 (15.34%). This figure is based on the Census 2011 figures and is estimated by the Office for National Statistics. These figures are lower than the average for the South East and Nationally.
- 3.4 2011 Census data shows a dramatic change in the religion/beliefs of the Borough with an increase from 19.4% in 2001 to 30.4% in 2011 stating they have no religion. This corresponds to a similar sized reduction in the number of people who recorded their religion as Christian. The Bracknell Forest area

would seem to be less diverse in terms of major declared faiths than the national picture. The main difference with 2011 national patterns was in the relatively small size of the Borough's Muslim population; 1.2% compared with 5.2% nationally.

4 THE COUNCIL'S STATISTICAL INFORMATION

- 4.1 This annual report contains statistical information on employees and applicants for jobs at the Council in terms of gender, disability, age, religion or belief, ethnicity and sexual orientation. This is to ensure that the Council has a full understanding of the composition of its workforce and the people who apply for jobs. This helps identify what further action needs to be taken to ensure it better represents the local community.
- 4.2 To ensure that the Council complies with the Equality Act 2010, there is a need to ensure that accurate workforce information is available to help plan actions and monitor progress. The Equality and Human Rights Commission (EHRC) provides guidance on what monitoring it expects to see and what it believes would be proportionate for large public sector bodies to collect and publish. The information given in this report is consistent with that guidance.
- 4.3 The Equality Act 2010's Public Sector equality duty requires information on the composition of the workforce in terms of its protected characteristics to be made available to the public. This information is therefore published on the Council's website and updated annually. The Council also has a duty to ensure that it does not discriminate on the basis of any protected characteristic and the Equality Act 2010 includes a duty that public bodies advance equality of opportunity in relation to these characteristics.
- 4.4 The Council has had a monitoring system in place for the past 15 years to collect figures in relation to its existing workforce.
- 4.5 Human Resources collect a range of statistics on applicants and current employees. Tables of these figures are throughout the report and indicate the following;
 - (i) recruitment information from 1 April 2015 to 31 March 2016 split by ethnicity, age, gender, disability, religion or belief and sexual orientation.
 - (ii) workforce information as at 1 April 2016 split by ethnicity, age, gender, disability, religion or belief and sexual orientation.
- 4.6 The Committee should note that the following important caveats apply to the information;
 - (i) For some indicators, because of the small numbers in the comparator group, a small increase or decrease in the head count can have a disproportionate effect. For example, the top 5% of earners totals 60.03 Full Time Equivalents, so an increase or decrease of one full time equivalent would represent a change of 1.67%. Where numbers are very small, the actual numbers are sometimes quoted as the percentages can be deceptive when applied to small groups.

- (ii) In relation to the recruitment statistics only, the schools use the same recruitment software as the rest of the Council, however, not all of the schools have decided to use the software in its entirety. Therefore we are able to report on the number of applicants including schools but the total number of successful candidates have not been recorded for schools. Schools have responsibility for their own recruitment and therefore the collection of statistics, so are required to separately undertake the recording of this information. Monitoring of their compliance, including reporting annually to their Governing Body, is required to be undertaken as part of the routine audit programme of schools.
- (iii) Information on disability, ethnicity, religion/belief and sexual orientation is collected by self declared returns from employees and candidates and, as there is no compulsion to return this information, some choose not to (or return selected information only). The last regular update of these characteristics took place in 2013/14. From previous years it has been seen that levels of staff who have given this information decreases slightly in the years following a collection. Although all applicants are asked for this information on applying many do not provide the information and as they are not asked again when they start this can lead to gaps forming in the data. During 2016/17 the Self Service module of the new HR/Payroll System will be brought in on a rolling basis. It is currently being piloted in a couple of small sections. As part of this all staff will have access to the personal information held for them. They will be able to update this at any point should their circumstances change. All new starters will be asked to review their information when they start and once all areas of the Authority are live a communication with the workforce will encourage current staff to review their own details on a regular basis. It is hoped that this will lead to a higher proportion of staff choosing to provide this information.
- (iv) The Training course information relates to internal courses booked through the Corporate Learning and Development team. However there are a number of other types of learning which are open to all staff which are not included within these figures. It is assumed that managers and staff access these where required. The statistics relate solely to the training places taken up on Council run courses and it should be noted that the same person undertaking more than one training event will therefore appear in the statistics more than once. The level of attendance at directly booked “off the job” training courses tends to reduce with the popularity of other types of learning – for example e-learning and other learning interventions. The current information is provided from a stand alone learning management system which is not linked to the main HR system, this will inevitably lead to less equal opportunity data being held on the system as it is a manual process to update it.

5 KEY PERFORMANCE INDICATORS

5.1 The Council continues to monitor a number of equality statistics in its Performance Indicators and to make it part of this report in order to set and monitor some of the standards. These key indicators are also recorded on PARIS. The key Performance Indicators are as follows:

- (i) Of the top 5% of earners in the organisation, 50% (45.57% last year) were women. This is higher than the previous year and shows a generally upward trend over the last three years and higher than the average of all councils in England, which is 43%. The Council's aim last year was to achieve a level of 45%, which it has exceeded.
- (ii) Of the top 5% of earners in the Council, 3.22% (3.11% last year) were disabled, which is slightly higher than the figure from last year. The average for all councils in England is 3% so the Council is slightly higher than the national average. The Council's aim last year was 5%. As indicated in paragraph 3.6(i), due to the small numbers in the comparator group, a small increase or decrease in the head count can have a disproportionate effect. The number of employees with a disability in this group has remained at 2.
- (iii) Of the top 5% of earners, 4.84% (1.56% last year) were from a BME background, this shows quite a large increase from last year. This is very slightly lower than the average for all councils in England, which stands at 5%. The Council's aim last year was 4.5% which it has exceeded.
- (iv) The voluntary turnover figure for 2015/16 was 14.3% compared to 13.4% in 2014/15. This figure has slightly increased compared to last year and it is also slightly higher than the target of 13% for 2015/16. The average for all councils in England is 13.5%. Analysis shows the number of leavers not in schools has slightly decreased with the number of leavers working in schools increasing slightly this year. Traditionally within schools there are always a high number of leavers as it is fairly easy to swap between schools. It will be interesting to see the effect the current Transformation programme has on these figures going forward as typically the trend is for turnover to increase during a period of change and uncertainty.

The figure for this year's percentage of voluntary staff leaving within 1 year is 18.4% compared to last year's 17.8%. This shows a slight increase on last year figure's and is also slightly above the target of 18%.

Voluntary leavers of this type include a number of temporary staff, and it is to be expected that if a member of staff is on a Fixed Term Contract rather than a permanent contract they will be more likely to be looking for a job before the end of their Council contract. Therefore we now also record the percentage of permanent staff who leave within their first 12 months of employment. The figure for 2015/16 is 18% as compared to 15.8% last year and therefore shows a greater number of permanent staff are leaving within their first year. The majority of these leavers are within schools with 62% of the staff that left within their first year being from a schools environment.

- 5.2 Although the required national data set for the BVPI's has been reduced and therefore no national targets are set for the Council, it is important to continue to monitor the relevant ones at a local level. Looking forward, the expectations for the top 5% of earners for 2015/16 have been set at 47% female; 4.5% with a disability and 4% who are from a BME background. These are set and agreed by The Council.
- 5.3 In statistics published in November 2015, the Office for National Statistics the gender gap in the UK stands at 19.2% based on average hourly rate this is unchanged from the previous year. The gender gap reflects the difference between the average normal pay for men and the average normal pay for women in an organisation - it does not imply any inequality of pay for work of like value, it reflects whether men or women tend to be in more highly paid jobs. The Council's gender pay gap for this year is 18.1% which has decreased since last year (19.7%), and is below the national figure. Within Bracknell Forest the average salary for men has increased slightly since last year whilst the average pay for a woman has increased by approx. 2.5%. One reason for this is that during the year the Bracknell Forest Supplement was increased for the lower paid workers, a lot of whom work in care which is predominantly a female career.
- 5.4 Below is a summary table showing the results of all KPIs compared to last year along with some explanatory comments on each one.

No of PI	Description of PI	Outturn 14/15	Outturn 15/16	Target 15/16	Comments	Status
LO66	The percentage of top 5% of earners that are women	45.6%	50%	45%	Exceeded target	Positive
LO67	The percentage of top 5% of earners from an ethnic minority	1.56%	4.84%	4.50%	Exceeded target	Positive
LO68	Top 5% of earners that are disabled	3.11%	3.22%	5.00%	No change to this and the actual number of disabled people in this group remains at 2.	No change
LO70	The percentage of local authority employees who claim they meet the DDA definition	1.96%	1.87%	3.50%	The no of staff who declared a disability has gone up from 69 to 71. Total No of Employees who declared their status went up by approx. 280.	No change
LO71	The percentage of local authority employees from ethnic minority communities	4.19%	5.76%	6%	The no of BME employees has increased significantly since last year.	Positive

Unrestricted

LO72	Gender Pay Gap inc Bracknell Forest Supplement	19.7%	18.1%	18.00%	A narrowing of this pay gap is a positive step forward.	Positive
LO73	Average number of "off the job" training days per employee	2.9	2.8	2.5	Exceeded the target	No change
LO74	Average amount spent on training per employee	£352	£325	£330	Training spend was below the target as more cost effective delivery options are being used such as e-learning	No change
L130	Percentage staff turnover inc schools	13.41%	14.33%	13.50%	No of leavers has gone up from 531 to 569. Numbers up in both schools and non schools	Negative
L131	Percentage staff leaving within one year of starting inc schools	17.81%	18.39%	18%	This figure includes those on fixed term contracts.	No Change
L174	Days lost to sickness per employee	5.2	5.9	5	Whilst this figure has increased, this is still well below the average for local government	Negative

WORKFORCE COMPOSITION

5. GENDER

5.1 The statistics for Gender are as follows. Please note the figures for Training places have come from the separate Learning Management System where not all staff have a gender recorded, therefore the figures for training will not add up to 100%

	Whole Authority	Non School	School Only	Chief Execs & Corporate Services	Env Culture & Communities	Adult Social Care, Health & Housing	Children, Young People & Learning
Workforce							
Male	19%	29%	13%	34%	44%	18%	17%
Female	81%	71%	87%	66%	56%	82%	83%
Applicants							
Male	20%	30%	11%	30%	53%	26%	13%
Female	80%	70%	89%	70%	47%	74%	87%
Recruitment							
Male	N/A	22%	N/A	14%	35%	18%	13%
Female	N/A	78%	N/A	86%	65%	82%	87%
Leavers							
Male	25%	30%	24%	48%	42%	21%	13%
Female	75%	70%	76%	52%	58%	79%	87%
Training							
Male	18%	19%	18%	35%	34%	14%	11%
Female	62%	60%	71%	55%	46%	64%	65%

- (i) A significant majority of the whole authority's employees are female (81%) compared to male (19%), which is very similar to last year. The Quarterly Public Sector Employee Survey shows that as at 30 June 2016, in English Authorities 76% of employees were female, compared with 24% male, which is fairly comparable with the Council's figures. Occupational Segregation (i.e traditionally male or female job roles) is a large factor in departmental variations shown above.
- (ii) Figures show a larger percentage of male employees leaving in Corporate and Chief Executive departments. This is a comparatively small department so 1 or 2 people will have a much greater effect on the figures than in other sections. Of the male leavers 9 out of 12 left for voluntary reasons 4 of which retired. As there is now no statutory retirement age these count towards the voluntary turnover figure but it should be remembered that these staff have not left to go to another employer.
- (iii) During the past year, there has been no indication of employment issues for any transgender staff.

7. AGE

- 7.1 The statistics for age are as follows. Please note that the statistics for Training come from the separate Learning Management System where not all ages are recorded, therefore the totals for training will not add up to 100%

	Whole Authority	Non School	Schools Only	Chief Execs & Corporate Services	Env Culture & Communities	Adult Social Care, Health & Housing	Children, Young People & Learning
Workforce							
Up to 29	14%	12.1%	15.2%	11.9%	16.6%	9.1%	9.7%
30 – 49	52.4%	46.6%	55.9%	48%	45.6%	45.8%	49.4%
50 & above	33.6%	41.3%	28.9%	40.1%	37.8%	45.1%	40.9%
Applicants							
Up to 29	34.5%	35.7%	33.6%	32.9%	44.7%	31.1%	32.5%
30 – 49	52.7%	49.3%	55.5%	51.3%	39.7%	52.4%	54.9%
50 & above	12.8%	15%	10.9%	15.8%	15.6%	16.5%	12.6%
Recruitment							
Up to 29	N/A	31.1%	N/A	28.6%	45.3%	18.5%	34.2%
30 – 49		49.2%		52.4%	39.6%	55.4%	50%
50 & above		19.7%		19%	15.1%	26.1%	15.8%
Leavers							
Up to 29	23.4%	26.4%	22.3%	10.3%	43.8%	15.4%	18.4%
30 – 49	45.9%	35%	50.2%	37.9%	24%	51.9%	36.8%
50 & above	30.7%	38.6%	27.6%	51.8%	32.2%	32.7%	44.7%
Training							
Up to 29	10.8%	10.9%	10%	16.4%	11.5%	9.1%	11.2%
30 – 49	39.2%	37.9%	48.4%	46.9%	40.6%	35.7%	36.5%
50 & above	30.2%	30.1%	30.6%	26.5%	26.9%	34%	28%

- 7.2 The workforce figures are fairly similar to last years figures. They do show an increase in the number of staff aged 50 and above across the board. For the Authority as a whole the figure has increased from 30.5% to 33.6% which is more in line with figure from 2 years ago. There has been an increase in the number of non schools leavers aged up to 29 across the board compared the workforce, this is likely to be caused by career moves as younger workers are more likely to move careers as they choose what they want to do long term. Overall the Council's Age Profile seems to be staying relatively steady.
- 7.3 The workforce figures show that 52.4% of staff are aged between 30 to 49 (52.5% last year).
- 7.4 A lower number of applicants in Adult Social Care, Health & Housing in the Up to 29 age band are recruited than in other age bands. This may reflect their experience being insufficient to meet person specifications; and may also be influenced because younger job seekers are required to make a set number of job applications weekly. A regular review of recruitment activities is carried out throughout the year and no evidence of inappropriate discrimination due to age bias has been found.

- 7.5 It is common for employees at an earlier stage of their careers to move jobs more frequently, so the larger percentage of young leavers is likely to be a reflection of this national trend. In the Over 50 range there will be an increased number of staff that will be looking to take retirement.

There is no evidence from exit interviews that have taken place this year of leavers being motivated by any age related factors.

8. DISABILITY

- 8.1 The statistics for disability are as follows:

	Whole Authority	Non School	Schools Only	Chief Execs & Corporate Services	Env Culture & Communities	Adult Social Care, Health & Housing	Children, Young People & Learning
Workforce	1.7%	3.1%	0.9%	4.1%	3.1%	2.5%	3.2%
Applicants	3%	3.9%	2.3%	4.6%	3.1%	4.6%	3.6%
Recruitment	N/A	2.3%	N/A	4.8%	1.9%	3.1%	0%
Leavers	0.6%	0.8%	0.5%	0%	1%	0%	1.3%
Training	2.2%	2.5%	0.3%	2.2%	3.6%	1.9%	2.7%

- 8.2 The 2011 Census information indicates that 3% of the population of Bracknell Forest aged 16-65 are either permanently sick or disabled, and are not considered part of the economically active population. No census figure is available for disabled people who are part of the working population in the Bracknell Forest area.

- (i) 1.7% (1.8% last year) of the Council's workforce declared themselves as having a disability. The percentage is higher in Non Schools than schools. The Non Schools figure reflects the population generally. It has been over a year since we last had a personal details update and these have not included school staff in the past. The new HR/Payroll System has an employee self service function which will enable all staff including those working in schools to amend their own personal details. This is due to go live across the authority by the end of the year so it is hoped that more accurate and timely information will be available from next year.
- (ii) 2.3% (1.4% last year) of applicants who were successful in gaining employment with the Council this year were disabled, not including schools. This is once again lower than the percentage of applicants. Reviews of recruitment activities are carried out through the year and this year no evidence of unfair discrimination was found. The Council's commitment to disabled candidates under the Two Tick system was evidenced in our sample. We are unable to report on the figures for staff recruited within schools as most schools do not use

the recruitment system for the whole recruitment process and most stop at the stage when applications have been received.

- (iii) Of leavers, 0.6% (1.5% last year) had declared a disability. This figure has decreased in the past year and is considerably lower than the workforce figure which shows the Authority is not treating disabled employees to a detriment.
- (iv) 2.2% (2.9% last year) of training places were taken by those who declared a disability, which is a higher proportion than the workforce composition.

9. ETHNICITY

9.1 For the purpose of this part of the report, “Black and Ethnic Minority” (BME) means all the categories excluding White British. For the purposes of comparison, the population of the Bracknell Forest area as described in the 2011 Census had 84.9% White British and 15.1% of BME origin. The workforce statistics for ethnicity are as follows – please note included in some of the totals are those staff that preferred not declare their ethnicity and therefore not all groups will add up to the full 100%:

Calculations based on self declarations	Whole Authority	Non School	School Only	Chief Execs & Corporate Services	Env Culture & Communities	Adult Social Care, Health & Housing	Children, Young People & Learning
Workforce							
BME	10.7%	13.6%	8.5%	11.3%	10.6%	17.6%	14.6%
White British	89.3%	86.4%	91.5%	88.7%	89.4%	82.4%	85.4%
Applicants							
BME	29.3%	30.9%	28%	32.1%	27.3%	31.4%	33.4%
White British	70.7%	69.1%	72%	67.9%	72.7%	68.6%	66.6%
Recruitment							
BME	N/A	34.6%	N/A	19.1%	43.1%	25%	47.4%
White British		65.4%		80.9%	56.9%	75%	52.6%
Leavers							
BME	11.7%	11.7%	11.7%	13.8%	5.6%	21.1%	10.8%
White British	87.7%	87.9%	87.6%	86.2%	92.9%	78.9%	89.2%
Training							
BME	15%	16.4%	4.6%	11.2%	8.1%	21.9%	15.8%
White British	82.5%	82.1%	85.5%	86.1%	89.7%	76.9%	83.2%

- (i) Across the workforce, of those who declared their ethnicity, 10.7% said they are of a BME origin, higher than last year at 9.3%; and 89.3% (90.7% last year) declare they have a White British ethnic origin.
- (ii) The number of applicants (non school only) of a BME origin continues to increase year on year and now stands at 29.3% compared to 25.6% two years ago. The number of successful applicants of a BME origin has gone up by a much larger figure to 34.6% from 27.4% last year

and 19.7% the previous year. Although the current workforce figure (non school only) of 13.6% continues to be lower than the percentage of applicants or indeed the local average, it does indicate that the Council continues to provide opportunities for the population as a whole and the figures are growing year on year. There still remains a discrepancy between the number of applicants and those recruited in a couple of areas; Corporate Services and Adult Social Care, Health & Housing but recruitment spot checks have found no evidence of bias.

- (iii) Adult Social Care, Health & Housing and Corporate Services had a high ratio of leavers from a BME background this year compared to last year.

It should be noted, however that as our recruitment from BME backgrounds steadily increases, there is a higher concentration of BME staff with short service, and it is frequently the case that rates of leavers are typically higher in those with up to 2 years service; the higher rate of BME leavers may be affected by this. Exit interviews are carried out for all BME leavers after a similar result was experience for the Authority as a whole. These reveal no particular pattern of leaver reasons which appear to be directly related to ethnicity.

- (iv) The 2011 Census information is the basis for comparison with the ethnic origin of the local community. The figures in brackets show the figures for last year (workforce only)

	Bracknell Forest Workforce	Bracknell Forest UA Census 2011
Workforce		
BME	10.7% (9.7%)	15.1%
White British	89.3% (90.3%)	84.9%

These figures show the authority has a less diverse population than the surrounding area although the figure is improving.

10. RELIGION/BELIEF

10.1 The statistics for religion/belief are as follows:

Calculations based on self declarations	Whole Authority	Non School	Schools Only	Chief Execs & Corporate Services	Env Culture & Communities	Adult Social Care, Health & Housing	Children, Young People & Learning
Workforce							
Buddhist	0.6%	1%	0.2%	0.9%	2.4%	0.6%	0%
Christian	61.1%	54.4%	65.2%	57.5%	53.9%	55.3%	58.9%
Hindu	0.5%	1.1%	0.1%	1.8%	0.7%	0.9%	1.2%
Jewish	0.1%	0.3%	0%	0.4%	0%	0.6%	0.3%
Muslim	0.7%	1%	0.5%	1.3%	0.9%	0.9%	1.2%
None	23.4%	28.8%	17.8%	29.6%	32.9%	29%	27.9%
Not specified	9.1%	5.4%	12.1%	4.4%	5.2%	6.3%	6.2%
Other	3.9%	3.6%	3.9%	2.7%	3.3%	5.4%	3.5%
Sikh	0.6%	1%	0.2%	1.3%	0.7%	0.9%	1.2%
Applicants							
Buddhist	0.9%	0.8%	0.9%	1.2%	1.1%	0.7%	0.4%
Christian	49.5%	44.2%	53.8%	44.6%	41%	45.2%	46.1%
Hindu	2.4%	2.6%	2.3%	3.2%	1.6%	3%	2.9%
Jewish	0.1%	0.1%	0.1%	0.2%	0%	0%	0%
Muslim	3.2%	3.4%	3.1%	4.5%	1.6%	3.4%	4.7%
None	34.3%	38.1%	31.3%	33.9%	43.8%	37.1%	36.1%
Not Declared	6.4%	7.2%	5.8%	7.7%	8.2%	6.6%	6.5%
Other	2.3%	2.5%	2.1%	3.2%	2.5%	2.7%	2%
Sikh	0.9%	1%	0.8%	1.5%	0.3%	1.3%	1.3%
Recruitment							
Buddhist		2.2%		4.8%	3.7%	1.5%	0%
Christian		46.4%		61.9%	33.3%	50%	50%
Hindu		1.7%		0%	1.8%	0%	5.3%
Jewish		0%		0%	0%	0%	0%
Muslim	N/A	1.1%	N/A	4.8%	0%	0%	2.6%
None		35.9%		23.8%	51.8%	29.4%	31.6%
Not Declared		10.5%		4.8%	7.4%	14.7%	10.5%
Other		1.7%		0%	1.9%	2.9%	0%
Sikh		0.6%		0%	0%	1.5%	0%
Leavers							
Buddhist	0%	0%	0%	0%	0%	0%	0%
Christian	51.7%	57.1%	47.4%	42.9%	53.6%	69.4%	57.9%
Hindu	0.8%	1.8%	0%	4.8%	1.8%	0%	1.8%
Jewish	0.3%	0%	0.5%	0%	0%	0%	0%
Muslim	0.3%	0%	0.5%	0%	0%	0%	0%
None	29.6%	30%	29.3%	42.9%	37.5%	16.7%	26.3%
Not Declared	13.3%	6.5%	18.6%	4.8%	5.4%	0%	12.3%
Other	2.9%	2.9%	2.8%	0%	1.8%	8.3%	1.8%
Sikh	1.3%	1.8%	0.9%	4.8%	0%	5.6%	0%
Training							
Buddhist	0.4%	0.5%	0%	0.6%	1.9%	0.2%	0%
Christian	52.3%	52%	54.9%	53.1%	48.7%	50.8%	54.9%
Hindu	0.6%	0.7%	0%	0.6%	0.4%	0.2%	1.4%
Jewish	0.4%	0.4%	0%	0.2%	0%	0.5%	0.5%
Muslim	0.7%	0.8%	0%	1.9%	0.1%	1.2%	0.3%
None	6.5%	7.3%	0.4%	3.4%	7.4%	7.4%	8.3%
Not Declared	38.2%	37.4%	44.7%	38.5%	40.3%	39%	33.3%
Other	0%	0%	0%	0%	0%	0%	0%
Sikh	0.9%	1%	0%	1.5%	1.1%	0.6%	1.4%

- 10.2 The 2011 Census information is the basis for comparison with the religion/beliefs of the local community. The figures in brackets show the figures for last year (workforce only).

	Bracknell Forest Workforce	Bracknell Forest UA Census 2011
Workforce		
Buddhist	0.6% (0.4%)	0.8%
Christian	61.1% (61.4%)	64.8%
Hindu	0.5% (0.4%)	1.7%
Jewish	0.1% (0.2%)	0.2%
Muslim	0.7% (0.6%)	1.2%
None	23.4% (23.1%)	30.4%
Other	3.9% (3.8%)	0.5%
Sikh	0.6% (0.7%)	0.4%

The Council should reasonably expect its workforce to reflect the profile of the community it serves. The recently collected information from employees is broadly comparable to the 2011 Census figures for Bracknell Forest.

11 SEXUAL ORIENTATION

11.1 The statistics for sexual orientation are as follows:

Calculations based on self declarations	Whole Authority	Non School	Schools Only	Chief Execs & Corporate Services	Env Culture & Communities	Adult Social Care, Health & Housing	Children, Young People & Learning
Workforce							
Bisexual	0.2%	0.5%	0%	0%	0.7%	0.8%	0.4%
Gay Man	0.5%	0.8%	0.2%	1%	1%	1.3%	0%
Heterosexual/ Straight	77.6%	83.7%	70.7%	89.6%	87.1%	85.3%	86.2%
Lesbian/Gay Woman	0.6%	1.1%	0.2%	1%	0.3%	2.1%	1.1%
Prefer not to say	11.6%	10.2%	14.6%	8.3%	10.8%	10.5%	12.3%
Applicants							
Bisexual	1.1%	1.2%	1%	0.9%	1.3%	1.8%	0.8%
Gay Man	0.6%	1%	0.3%	1.8%	0.5%	1.3%	0.7%
Heterosexual/ Straight	92.3%	90.8%	93.5%	90.8%	90.5%	89.6%	92.3%
Lesbian/Gay Woman	0.3%	0.6%	0.1%	0.2%	0.7%	0.8%	0.8%
Prefer not to say	5.7%	6.3%	5.1%	6.3%	7.1%	6.5%	5.4%
Recruitment							
Bisexual		1.1%		0%	3.6%	0%	0%
Gay Man		2.2%		4.8%	1.8%	2.9%	0%
Heterosexual/ Straight	N/A	87.4%	N/A	90.4%	87.3%	80.9%	97.4%
Lesbian/Gay Woman		1.1%		0%	1.8%	1.5%	0%
Prefer not to say		8.2%		4.8%	5.5%	14.7%	2.6%
Leaver							
Bisexual	0.7%	1.5%	0.3%	4.8%	2.2%	0%	0%
Gay Man	0.7%	1.5%	0.3%	4.8%	0%	0%	2.6%
Heterosexual/ Straight	71.7%	86.1%	65.4%	85.7%	88.9%	92%	78.9%
Lesbian/Gay Woman	0.7%	1.5%	0.3%	0%	2.2%	0%	2.6%
Prefer not to say	26.1%	9.3%	33.6%	4.8%	6.7%	8%	15.8%
Training							
Bisexual	0.1%	0.2%	0%	0.2%	0.2%	0.1%	0.2%
Gay Man	0.3%	0.3%	0.4%	0.2%	0.9%	0.3%	0%
Heterosexual/ Straight	55.9%	57.3%	45.1%	65.3%	58.4%	54.4%	57.6%
Lesbian/Gay Woman	1.6%	1.8%	0%	1.4%	0.2%	1.9%	2.7%
Prefer not to say	42.1%	40.4%	54.5%	32.9%	40.3%	43.3%	39.4%

11.2 Data from the Office for National Statistics in 2014 estimated that 1.6% of the national population (Aged 16 +) defined themselves as being lesbian, gay or bisexual (LGB). More younger people defined themselves as LGB (2.6% of 16 to 24 year olds). This dropped steadily to 0.6% for people aged over 65.

- 11.3 The Council's figures for 2015/16 are very similar to the figures reported last year for 2014/15. The figure for non-schools as LGB is higher than that for schools standing at 2.4% compared with 0.4% which is higher than the estimated figure above.
- 11.4 Sexual orientation is a sensitive area which is difficult to monitor comprehensively, and a relatively high proportion of employees in schools have chosen not to state their sexual orientation (28.9%) It is hoped that once the self service part of the new HR/Payroll system comes on line and all staff including those working within schools are able to update their own personal details that that more staff will have the confidence to declare their sexuality.

12 GRIEVANCES AND DISCIPLINARIES

- 12.1 In the period 1 April 2015 to 31 March 2016, there were 14 disciplinary cases. None of these cited diversity issues eg racist or sexist behaviour as the basis of the case. 28.6%(4) of those disciplined were female and 71.4%(10) were male. 14.2%(2) were under 30, 42.9%(6) were 30-49 and 42.9%(6) were age 50 or over. 21.4%(3) had an ethnic origin that was not White British. None of them declared that they had a disability. 50%(7) of those disciplined were Christian, 28.6%(4) stated that they had no religion/belief, 14.2%(2) declared their Religion as Other and 7.1%(1) did not wish to declare their religion/belief. 42.9%(6) of these employees preferred not to disclose their sexual orientation, 50%(7) stated that they were heterosexual/straight and 7.1%(1) stated they were bisexual.
- 12.2 In the period 1 April 2015 to 31 March 2016 there were 5 grievances lodged. None of these cited diversity issues e.g. racist or sexist behaviour as the basis of the case.

13 REDUNDANCIES

- 13.1 There were 48 redundancies in the period in question. Seven of them have remained in employment with Bracknell Forest Council in a second post.

The sample size is small, so some percentages can be misleading - a single person represents 2% of the total numbers redundant, for example, and in groups where not every employee makes a declaration (eg ethnicity, sexuality) the percentage produced by one single individual can be an even larger percentage. The 2.5% Mixed ethnicity shown, for example, is in fact one person amongst those who declared ethnicity.

The statistics can also be affected by characteristics of work areas particularly affected. There are more people in the younger age ranges redundant this year than might be expected because of the temporary closure of Coral Reef, where a lot of young people were employed. Apart from this, we can see that there are large percentages of staff in the ranges in the over 60 and 65+ bands, as one might expect, because those who are closer to retirement and may also have longer service would tend to find volunteering from within a selection pool more attractive.

- 30% were male; this compares with 19% in the workforce.

- Of those who declared ethnicity, 92.5% were White; this compares with 78% in the workforce. Additionally there were 5% Asian (1%) and 2.5% Mixed (0.7%).
- Of those who declared their sexuality, 100% declared themselves heterosexual. This compares with 43% in the workforce.
- Of those who declared their religion/belief, 54% were Christian, 35% had no religion, 4% Sikh and 27% "other".
This compares with workforce figures of 42% Christian, 16% no religion, less than 1% Sikh and 3% other.
- None of the group declared a disability. This compares with 1.7% in the workforce.
- The group's ages were as follows (workforce in brackets):
65+ 6% (2%)
60-64 19% (6%)
50-59 12.5% (25%)
40-49 23% (31%)
30-39 12.5% (22%)
20-29 21% (14%)
19 or less 6% (Less than 1%)

14. REVIEW OF LAST YEARS STRATEGIES

14.1 The Council put in place a number of strategies to progress its equality work in relation to workforce matters and to move towards achieving its aim of its workforce being representative of the population it serves. Looking back progress made in respect of the strategies agreed for that year, the Council has:

- (i) Provided training for staff on a variety of appropriate workshops on equalities and diversity issues. The e-learning course for Equality and Diversity has been reviewed and is now known as Equality in the Workplace.
- (ii) Widespread training on the importance of Equality Impact Assessments, their use and how to complete one properly. A new e-learning module covering these is currently in development.
- (iii) Continued to place significant emphasis on equalities and diversity as part of induction training and within a wide range of courses. All new starters are required to complete the Equality in the workplace e-learning module within 4 weeks of joining.
- (iv) Introduced a new qualification - Level 2 in Equality & Diversity which gives learners an introduction to the issues around stereotyping, prejudice and discrimination..
- (v) Self Service within iTrent the new HR/Payroll system has been developed and piloted within two sections in Corporate Services. It enables employees to change their own personal details at any point during the year. The pilot has gone well with no issues found.
- (vi) Exit Interviews have been offered to all leavers from a BME background to ascertain if there are any patterns in their reasons for leaving including any potential equality issues.

- (vii) Produced a ninth Pay and Workforce Strategy which included a strong equalities thread.
- (viii) Action plans from the 2014 staff survey have been developed to address issues concerned. Progress against these is being monitored regularly.

15. STRATEGIES FOR 2016/17

15.1 The following strategies for workforce matters will be put in place to ensure equalities are subject to continuous improvement:

- (i) Continuing to ensure all Council employees and potential employees have fair and equal access to available opportunities and enjoy fair treatment.
- (ii) Continue to conduct annual workforce monitoring broken down by protected characteristics; schools and non schools; and by department.
- (iii) Distribute access to the Self Service part of the new HR/Payroll system across the Council including schools to enable staff to update their personal details at any point during the year. This will include a communication encouraging them to check their information already held on the system.
- (iv) Publish Gender Pay Gap information in line with the new regulations once they are published.
- (v) Continue to ensure that there is an appropriate equality and diversity training programme in place including local context especially relating to cultural awareness.
- (v) Provide a range of e-learning packages on equality issues eg equality impact assessments
- (vi) Continue to conduct exit interviews on all leavers from ethnic minorities until we are satisfied there are no equality issues that need addressing.
- (vii) Continue to revise and update all recruitment related workshops to reflect up to date techniques and good practice.
- (viii) Plans are being made to provide additional advice to community based groups in the area on how to optimise job applications.
- (ix) Investigate how we can get recruitment statistics that includes schools to provide a fuller picture for next year.

16 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Treasurer

16.1 Nothing to add to the report.

Borough Solicitor

16.2 The contents of the report reflect the Council's discharge of its Public Sector Equality Duty under Section 149 of the Equality Act 2010 which requires it to have due regard in the exercise of its functions to the need to;

- Eliminate discrimination, harassment and victimisation
- Promote equality of opportunity between those who share a protected characteristic* and those who don't
- Foster good relations between those who share a protected characteristic and those who don't

** ie age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation"

Equalities Impact Assessment

16.3 Equalities issues are discussed in the report.

Strategic Risk Management

16.4 No strategic risk issues identified.

Background Papers

Departmental returns figures.

Contact for further information

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[h:drive/Workforce Monitoring/Workforce Monitoring Stats & Reports/2016/Workforce Monitoring Report 2016](#)