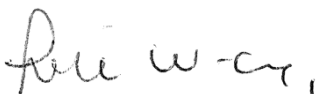


Date of issue: Monday, 11 October 2021

| | |
|---|--|
| MEETING | EMPLOYMENT & APPEALS COMMITTEE (Councillors Ali (Chair), Brooker (Vice-Chair), Basra, Bedi, Carter, Dhaliwal, Gahir, Qaseem and Smith) |
| DATE AND TIME: | TUESDAY, 19TH OCTOBER, 2021 AT 6.30 PM |
| VENUE: | COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL |
| DEMOCRATIC SERVICES OFFICER: (for all enquiries) | MANIZE TALUKDAR 07871 982 919 |

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



JOSIE WRAGG
Chief Executive

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

PAGE

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APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

- | | | | |
|----|---|-------|---|
| 1. | Declarations of Interest | - | - |
| | <i>All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 9 and Appendix B of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.</i> | | |
| 2. | Minutes of the Meeting held on 12th July 2021 | 1 - 6 | - |

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ITEM

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SERVICE IMPLEMENTATION ISSUES

- | | | | |
|----|--|-----------|-----|
| 3. | HR Policies and Procedures | 7 - 36 | All |
| | <ul style="list-style-type: none">• Dignity at Work Code of Conduct• Managing Stress and Wellbeing Code of Practice | | |
| 4. | Temporary Workers | To Follow | All |

ITEMS FOR INFORMATION

- | | | | |
|----|--|---------|-----|
| 5. | Our Futures Programme - Workforce Update | 37 - 38 | All |
| 6. | Members Attendance Record 2021/22 | 39 - 40 | All |
| 7. | Date of Next Meeting - 20th January 2022 | - | - |

Press and Public

Attendance and accessibility: You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before any items in the Part II agenda are considered. For those hard of hearing an Induction Loop System is available in the Council Chamber.

Webcasting and recording: The public part of the meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The footage will remain on our website for 12 months. A copy of the recording will also be retained in accordance with the Council's data retention policy. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

In addition, the law allows members of the public to take photographs, film, audio-record or tweet the proceedings at public meetings. Anyone proposing to do so is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Emergency procedures: The fire alarm is a continuous siren. If the alarm sounds Immediately vacate the premises by the nearest available exit at either the front or rear of the Chamber and proceed to the assembly point: The pavement of the service road outside of Westminster House, 31 Windsor Road.

Covid-19: To accommodate social distancing there is significantly restricted capacity of the Council Chamber and places for the public are very limited. We would encourage those wishing to observe the meeting to view the live stream. Any members of the public who do wish to attend in person should be encouraged to contact the Democratic Services Officer.



Employment & Appeals Committee – Meeting held on Monday, 12th July, 2021.

Present:- Councillors Ali (Chair), Brooker (Vice-Chair), Basra, Bedi, Carter, Dhaliwal, Gahir, Qaseem and Smith.

PART 1

1. Declarations of Interest

None received.

2. Minutes of the Meeting held on 6th April 2021

Resolved – That the minutes of the meeting held on 6 April 2021 be approved as a correct record.

Referring to minute item 33 – Our Futures Programme - Members asked for an update on whether the savings identified in Phase I and II of the programme had been delivered. The Chair informed the meeting that the matter was due to have been discussed under agenda item 6, however due to the unavailability of relevant senior officers at the meeting, the item was being deferred.

The Chair expressed his disappointment and frustration at having to defer this agenda item and requested that a detailed report be submitted to the next meeting; addressing the matters raised at the previous meeting and that relevant officers, including the Executive Director of Transformation be in attendance at the October meeting.

3. Gender Pay Gap

The Diversity and Inclusion Manager presented a report regarding the Gender Pay Gap, stating that it was a statutory requirement to report on this topic. Key points of the report were highlighted as:

- Slough Borough Council consistently reported a lower than average gender pay gap. As was the case with most local authorities, Slough employed more women than men across all pay quartiles.
- The staff engagement survey from 2020 showed that 70% of staff felt that there was good gender equality at SBC. However, discrepancies remained between the pay of men and women, particularly in the low representation of women in higher paid, senior posts.
- The mean average showed that women earned 10% less than men. This gap had increased since 2020. The median average was a negative value of -3.1%. In real terms, this meant that the mean hourly rate for men was £18.62 and the mean women's hourly rate was £16.75.

The Committee discussed the differentiation between the mean and median data as set out in the report and it was noted that although overall there were

Employment & Appeals Committee - 12.07.21

more women applicants than men, this was less so at a senior level or in specialist roles. Members asked a number of questions, which included what the organisation was doing to address the imbalance. It was explained that a number of strategies had been adopted including the introduction of blind applications and balanced interview panels, measures which would act as good counterbalances to any unconscious bias or indirect discrimination on the part of recruiters.

A Member asked for details of the average hourly pay in comparison to the national average and it was noted that this information would be circulated to the Committee. It was highlighted that a number of factors affected the average pay rate in the UK including sector and bonuses. It was explained that performance related bonuses were not awarded at the Council and the 'bonus payments' referred to in the report related to one off payments to employees for long term service.

Following a general discussion regarding part-time workers and what the authority was doing to support them, it was explained that the pandemic had accelerated the move to agile working which had benefitted many employees in allowing flexible working; especially female employees as there were more female part-time workers than male at the Council. Concern was expressed that working from home could adversely also impact on the work-life balance for individuals and it was explained that it was for employees to discuss workloads with their manager and to ensure clarity around the parameters of their workloads/hours of work.

It was noted that the current senior management at the Council did not reflect Slough's wider community and the Chair asked what measures the Our Futures Transformation Programme had implemented to address this. The Diversity and Inclusion Manager explained that to reflect an accurate representation would take time but ultimately was dependant on applications received for senior posts. Work was on-going to gain an understanding as to the reasons why and measures such as having a Positive Discrimination Policy could seek to improve representation from females and Black and Minority Ethnic Groups. Whilst the Council encouraged applicants to divulge details relating to ethnicity, collating such information was not mandatory.

Resolved – That the independently calculated and verified results of the 2020 gender pay gap for Slough Borough Council employees and proposal to develop an action plan be noted.

4. Temporary Workers

The Employee Relations and Policy Manager presented a report regarding the Council's temporary workers. The Council had awarded a contract to the Matrix Employment Agency in June 2020 and in this quarter, the Council had made savings in excess of £186K and work continued to generate further savings in agency fees. The contract was managed in line with the agreed key performance indicators (KPI's) as set out in Appendix 2 to the report. In this quarter all the KPI's were achieved with the exception of Early Years (65%).

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This was due to the main supplier voluntarily withdrawing from Matrix due to non-compliance of contract.

Referring specifically to the usage of temporary labour the total spend for this quarter was £3.4 million a decrease of £ 84,452, but £10,174 less than the previous quarter. The total hours of 3,011 were 75 hours reduction compared to the last quarter. The key outliners were Finance & Resources; Adults (Operations); Place and Development and Regeneration Directorate who had made combined savings of £160,359.

Members were informed that despite savings in Finance and Housing services, there had been an increase in agency spend since last quarter due to increase in activity related to the current financial position of the council. Overall, the council had achieved £186,337 which equated to a 5.29% saving and increases of 0.39% in total savings, compared to last quarter.

It was anticipated that the savings trend would continue as a number of agency contracts were coming to an end and that this would be reflected in the report for the next quarter. Further work continued with each directorate to provide business cases to engage or renew request for agency workers. The business case requests were subject to scrutiny by Executive Management Board before approval was granted.

Members raised a number of points in the ensuing discussion, including concern relating to the quality of work being performed by temporary workers and frustration that once individuals had left the authority there was no recourse in terms of accountability. In addition, was there a proper handover process when temporary workers left to ensure continuity of service. It was explained that agency workers were subject to the proper checks and balances prior to appointment and work was monitored by service areas to ensure objectives were being met and delivered. Joint monitoring meetings entailed a scrutiny process of overseeing the performance of agency workers and clauses in the Matrix contract allowed any issues to be raised and reported. As the Council moved towards becoming a performance organisation, there would be an expectation of greater accountability and audit trails.

The total net savings in spend on temporary workers were driven by the previous quarter differences and it was agreed that details of total agency spend for the previous two quarters would be circulated to the Committee for information.

Referring specifically to IT related jobs, a member queried why the Council not recruit directly from the open market. It was explained that some staff were sourced for specific long-term projects requiring specialist areas of expertise and that there was a need to keep pace with developments and changes in IT infrastructure.

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Following the issuing of the Section 114 Notice in May 2021, Members stated that they had been informed that specialist additional support would be provided in the finance and governance teams within the Council; and asked for details of costs of additional resources to the finance team including the number of individuals employed, salary costs and duration of contracts. It was agreed that this information would be circulated after the meeting.

The wellbeing of employees was raised and it was outlined that HR had provided wellbeing support to staff to ensure they had the capacity and mental health resilience during and after the transformation programme. In terms of accountability, any learning would be escalated to senior colleagues and focussed and targeted work would be carried out by the Learning and Development team.

In order to achieve additional efficiencies, the Council had transferred some functions to CDL, which was a direct client of Matrix. These included the direct on-costs all of which added up. The CDL process allowed the Council to reduce those fees previously paid to the agency.

Responding to whether further savings could be made by offering permanent contracts to agency workers, it was explained that as part of the transformation programme, vacant posts were reviewed on a monthly basis. It was noted that temporary employees often did not want to be employed on a permanent basis.

It was suggested that the Council recruit from local colleges and universities and the Committee were informed that prior to the pandemic, the Council did partner with colleges, universities and job fairs in the wider market. However, it was important to note that newly qualified candidates were often lacking in experience and were not always the ideal candidate. Upskilling current staff was also proposed as an initiative to develop and retain existing staff and it was outlined that upskilling was a long term process and there was often an immediate need or the work was business-critical.

Members discussed the Matrix contract and were informed that this was reviewed on both a quarterly and monthly basis to ensure value for money and if KPI's were not met then there were penalties built into the contract. The Committee requested that the October report include details of the procurement process undertaken in appointing Matrix SCM as the Council's agency staff provider, duration of the contract and details of performance related clauses within the contract.

Resolved – That the report be noted.

5. The Slough Academy Update

The Workforce Development Manager presented on the transition of the Apprenticeship Programme following the closure of the Slough Academy Team which was now incorporated into the new Workforce Development Team.

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The Committee noted that the changes were part of the new operating model following the Our Futures transformation programme. It was stated that the Slough Academy had met its original objectives and the team was now focused on the wider learning and development agenda, not solely apprenticeships. Members noted some of the key indicators which included:

- SBC had spent 65% of its apprenticeship levy, which amounted to £280,000 used to grow our own talent and save some of the corporate training budget. Very few organisations spent 100% of the available pot due to the restrictions on its use.
- One factor in this was that the number of apprentices had dropped in 2020/21 due to the imminent Our Futures phase 2 restructure.
- Twelve apprentices had completed with a total of 40 apprenticeships started under the Slough Academy.
- 90% of apprentices had been upskilled by at least 50% and 100% of apprentices who had completed their programmes had remained with SBC.
- 75% of apprentices were Slough residents.

The Council had not achieved the Government target for the cumulative average of apprenticeships of 2.3% of the workforce due to the fall in the number of apprenticeships in 2020/21. The cumulative average was 1.27% and the Officer explained the steps the team was taking to work with departments to increase the number in the future. The Workforce Development Team was supporting departments within its current resources, noting that there were some vacancies in team and a reduced training budget due to the financial challenges.

Members asked a number of questions about the way in which the Apprenticeship Levy worked. It was confirmed that SBC had delivered apprenticeships in areas such as children's services and civil engineering. Any unspent monies were returned to the Government. Some concerns were expressed that the twelve apprenticeships was low for an organisation of the size of the Council and asked how the team was working with departments to bring new apprentices on board. The Officer commented that the team engaged on a monthly basis with departments about the opportunities for apprenticeships both to upskill existing staff and for new starters. There had been a number of challenges in 2020/21 which had contributed to the lower number, particularly the uncertainty of the transformation programme. Members discussed the opportunities to attract more talent to SBC and it was noted that Slough faced significant competition from other organisations and areas nearby.

The Committee commented on the importance of senior management buy in to increasing the apprenticeships. Management needed to invest time, support and patience to apprentices and highlighted that a cultural shift was needed as the Council emerged from the transformation programme to promote learning opportunities.

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A question was asked about whether the Council partnered with other local organisations to promote apprenticeships. The Officer commented that for certain contracts, e.g. building contracts, targets for apprenticeships were incorporated. Work was taking place with schools but there were challenges given funding pressures. A further question was asked about providers and it was agreed that details of the providers the Council worked with via the Apprenticeship Reforms and Levy app to be circulated to the Committee.

At the conclusion of the discussion the report was noted.

Resolved – That details of the report be noted.

6. Our Futures Programme - Workforce Update

Resolved – That this item be deferred to the next meeting of the Committee.

7. Date of Next Meeting - 19th October 2021

Resolved – The date of the next meeting was confirmed as 19 October 2021.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.49 pm)

SLOUGH BOROUGH COUNCIL

REPORT TO: Employment and Appeals Committee

DATE: 19 October 2021

CONTACT OFFICER: Surjit Nagra. Associate Director Customer

AUTHORS:
For all enquiries Dipak Mistry, Employee Relations and HR Policy Manager;
Christine Ford, Diversity and Inclusion Lead

WARDS: All

PART I
FOR DECISION

EMPLOYMENT POLICIES AND PROCEDURES – DIGNITY AT WORK CODE OF CONDUCT AND MANAGING STRESS AND WELLBEING CODE OF PRACTICE

1. Purpose of Report

1.1 This report provides the Committee with an overview of the updated Dignity at Work Code of Conduct and Managing Stress and Wellbeing Code of Practice. Both the updated documents are attached as Appendix A and B.

2. Recommendation(s)/Proposed Action

2.1 The Committee is requested to review and approve the updated codes.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

(a) The codes support employee health and wellbeing and promote an inclusive work environment, which in turn supports the Joint Wellbeing Strategy and JSNA.

(b) **Five Year Plan Outcomes**

Maintaining a committed, talented and inclusive workforce is central to delivering the Five-Year Plan Outcomes.

4 Other Implications

(a) **Financial**

There are no financial implications of the proposed action in terms of allocated budgets.

(b) Risk Management

| Recommendation from section 2 above | Risks/Threats/ Opportunities | Current Controls | Using the Risk Management Matrix Score the risk | Future Controls |
|---|---|---|---|---|
| <p>Review and Approve <i>Dignity at Work</i> and <i>Managing Stress and Wellbeing Codes</i></p> | <p>Tolerance of discriminatory behaviour risks challenge under the Equality Act (2010). Failure to pay due regard to the health and wellbeing of staff risks challenge under the Health and Safety at Work Regulations (1999); Toleration of poor standards of behaviour in the workplace raises the risk of employment tribunal claims and other costly employee relations cases, poor working relationships and staff morale. Staff absence due to stress in the workplace and associated costs thereof.</p> <p>Perceived Inequality/poor behaviours in the</p> | <p>Codes restate “zero tolerance approach” to inappropriate behaviour. Emphasis on early and informal resolution aims to reduce formal procedures and associated costs; however, clear escalation process for serious and unresolved cases. Emphasis on employee welfare, holistic approach to stress management and practical advice</p> | <p>6</p> <p>9</p> | <p>Review and monitor through regular Employee Relations Case Review and Management</p> <p>Regular review of legislation changes and code is updated.</p> <p>Ensure code is widely communicated and both management and staff are educated on the code purpose and aims</p> <p>Regular review of Employee Relations Cases and reporting at Directorate Management</p> |

| | | | | |
|--|--|--|--|--|
| | workforce can negatively affect recruitment and retention of staff | | | Meetings where there is a rise in cases. |
|--|--|--|--|--|

(c) Human Rights Act and Other Legal Implications

The council has a duty as an employer to protect staff from discrimination, bullying and harassment in the workplace (Equality Act 2010) and promote good relations between people of different protected characteristics. Under the Health and Safety at Work Regulations (1999), the council has a duty to employees with regard to assessing the risk of stress-related ill health that may arise at work.

(d) Equalities Impact Assessment

Employees of the council comprise all equality groups: both codes aim to promote positive work outcomes for all staff with a clear “zero tolerance” environment for inappropriate or discriminatory behaviour and a clear emphasis on employee well-being. However, it is recognised that some groups may be more likely to experience incidents in the workplace that are related to dignity at work and an EIA will monitor the policy in terms of staff making claims and outcomes.

(e) Workforce

The council is committed to being an inclusive employer, attracting and retaining a talented and committed workforce from all backgrounds. Also to promote a working environment that is free from discrimination where there is a culture of dignity and respect.

5. Supporting Information

5.1 The council is committed to promoting a working environment where the highest standards of behaviour are exhibited by all employees. The two codes presented in this report provide frameworks for this to take place. The council recognises its legal obligations under the Equality Act (2010) to ensure that no employee is subject to discrimination, harassment or bullying based on a protected equality characteristic and clear processes are in place to escalate any concerns.

5.2 The *Dignity at Work Code of Conduct* has been updated to include clear definitions and examples of inappropriate behaviour, with details of both the informal and formal processes open to employees to resolve any concerns and issues they may have.

5.2 The council has a legal duty to ensure the health and safety of all employees at work. The *Managing Stress and Wellbeing Code of Practice* is principally

concerned with stress arising from or affecting the individual in the working environment. It appreciates that a holistic approach is often required to support staff who may also be experiencing stress outside of work. The code outlines the key responsibilities of the organisation in identifying and supporting staff that are experiencing stress at work. In particular, the code highlights the roles of both managers and employees in promoting wellbeing, placing important emphasis on spotting early signs, and making early interventions. Furthermore, it outlines the wide range of practical support available to all staff, including the confidential Employee Assistance Programme.

6. Summary of key points:

6.1 The summary below of both codes provides the areas that have been updated and or strengthened.

Dignity at Work Code of Conduct:

- Clear statement of “zero tolerance” approach to bullying, harassment, discrimination, and inappropriate behaviour
- Clear and comprehensive sections on responsibilities and expectations of both managers and employees
- Key legislation explained in respect of discrimination and the Equality Act
- Detailed definitions and practical examples of unacceptable behaviour, updated to include cyber-bullying
- Clear examples of what does and does not constitute the above.
- Detailed information on how to make a complaint, including information on Whistleblowing procedures, access to mediation, other informal processes, and formal procedures

6.2 *Managing Stress and Wellbeing Code of Practice*

- Defining stress and recognising the importance of employee wellbeing in the workplace
- Outlining key legal obligations, including the Health and Safety at Work Regulations (1999) regarding assessing the risk of stress-related ill health that may arise at work.
- Identifying the potential causes of and key signs of employees under stress
- Practical advice on conducting stress risk assessment, managing stress and links to further support

7. Consultation Process

7.1 Consultation in respect of the revised codes has taken place with Trade Union colleagues, Employee Engagement Forum, SBC Women’s Network, SBC Employees with Disabilities Forum and Corporate Consultative Forum. Following the consultation comments that were made were considered and further revisions made. This report presents the final agreed codes following the above consultation with the various groups.

8. Implementation Process

8.1 When the codes are approved the codes will be communicated to the wider organisation. The implementation process will include various methods of communication including.

- Newsround articles
- Update information on SBC insite
- Programme of events and sessions to Directorates on the two codes to ensure the codes are fully understood.

9. Appendices

Appendix A – SBC Dignity of Work Code of Conduct

Appendix B - SBC Managing Stress and Wellbeing Code of Practice

10. Background Papers

None

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DIGNITY AT WORK CODE OF CONDUCT

September 2021

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1. Introduction

All employees have the right to be treated fairly and free from discrimination in their working environment. We all should expect to be treated with consideration, dignity and respect, and we all have a responsibility to set a positive example by treating others with respect and act in a way which is in line with Slough Borough Council's (the council) values.

The council is committed to providing an inclusive and supportive working environment for all of our employees. This includes providing an environment with zero tolerance from harassment, bullying, discrimination or inappropriate behaviour from colleagues, managers or service users. Complaints and concerns will be taken seriously, and this code applies to all people identified within the scope of the code who consider that they have been bullied or harassed in any way.

The council will expect zero tolerance on bullying, harassment or discrimination in any form. Discrimination, bullying or harassment based on protected characteristics which is illegal under the Equality Act (2010). The following characteristics are covered by the act:

- Disability
- Age
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex (Gender)
- Sexual Orientation

You do not need to have the protected characteristic yourself: the Equality Act 2010 also protects you from discrimination, bullying or harassment based on association (someone connected to you), or on perception (that is when someone thinks you have the characteristic even if you do not). It also applies if you have witnessed inappropriate, offensive or discriminatory behaviour towards someone else and you wish to report it.

2. Purpose

This code has been developed to ensure that everyone knows:

- the sort of behaviour we expect to see to ensure dignity at work for all
- the sort of behaviour which is not acceptable
- what support is available to staff who feel bullied, harassed, victimised or discriminated against
- what steps you can take if you feel you are not being treated with dignity and respect, including how to make an informal or formal complaint
- steps you can take if you are concerned a colleague is not being treated with dignity and respect

- Please refer to Appendix A or section 4.2; for details of what may or may not constitute bullying and/or harassment.

3. Scope

This code of conduct relates to incidents which occur between employees; a separate policy relates to third party harassment involving members of the public.

This code of conduct applies to all employees of the council. It also applies to agency workers, casual workers, volunteers and contractors who may not be directly employed by the council but are carrying out work on behalf of the council. Employees, contractors and agency workers will be referred to as “employees” for ease throughout the code.

If employees wish to formally raise a complaint about matters in relation to harassment, bullying, discrimination or victimisation, they should do so under the Grievance Policy, if an informal approach has not resolved the situation.

For third party harassment please refer to the relevant Equality Act (2010) guidance on insite.

4. Roles and Responsibilities

Both managers and employees have roles and responsibilities under this code.

4.1 Managers will:

- Apply the provisions of this guidance on a day-to-day basis, especially in setting a good example for other employees to follow and for intervening where necessary to protect and reassure employees. Managers should make effort to resolve issues informally in the first instance.
- Ensure that employees are familiar with this code with guidance and where it can be found
- Ensure that all complaints of discrimination, harassment, bullying and victimisation are dealt with promptly, seriously and confidentially and in accordance with our internal grievance policy and procedure
- Set a good example by treating employees with fairness, dignity and respect at all times
- Be alert to unacceptable behaviour and take appropriate action to challenge and stop it without delay
- Monitor all incidents of alleged discrimination, harassment and bullying and review the effectiveness of this code and the grievance policy and procedure periodically
- Deal with all complaints in a confidential way and only discuss the case on a need-to-know basis
- Conduct a risk assessment with the employee where allegations of discrimination, bullying, harassment or victimisation are made to ensure steps are taken to safeguard their wellbeing

- Within any organisation it is necessary for managers to be able to manage their staff in a fair and consistent manner and be able to carry out their duties without threat of vexation or malicious complaints. It is therefore important to distinguish between firm, fair management and bullying or harassing behaviour. Because of differences in perception, there is sometimes confusion between firm, fair management and bullying and harassment. However, the following useful comparisons have been developed to highlight some general disparities:

4.2 Firm and Fair Management

| Firm/Fair Manager | Bullying/Harassing Manager |
|--|--|
| <ul style="list-style-type: none"> • Consistent and fair • Determined to achieve best results, but reasonable and flexible. • Knows their own mind but is willing to consult with colleagues and staff before drawing up proposals. | <ul style="list-style-type: none"> • Aggressive, inconsistent and unfair • Unreasonable and inflexible • Believes that they are always right, has fixed opinions, • believes they know best and are not prepared to value other people's opinions. |
| <ul style="list-style-type: none"> • Insists on high performance standards in team and accountability. | <ul style="list-style-type: none"> • Insists on high standards of service and behaviour, but blames others if things go wrong. • Loses temper regularly, degrades people in front of others, threatens official warnings without listening to any explanation |
| <ul style="list-style-type: none"> • Will discuss in private any perceived deterioration before forming any views or taking action and does not apportion blame on others if things go wrong. • Loses their temper regularly, degrades people in front of others, and threatens • Will discuss issues in a timely manner • Asks for people's views, listens and assimilates feedback | <ul style="list-style-type: none"> • Tells people what will be happening, does not listen to the view of others • Ignores set down policy and procedures |

Also see further examples in Appendix A

4.3 Employees will:

- Conduct themselves in accordance with this code and the provisions of this guidance in a way which does not intimidate, cause offence or embarrassment to others, and to be aware of behaviour which may cause offence, even if unintentional. Upholding the council values.

- To contribute towards a working environment free from bullying, harassment or victimisation.
- To raise their concerns, if appropriate, in the first instance by telling the perpetrator to 'Stop' their unacceptable and inappropriate behaviour verbally or in writing, respectfully outlining how their behaviour is causing concern and make every attempt to resolve the concerns informally.
- Where employees do not feel they can raise concerns informally they should raise concerns relating to discrimination, bullying, harassment and victimisation with their line manager or their line manager's manager in the first instance as soon as they occur or as is reasonably practicable
- Treat others fairly and with dignity and respect
- Not commit, condone, or encourage any acts of discrimination, harassment, victimisation or bullying against any person, such as their colleagues, job applicants or the council's customers. Such behaviour will not be permitted or tolerated. This will be treated as misconduct which may lead to dismissal from the council.
- Discourage discrimination, harassment, victimisation and bullying by making it clear that they find such behaviour unacceptable and by supporting colleagues who suffer such treatment.
- Be aware of language, including jokes, at work as whilst these may not be directed at anyone in particular may unintentionally cause offense or be inappropriate.

5. Unacceptable Behaviour

The council defines unacceptable behaviour as any form of conduct or behaviour of a physical, verbal or non-verbal kind which has some or all of the following elements;

- is unwanted, unsolicited, unreasonable and personally offensive to the recipient(s) (irrespective of the intentions) This can also include when such behaviour has been heard or witnessed, even if it was not directed at you personally
- creates an intimidating, hostile or humiliating work environment for the recipient(s) affecting their dignity whilst at work
- fails to both respect the rights and recognise the impact that such behaviour may have on others
- threatens job security or disadvantages the recipient(s) in some way

6. Discrimination

Discrimination can come in one of the following forms:

- direct discrimination - treating someone with a protected characteristic less favourably than others
- indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage
- harassment - unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them

- victimisation - treating someone unfairly because they've complained about discrimination or harassment
- Discrimination based on perception
- Discrimination based on association

It can be lawful to have specific rules or arrangements in place, as long as they can be justified.

Further information about different types of discrimination is included in the ACAS booklet *Equality-and- discrimination-understand-the-basics* – <https://www.acas.org.uk/discrimination-bullying-and-harassment>.

7. Bullying

Bullying is the offensive, intimidating malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, it can include both personal strength and the power to coerce through fear or intimidation.

Bullying, like harassment, may be verbal, non-verbal or physical. It can be carried out by one individual against another individual or group, or by a group against an individual or a group. Please refer to **Appendices A and section 4.2 on firm and fair management** for further details.

8. Harassment

Harassment is defined in the Equality Act 2010 as unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It is regarded as any conduct related to sex, race, colour, ethnic or national origin, disability, age, sexual orientation, gender reassignment, religion or belief or any other personal characteristic that is unwanted by the recipient. Harassment may take place over a period of time or it could be an isolated incident.

Examples: shouting, humiliating, public or private verbal abuse and intimidation. Please refer to **Appendix A** for further details.

9. Victimisation

Victimisation occurs when person A treats person B unfavourably and A knows or suspects that B has already done or intends to do one of the following: bring discrimination proceedings, give evidence or information in connection with discrimination proceedings, make an allegation of unlawful discrimination, or do anything else under, or by reference to, discrimination legislation (these are known as 'protected acts').

10. Cyber-bullying

Cyber-bullying can be defined as the use of information and communication technologies to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm others.

Typically, it involves the use of the Internet, e-mail or mobile phones to send or post text or images, including links to other websites, intended to hurt or embarrass another person. In many cases, the spreading of offensive jokes or shocking or sexual material via phone or e-mail may also constitute cyber-harassment.

In the workplace, bullying by e-mail is probably most often recognised as cyber-bullying. This usually takes the form of curt, rude or unpleasant e-mails sent by a superior or by a colleague. In some cases, such an e-mail may be sent with no malicious intent but may be poorly written or insensitive. Other e-mails can include relatively inoffensive messages in terms of content, but the implied meaning behind the message can constitute a form of bullying.

Workplace cyber-bullying is not always limited to working hours. Posting malicious or offensive blogs and comments about others on social networking sites, for example, would also fall under the umbrella of cyber-bullying, as would the taking of inappropriate pictures on mobile phones and spreading these on the Internet.

Cyber-bullying is no less unpleasant than conventional bullying, and staff are protected in the same way by the law. Managers should always be alert to this form of bullying and take any complaints seriously. They should investigate and take appropriate action, adapting policies as required and working with ICT, where necessary. **Please refer to Appendix A** for more details.

11. Speaking Out (Whistleblowing)

Speaking out, or whistleblowing, is when you speak out about something you are concerned about at work because you believe it needs bringing out into the open for the public good.

If you see something at work that you believe is negligent, improper or illegal, then you should report this to the relevant people. The Whistleblowing using this link: [Whistle blowing – Slough Borough Council](#) tells you what types of concerns are covered and the process to follow.

12. How to Complain

Breaches of this code are disciplinary offences under the council's disciplinary policy and procedure. No individual should be subjected to unacceptable and unreasonable behaviour, or suffer discrimination based on a protected quality characteristic. Those on the receiving end have the right to seek resolution, firstly, through the informal procedure, defined below, unless the matter is so serious it warrants immediate escalation to the formal procedure under the council's grievance policy. If the individual does not feel they can register their concern initially through their line management or HR then they can refer to the Diversity and Inclusion Manager or Employee Relations and Policy Manager. If a resolution cannot be found at this stage, then the employee can make a formal complaint under the council's grievance policy and procedure.

13. Vexatious or Malicious Complaints

All complaints of bullying and harassment will be treated within the context of the right of each individual to be treated with dignity and fairness. Staff that have bona fide complaints are encouraged to raise them without fear of recrimination, in the knowledge that the council takes the issue of bullying and harassment very seriously.

However, if a complaint is found to have not been made in good faith and/or made with malicious intent, or it has been identified through the investigation that the complainant's behaviour or actions has contributed towards the alleged incident(s) this will be treated as a disciplinary offence which may result in disciplinary action.

If a member of staff believes that someone has deliberately made a false complaint against them, they may bring a grievance against that person (or persons) under the Councils Grievance policy. If that grievance is upheld, this may lead to disciplinary action being taken against the person or people who brought the malicious or vexatious complaint.

14. Informal Procedure

Informal methods of dealing with unacceptable behaviour are often the quickest and most effective.

If you think that someone is bullying you or behaving in another way which is not acceptable and you, should talk to them about it, explain to them how they are making you feel and ask them to stop. Sometimes individuals don't realise the effect their behaviour is having on other people, so this direct approach might make them stop and think.

If this does not work, or you feel that you cannot approach the individual directly, ask your line manager, their manager, or a senior colleague for help.

If the complaint is about your line manager, then it should be raised with the manager at the level above. Employees and managers are encouraged to try and resolve the complaints as quickly as possible.

A risk assessment should be conducted at this stage with the employee to ensure appropriate steps are being taken to safeguard their wellbeing. See **Appendix A** for more details.

15. Facilitated Meeting

If you don't feel able to discuss the matter with your manager or if you are not satisfied with your manager's response, you can contact the Human Resources team to ask for a facilitated meeting.

This is a meeting between the person who feels they have been the subject of unacceptable behaviour and the person they are complaining about, with an appropriate person there to facilitate (make it easier). The appropriate person might be an independent manager or a member of the Human Resources Team. They will make sure that the issues are discussed in a safe, confidential, and supported way with the aim of reaching a resolution.

If a facilitated meeting is appropriate, a member of the Human Resources team will contact an appropriate person to request the meeting and let you know that they have done so. At this meeting the issues should be discussed and, if possible, resolution reached. If necessary, more than one facilitated meeting can take place to resolve the issue. (This might be with a different appropriate person facilitating the meeting.)

Where at all possible this would be the preferred way of resolving the matter in a timely way and with the least distress and disruption to those involved.

If an employee feels that the above is not possible and has exhausted the informal approach or wants help and support in dealing with a complaint then they can do so by

making contact with the Human Resources team who can speak to the Associate Director or appropriate senior manager about arranging mediation. The employee can also contact their trade union representative or there is a confidential support service (Employee Assistance Programme), you can contact them to have a confidential discussion on <https://www.employeeassistance.org.uk/>

16. Mediation

If it has not been possible to reach a resolution through a facilitated meeting (or meetings), then the more structured Mediation process might be appropriate.

Mediation is a completely voluntary and confidential form of alternative dispute resolution. It involves an independent, impartial person (usually one who has been trained as a mediator) helping two or more individuals or groups to reach a solution that is acceptable to everyone.

Mediation can be used at any stage in a dispute but is most effective before positions become entrenched. The overriding aim of workplace mediation is to restore and maintain the working relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.

If it is decided that mediation is appropriate and should be arranged, the mediator will contact the individuals involved to explain the process.

Where agreement is reached and the mediator and all parties have a reasonable belief that the matter has been satisfactorily resolved, no further formal action will be taken.

For more information in respect of mediation please refer to **Appendix 2 of the Grievance Policy and Procedure**.

17. Formal Procedure

Employees are encouraged to seek to resolve their concerns informally and through mediation wherever possible. Where an employee wishes to raise a formal complaint, this must be done using the council's Grievance Policy and Procedure, <http://insite/people/hr-policies/grievances/>. The employee can be accompanied by a trade union representative or a work colleague or support worker at any stage of the grievance procedure.

18. Confidentiality

The council will deal with all complaints sensitively and with respect for the privacy of all individuals involved. All parties involved must treat as confidential any information communicated in connection with an investigation into a bullying, harassment or victimisation matter. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported under the Council's Data Protection Policy. It may also constitute a disciplinary offence which will be dealt with under the disciplinary policy and procedure.

19. Policy Approval and Review

| | |
|----------------------------------|--|
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Appendix A

Definitions and Examples of Bullying and Harassment

There are many definitions of bullying and harassment.

ACAS characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

The impact on the individual can be the same as harassment and the words bullying and harassment are often used interchangeably in the workplace.

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems.

Examples of what is unacceptable behaviour in organisations may include:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all workers.

Bullying

Bullying can occur in a number of different ways. Some are obvious and easy to identify. Others are

subtle and difficult to explain. Examples of bullying behaviour include:

- ignoring views and opinions
- withholding information which can affect a worker's performance
- setting unreasonable or impossible deadlines
- setting unmanageable workloads
- humiliating staff in front of others
- spreading malicious rumours

- intentionally blocking promotion or training opportunities
- ridiculing or demeaning someone by picking on them or setting them up to fail
- overbearing supervision or other misuse of power or position
- deliberately undermining a competent colleague

Cyber-bullying

Technology has seen the development of new ways in which to bully, harass and abuse workers.

Cyber bullying is defined as ‘any use of information and communications technology to support deliberate and hostile attempts to hurt, upset or embarrass another person’.

Examples of cyber bullying include.

- Offensive emails
- Email threats. This includes emails that appear to be inoffensive, but the implied meaning:
 - behind it constitutes bullying. For example, a manager using email to bombard an employee
 - with more work than they can handle, and not treating other employees in the same way
- Posting defamatory gossip on blogs on social networking sites. It is possible that a person:
 - does not immediately experience the bullying directly because they are unaware of what is
 - being posted about them on sites
- Threats or offensive comments by SMS text messages and other messaging platforms on mobile phones (e.g. Twitter, Facebook, Instagram, WhatsApp)
- Harassment by email
- Posting private and personal details about someone online

Bullying Case Examples:

Public verbal abuse

“I was blamed for my mistakes in front of the entire office. I was shouted at and told to do the work that should have been done and not to do it again. Everyone was listening as the manager shouted at me”

“Rubbishing your work, including public humiliation through doing a job not to the required standard”

“Setting unrealistic targets, being made to feel ‘unprofessional’”

Contract manipulation

“I was threatened with job loss because I wanted the bank holiday off with my family”

“I needed time off with a viral infection. My manager told lies to other members of staff about why I was off work”

Undermining actions

“The manager totally undermined me in front of clients, giving them the impression I was not capable of helping them and advising them to come another day”

“Taking my clock card out of the rack and discussing my hours with general office staff. Not passing on messages; delaying paperwork so deadlines were missed”

Harassment

The Equality Act 2010 uses a single definition of harassment to cover the relevant protected characteristics.

Employees can complain of behaviour that they find offensive even if it is not directed at them. Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

1. Sexual Harassment

Sexual harassment includes unwanted verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment. Often, it can cause distress, interfere with job performance, over-emphasise a person’s sexuality and fail to respect the rights of others. It demoralises and diminishes people's skills and capabilities. The following are examples of inappropriate behaviour, which could cause offence:

- inappropriate comments about dress or appearance, unwanted physical contact, e.g., touching, brushing against another person's body, patting, pinching and any form of sexual assault
- unwelcome sexual advances, propositions or pressure for sexual activity
- continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome
- sexually suggestive remarks, jokes or gestures
- the display of sexually suggestive pictures, objects or written material
- conduct that ridicules, destroys or is physically abusive or minimises the skills and abilities of a member of staff because of their sex

2. Racial Harassment

Racial Harassment is an act which can intimidate, humiliate, ridicule, exploit or undermine the confidence of a person by reason of the person's race, colour, nationality, ethnic origin or religion. The following are examples of inappropriate behaviour, which could cause offence:

- racist language or abuse directed towards and within the hearing of a member of staff
- racist "jokes" which includes all jokes made about any group, e.g., Asian, African, Irish and Jewish people as well as people from other racial/ethnic groups
- racial stereotyping within the workplace resulting in limited employment opportunities because of the individual's membership of their racial group;
- written abuse and the display of offensive material

- differential and less favourable treatment, e.g. unfair allocation of work failure to recognise the quality of someone's work because of preconceptions about race and ethnicity
- deliberate exclusion from conversations and/or work/social activities

3. Disability Harassment

Disability Harassment is directed at those staff who have a disability or specific health condition.

The following are examples of inappropriate behaviour, which could cause offence:

- staring and / or uninvited touching
- deliberate exclusion from conversations and/or work/social activities
- speaking to others rather than to the disabled person directly
- verbal or physical abuse or intimidation
- questioning a disabled person's work capacity and / or ability
- making assumptions or speculating about someone's impairment
- asking intimate questions about disabled people
- failure to recognise ability
- offensive or patronising remarks or actions ridicule

4. Harassment of Trans, Non Binary, Lesbian, Gay, Bisexual employees

Employees may suffer harassment because of their sexual orientation or gender identity, resulting in offence being caused to their dignity. The following are examples of inappropriate behaviour which could cause offence:

- homophobic jokes or the implication homosexuality is a negative trait
- the asking of intimate questions about someone's personal or sexual life
- assumptions that everyone is heterosexual or cis gender
- gossip and speculation about someone's sexuality or gender
- deliberate exclusion from conversations and/or work/social activities
- offensive actions and physical attack
- verbal or physical abuse and offensive actions
- deliberately using the incorrect pro-noun or name
- disclosing that someone is homosexual or transgender without their consent
- assumptions about medical treatments and transitioning

5. Age Harassment

This is discriminatory, ridiculing or demeaning behaviour based on stereotypical perceptions and prejudices about a person's age. Examples of inappropriate behaviour are similar in kind to the list included for racial harassment but are based on ageist grounds.

6. Harassment on Religious Grounds

This is behaviour which fails to tolerate or acknowledge the rights or needs of individuals with different religious beliefs and practices. Examples of inappropriate behaviour are similar in kind to the list included for racial harassment but are based on religious grounds.

7. Harassment at Work by Others

An employee can make a complaint against their employer where they are harassed by someone who doesn't work for that employer such as a customer, client or passenger. As an employer, once you are aware of this unwanted behaviour you should take reasonable and proportionate action to address the issues.

Harassment Case Examples:

It is important to note that the complainant need not possess the relevant characteristic themselves to be considered as having been subject to harassment. Harassment can occur because of their association with a person who has a protected characteristic, or because they are incorrectly perceived to have one, or are treated as if they do:

- Paul is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. Claire shares an office with Paul and she too is claiming harassment, even though she is not disabled, as the manager's behaviour has also created an offensive environment for her
- Steve is continually being called gay and other related names by a group of employees at his work. Derogatory homophobic comments have been posted on the staff noticeboard about him by people from this group. Steve was recently physically pushed to the floor by one member of the group but is too scared to take action. Steve is not gay but heterosexual; furthermore, the group know he isn't gay. This is harassment related to sexual orientation.
- Chris manages a Council Benefits Office. One of her staff, Raj, is a Sikh. Raj mentions to Chris that he is feeling unhappy after a claimant made derogatory remarks regarding his faith in his hearing. Chris is concerned and monitors the situation. Within a few days the claimant makes further offensive remarks. Chris reacts by having a word with the claimant, pointing out that this behaviour is unacceptable. She considers following it up with a letter to him pointing out that she will ban him if this happens again. Chris keeps Raj in the picture with the actions she is taking and believes she is taking reasonable steps to protect Raj from harassment.

Risk Assessment - Bullying and Harassment

Although there are no specific laws relating to bullying at work, legislation exists that can be used by employers to help them prevent or tackle the problem. Under the Health and Safety at Work Act 1974, all employers must provide a safe and healthy working environment, including protection from bullying and harassment at work. The Management of Health and Safety at Work Regulations 1999 require employers to assess the nature and scale of workplace risks to health and safety (this includes mental health), ensure that there are proper control measures in place to avoid these risks wherever possible and reduce them so far as is reasonably practicable where not. Please refer to the Stress at Work Code of Practice to conduct a risk assessment for cases where bullying or harassment is alleged. Please use the following link: <http://insite/people/health-and-safety/stress-at-work/>

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MANAGING STRESS AND WELLBEING CODE OF PRACTICE

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Introduction

1. The Council, as an employer of choice, wishes to ensure the wellbeing and safety of all employees and to maintain a working environment which is free from adverse pressure. The Council recognises its legal duty to ensure the health, safety and welfare of its employees whilst they are at work. Undue stress can adversely affect employee health and wellbeing and, as such, it is the Council's responsibility to take reasonably practicable steps to avoid and reduce unnecessary workplace stress.
2. The code of practice is mainly concerned with stress arising from or affecting the individual in the working environment. However, it does recognise that causes of stress may be external to the workplace or be combined with causes within the workplace. Often, no single cause may be identified but where the individual is affected at work, the Council will take the approach of helping the employee. Managers are encouraged to deal sensitively with situations where employees are or report they are under stress. Employees should also attempt to help by recognising the early signs of stress in themselves and to try to manage this stress through their own efforts.
3. The Council acknowledges that:
 - a. any employee could experience stress,
 - b. that no weakness is implied by this and
 - c. that it will encourage employees to seek help and support. The ways in which assistance can be offered will naturally vary in different working environments and situations so the guidance outlined in this Code is not prescriptive.
4. The Council has a range of policies (e.g. Managing Performance, Probationary, Disciplinary, Dignity at Work and Sickness Absence) which deal with issues of misconduct, poor work performance and capability. Managers should not be deterred from using these policies when all reasonable efforts to assist an employee suffering from stress have proved unsuccessful. The code should, therefore, be read in conjunction with other relevant policies where necessary.

Scope

This code of practice applies to all employees of the council. It also applies to agency workers, casual workers, volunteers and contractors who may not be directly employed by the council but are carrying out work on behalf of the Council.

Definition of Stress

The Health and Safety Executive define stress as "the adverse reaction people have to excessive pressure or other types of demand placed on them". This makes an important distinction between pressure, which can be a positive state if managed correctly, and stress which always has a negative effect and can be detrimental to health if it is prolonged.

The Case for addressing stress at work

The Council is committed to meeting its legal obligations in regard to the management of stress.

This includes:

- Management of Health and Safety at Work Regulations 1999. These regulations require the Council to assess the risk of stress-related ill health arising from work activities.
- Health and Safety at Work Act 1974. This act imposes duties on the Council to take measures to control that risk.
- HSE Management Standards that represent set conditions that support employers and employees manage stress

The Council wishes to ensure that staff are supported and recognises that prolonged periods of stress, including work-related stress, have an adverse effect on employee's health. Proactive management of work-related stress can have a positive impact on -

- Employee commitment to work;
- Staff performance;
- Staff turnover;
- Attendance levels;
- Staff recruitment;
- Quality of service provision;
- Organisational image and reputation;

Causes of Stress

It is recognised that different things can trigger stress in individuals at various times in their working life and that people react differently to stressful situations. It is, therefore, important to recognise that some factors may cause stress for one person but not for another. The following can be sources of stress arising from work: -

- Anxiety about change;
- Coping with rapid change (including information technology requirements);
- Unclear role definition and lack of control of work;
- Conflicting priorities;
- Too much work or insufficient work;
- Work not matched to the individual's skills and competencies;
- Not being able to use skills;
- Lack of job security;
- Crisis management – no long term planning;
- Lack of involvement – isolation, either physical or emotional;
- Poor work relationships;
- Lack of communication;
- Harassment or bullying.

Stress can also arise from the pressures people experience in their home and personal lives (e.g., bereavement, relationship or family problems and financial difficulties); these factors can make people more vulnerable to stress at work. Often the harmful effects of stress are caused by a combination of work and home circumstances.

Identifying an Individual Experiencing Stress

The following can be indicators of stress at work:-

- Persistent or recurrent moods and mental symptoms such as – anger, irritability, depression;
- Physical symptoms – general non-specific aches and pains including head aches and stomach aches, raised heart rate, dizziness, blurred vision, skin or sleep disorders and high blood pressure;
- Changed behaviours – difficulty concentrating or remembering things, unable to “switch off”, loss of creativity, making errors, double checking everything, eating disorders, increasing use of tobacco, alcohol and/or drugs;
- High/increased levels of sickness absence – particularly frequent short term absences;
- Poor relationships at work – conflict with colleagues, poor relationships with clients;
- Poor work performance – lack of concentration, less output, lower quality of work, poor decision making;
- Attitude and behaviour – low morale, loss of motivation, poor time keeping, working longer hours but with diminishing effectiveness.

When an employee reports they are stressed, the manager should take time to listen and be supportive – a dismissive response will not help and the individual may be deterred from approaching the manager again.

Risk Assessment

Managers need to carry out risk assessments and, as far as is reasonably practicable, put appropriate and preventative measures into place. Risk assessments need to identify activities which may lead to stress or which may place a particular group of staff at risk through stress. <http://insite/people/health-and-safety/hs-templates/>;

The risk assessments will cover the 6 areas identified within the HSE Management Standards:

1. **Demands:** Includes issues such as workload, work patterns and the work environment.
2. **Control:** How much say do the people have over the way they work?
3. **Support:** Includes encouragement, sponsorship and resources provided by the organisation, line management and colleagues.
4. **Relationships:** Includes promoting positive working to avoid conflict and dealing with unacceptable behaviour.
5. **Role:** Do people understand their role within the organisation and does the organisation ensure roles are not conflicting?
6. **Change:** How is organisational change (large and small) managed and communicated?

For each Standard there must be systems in place locally to respond to any individual concerns.

Managers undertaking risk assessments must ensure that they are fully trained and up to date on health and safety issues which might affect the employees and be aware of the steps which they should take to guard against health risks. Further information on specific hazards such as violence at work is available on SBC Insite and advice and support is available from the Health & Safety Team.

Roles and Responsibilities

The Council, managers and employees have roles and responsibilities under this code and have a responsibility to take steps to eliminate or reduce stress or the causes of stress in the workplace once identified

The Council will:

- take all reasonable steps to protect employees against the harmful effects of stress, although no employer can guarantee its employees a stress free existence
- arrange to carry out risk assessments to reduce stress at work to identify all workplace stressors and eliminate or control the risks from stress. These risk assessments will
- be regularly reviewed; <http://insite/people/health-and-safety/hs-templates/>;
- provide training in stress management for managers and individuals.
- provide confidential counselling and mediation services;
- provide occupational health advice;
- monitor stress related performance data through HR monitoring information and periodic reviews of attitude surveys
- develop plans and improvement targets in relation to stress and will consult with Trade Unions regarding these.
- provide adequate resources to enable managers to implement the company's agreed stress management plans and targets

Managers will:

- need to be aware of and responsive to work pressures and the effects which they might have on employees;
- ensure all new starters are properly inducted and that their staff receive appropriate training and development to ensure that they have the competencies and knowledge to carry out their job;
- ensure suitable and sufficient risk assessments are carried out (taking into account factors which may cause stress) and implement recommendations / actions within their area <http://insite/people/health-and-safety/hs-templates/>;
- ensure there is good communication with staff and a supportive environment is fostered within which stress issues can be discussed;
- ensure staff involvement is encouraged including attending team meetings where ideas, problems and solutions can be discussed;
- ensure employees are fully trained, coached and developed to ensure that they can carry out their existing or new roles effectively;
- ensure effective time management is encouraged by monitoring working arrangements/hours, workloads, deadlines, overtime and ensuring use of holiday entitlements; this will ensure staff are not over worked or underutilised,

- speak to employees if they are aware that they are showing signs of stress;
- periodically consider role profiles and the duties and responsibilities of the role to ensure the main accountabilities are achievable
- implement 1-2-1's, team meetings and annual appraisals and operate an open-door policy to allow staff the opportunities to raise concerns
- deal with individual concerns raised
- ensure bully and harassment is not tolerated
- be vigilant and offer additional support to a member of staff experiencing stress outside work, e.g. bereavement or separation.

Employees:

- will need to recognise the early signs of stress in themselves and others;
- will need to make all efforts to manage their own stress;
- will take an active part in the process of assessing the risk, e.g. completing surveys or providing honest feedback when requested;
- will need to be supportive of colleagues who are experiencing the negative effects of stress. This may mean giving practical assistance or moral support or both, but will always involve listening;
- should discuss matters with their manager and/or accept opportunities for counselling and support when recommended with a member of the Employee Assistance Counselling Team or Occupational Health
- will identify and recognise their training and development needs and take responsibility for their own well-being and development within the job and to discuss these with their manager in supervision and one-to-one discussions.
- will raise concerns at 1-2-1's, team meetings or annual appraisals to allow the Council to implement supportive measures where appropriate.

Wellbeing Services and Support to Staff

Strategies for dealing with work place stress are usually two-fold. As well as putting measures into place to deal with work issues which may be the cause of stress, it is also important to provide the individual with help to identify personal strategies for coping with stress.

Time

Employees, who are under stress, need to be able to talk about the problems they are encountering and should be encouraged to discuss what they think would be a good way to deal with the situation. It is important for the manager to set aside some uninterrupted time to allow the individual to talk and to give serious consideration to the suggestions made by the employee. Often, giving the individual the ability to influence how they resolve their problem helps them to feel more valued and in control – this can help reduce stress levels.

Employee Assistance Service

The employee should be offered assistance through the Employee Assistance Service and, in situations where there is a health concern and sickness absence, could be referred to Occupational Health. <http://insite/people/health-and-wellbeing/occupational-health/>

For confidential counselling support, information and advice, call the Employee Assistance Service free on: **0800 328 1437**

From a UK mobile: **0800 328 1437**

From outside UK: **+44 (0) 1482 661 814**

Minicom: **01482 661 911**

Visit Employee Assistance Online at: www.employeeassistance.org.uk

Access code: **sloughbc**

Management Support

The manager will need to monitor the situation to try to reduce stress where possible once identified. This will include the completion of a stress risk assessment and implementation of actions.

Managers will ensure that individual issues are dealt with and the member of staff has the opportunity to talk through their concerns.

When staff are absent from work, the manager should follow the Council's Managing Sickness Absence Policy <http://insite/people/health-and-wellbeing/absence/> which includes a return to work interview to establish the reason for absence. Return to work interviews can be used as a way of offering support; they provide an opportunity to explore both the impact of work situations on the individual and the impact of the individual's absence on work.

Managers and employees can gain advice from HR and H&S where appropriate.

Occupational Health

If patterns of absence develop, or if periods of absence are for reasons of stress, then a referral to the Occupational Health Service should be considered <http://insite/people/health-and-wellbeing/occupational-health/>

Stress related problems are rarely solved by a single action and often take some time to resolve. Even if practical measures have been taken to remove the underlying problems, it is important to continue talking with the individual to give them a chance to work out for themselves a way of resolving the difficulties and the timescale required to do it.

Training

Training in the management of stress for managers and employees is available.

Processes to Raise Concerns

Staff should raise concerns with their line manager first. If this is not appropriate they can speak with their Group Manager or Trade Union Representative,

Resources to Support Mental Wellbeing

- The Slough Public Health website has resources to support you with your mental wellbeing at this time: www.publichealthslough.co.uk/campaigns/mental-health-and-coronavirus/

- East Berkshire CCG '[Coping guides](#)' for different age groups - details of self-help apps and websites together with a range of resources, including helplines, to support mental health. The guides will be refreshed regularly with new age-specific versions (e.g. primary and secondary school age) being launched soon.
- Each month [Action for Happiness](#) produces a calendar with daily suggestions to improve wellbeing for ourselves and others.
- NHS Talking Therapies: <https://www.nhs.uk/mental-health/talking-therapies-medicine-treatments/talking-therapies-and-counselling/nhs-talking-therapies/>

There are a number of different resources and support options available to staff and these can be found on <http://insite/coronavirus/coronavirus-information-for-staff/help-and-support-with-personal-wellbeing/>

The Wellbeing Board

In addition, the Council has a Wellbeing Board made up of staff who volunteer as employee wellbeing champions.

The Employee Wellbeing Board aims to promote good health through:

- increased access to exercise and fitness
- promotion of healthy eating choices
- advice on giving up smoking
- effective support during periods of ill health
- promotion of mental wellbeing.

More information and the Employee Wellbeing Strategy can be found on <http://insite/people/health-and-wellbeing/employee-wellbeing/>

H&S Board

Issues of stress and pressure are also discussed and monitored at the Directorate H&S Committees and H&S Board.

SLOUGH BOROUGH COUNCIL

REPORT TO: Employment and Appeals Committee

DATE: 19th October 2021

CONTACT OFFICER: Steven Mair, Director of Finance and S151 Officer

AUTHORS: Surjit Nagra, Associate Director – Customer
Belinda Collins, Interim Transformation Manager
(01753 875788 ext. 5788)

For all enquiries

WARD(S): All

PART I
FOR INFORMATION**OUR FUTURES PROGRAMME – WORKFORCE UPDATE****1. Purpose of Report**

This report is an information report to update the Members of the Employment and Appeals Committee on the final closure of Phase 2 of the Our Futures Project.

2. Recommendation(s)/Proposed Action

2.1 The Committee is requested to note the contents outlined in this report.

3. Supporting Information

3.1 Just to remind the committee part of the original delivery plan entailed creating a new operating model for the Council. This was prompted by rising demand for Slough's key services in the context of reduced Government funding. The business case also reflected the Council's ambition to be a 'world class' organisation, with a sustainable cost base and a 'one council' staff team.

4. Phase 1 - Update

4.1 The Council launched the senior team consultation for a reorganisation on the 3rd June 2020 which is concluded.

5. Phase 2 - Update

5.1 The Phase 2 consultation was launched on the 4th November 2020 and closed on the 21st December 2020

5.2 Following the consideration of all the responses by Executive Directors and Associate Directors with the Chief Executive, a consultation response was issued in January 2021. The council has now implemented the outcomes of the consultation. All at risk staff have had and continue to have, priority to be considered for all vacant posts.

5.3 Recruitment to remaining vacant posts will continue in line with our existing policies and practices and are subject to sign by Executive Board.

6 **Agency Workers**

Agency worker reduction is a critical part of the implementation plan. The council has commenced reducing the reliance on agency workers as part of the implementation proposals, although in line with our operational needs. We are continuing to use agency and/or fixed term contracts in appropriate areas where it can be demonstrated that there is a critical business need. This is being kept to an absolute minimum and is authorised on a case-by-case basis supported by an approved business case.

7 **Workforce related outcomes**

At the last committee meeting members requested information on the impact of the reorganisation on the workforce to include the following:

- number of individuals successfully redeployed,
- how many made redundant and
- detailed financial information re savings achieved both in Phase I and Phase II of the programme. (this will be updated at the meeting)

Please see the table below for this information.

| | |
|------------------|----|
| Redeployed Staff | 11 |
| Redundant Staff | 59 |

8. **Financial Information**

The Our Futures programme incurred £3.009m one off expenditure in 2020/21 and is forecast to spend a further £2.585m one off expenditure in 2021/22 to implement the transformation programme. The majority of this spend was to fund redundancy costs (£2.611m) and consultancy support for the project (£2.066m).

The programme is estimated to save £3.5m in 2021/22

However this excludes DSO productivity pay, Music Service and some grant funded posts for which the programme omitted the budget and thus nets down to an estimated £2.5m in 2021/22.

9. **Background Papers**

None

10. **Appendices**

None

MEMBERS' ATTENDANCE RECORD 2021/22

EMPLOYMENT AND APPEALS COMMITTEE

| COUNCILLOR | 12/07/21 | 19/10/21 | 20/01/22 | 12/04/22 |
|-------------------|-----------------|-----------------|-----------------|-----------------|
| Ali | P | | | |
| Basra | P | | | |
| Bedi | P | | | |
| Brooker | P | | | |
| Carter | P | | | |
| Dhaliwal | P | | | |
| Gahir | P | | | |
| Qaseem | P | | | |
| Smith | P | | | |

P = Present for whole meeting P* = Present for part of meeting Ap = Apologies given Ab = Absent, no apologies given

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