### **Notice of Meeting**

# People, Performance and Development Committee

SURREY COUNTY COUNCIL

Date & time Monday, 25 September 2017 at 2.00 pm Place Room G 30, County Hall, Kingston upon Thames, KT1 2DN Contact
Andrew Baird
Room 122, County Hall
Tel 020 8541 7609

Chief Executive David McNulty

andrew.baird@surreycc.gov.uk



We're on Twitter: @SCCdemocracy

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Andrew Baird on 020 8541 7609.

#### Members

Mr David Hodge CBE (Chairman), Mr John Furey (Vice-Chairman), Mr Ken Gulati, Mr Mel Few, Mr Nick Harrison and Mrs Hazel Watson

#### **AGENDA**

#### 1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

#### 2 MINUTES OF THE PREVIOUS MEETING: 25 JULY 2017

(Pages 1 - 20)

To agree the minutes as a true record of the meeting.

#### 3 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

#### NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

#### 4 QUESTIONS AND PETITIONS

To receive any questions or petitions.

#### Notes:

- 1. The deadline for Member's questions is 12.00pm four working days before the meeting (*Tuesday 19 September*).
- 2. The deadline for public questions is seven days before the meeting (*Monday 17 September*).

#### **Notice of Petition**

Received from Mr Gerald Harvard, 960 signatures

With cuts in services, including switching off street lights at night, and a proposal to raise Council Tax by 15%, abolishing the post of Chief Executive would seem to be a very good idea. Other authorities have done it. The committee system, together with a competent leader, should be quite sufficient. In addition, SCC should look carefully at the need for any senior staff on salaries of more than, say, £50,000.

A response will be tabled at the meeting.

#### 5 ACTION REVIEW

(Pages 21 - 34)

To provide Members with an update on progress against actions recorded

in the actions tracker.

#### 6 FORWARD WORK PROGRAMME

(Pages 35 - 40)

For Members to review and comment on upcoming items due for consideration by the People, Performance and Development Committee.

#### 7 LEARNING AGREEMENT

(Pages 41 - 50)

The purpose of this paper is provide background to Learning Agreements within Surrey County Council, the requirement for a revised Learning Agreement and approval to implement the new Learning Agreement.

#### 8 EXCLUSION OF THE PUBLIC

**Recommendation:** That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

#### PART TWO - IN PRIVATE

#### 9 PRESENTATION BY TRADE UNION REPRESENTATIVES

To receive a presentation from Trade Union representatives with regard to the ongoing pay negotiations.

#### Confidential: Not for publication under Paragraph 4

Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.

#### 10 SURREY PAY ANNUAL REVIEW 2017 TO 2018

(Pages 51 - 68)

The purpose of this report is to provide an update on the outcome of the trade unions ballot in respect of the 2017/2018 Surrey Pay offer for non-schools based Surrey Pay staff and set out the next steps for implementation.

In addition the report explains the context for achieving a different pay settlement for schools based Surrey Pay staff whose annual pay review is effective from 1 April 2017 and to make recommendations for a proposed two year settlement for schools covering the period 2017/18 and 2018/19 in order to phase the alignment of the Surrey Pay bands.

#### Confidential: Not for publication under Paragraph 4

Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.

#### 11 SENIOR MANAGEMENT ARRANGEMENTS

(To

Report to follow

#### 12 PAY POLICY EXCEPTIONS - SEPTEMBER 2017

(Pages 69 - 82)

The People, Performance and Development Committee (The Committee) acts as the Council's Remuneration Committee under delegated powers in accordance with the Constitution of the County Council. The purpose of this paper is to highlight decisions taken and recommendations on pay that fall outside the published Pay Policy and amendments to existing Surrey Pay policies.

This report includes a range of pay exceptions and staff related decisions that require the Committee's decision.

Confidential: Not for publication under Paragraph 1 Information relating to any individual.

#### 13 PUBLICITY OF PART 2 ITEMS

To consider whether the item considered under Part 2 of the agenda should be made available to the press and public.

Confidential: Not for publication under Paragraph 1 Information relating to any individual.

#### 14 DATE OF NEXT MEETING

The next meeting of People, Performance and Development Committee will be on 27 October 2017.

David McNulty Chief Executive

Published: Friday, 15 September 2017

#### MOBILE TECHNOLOGY AND FILMING - ACCEPTABLE USE

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Thank you for your co-operation



MINUTES of the meeting of the PEOPLE, PERFORMANCE AND DEVELOPMENT COMMITTEE held at 2.00 pm on 25 July 2017 at County Hall, Kingston upon Thames, KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on 25 September 2017.

#### **Elected Members:**

- \* Mr David Hodge CBE (Chairman)
- \* Mr John Furey (Vice-Chairman)
- \* Mr Mel Few
- \* Mr Ken Gulati
- \* Mr Nick Harrison
- \* Mrs Hazel Watson
- \* = In attendance

#### **Apologies:**

None

#### In Attendance

Ken Akers, Head of HR & OD
Amy Bailey, Employee Engagement Lead
Andy Baird, Regulatory Committee Manager
Rachel Crossley, Chief of Staff
Lavern Dinah, Strategic OPD Manager
Sandie Hamilton, Learning & Development Manager
Gill Kearney, Strategic Business Partner
David McNulty, Chief Executive
Prodromos Mavridis, Senior HR Adviser (Policy)
Julie Smyth, HR Reward Manager

#### 46/17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

There were none.

#### 47/17 MINUTES OF THE PREVIOUS MEETING [14 JUNE 2017] [Item 2]

The minutes were agreed as a true record of the meeting.

#### 48/17 DECLARATIONS OF INTEREST [Item 3]

There were none.

#### 49/17 QUESTIONS AND PETITIONS [Item 4]

There were no question or petitions to consider.

#### 50/17 ACTION REVIEW [Item 5]

#### **Declarations of interests:**

None

#### Witnesses:

Ken Akers, Head of HR & OD Andy Baird, Regulatory Committee Manager

#### Key points raised during the discussions:

- Members sought an update on the progress of Action A21/17 and requested a date when the action would be completed by. Officers advised that information was being compiled on the overhead costs to Surrey County Council (SCC) of employing part time staff and that date for completion of this action would be shared with the Committee.
- 2. Members requested that results of Action A22/17 be added to the Forward Plan for the People, Performance and Development Committee meeting scheduled to take place on 25 September 2017. The Committee stated that the report should clearly demonstrate the number of staff at the top of their pay band within SCC as well as outlining what the implications of the results on the Council.

#### Actions/ further information to be provided:

 That a report on the number of staff at the top of their pay band within SCC should be considered at the People, Performance and Development Committee meeting on 25 September 2017 (Action Ref: A22/17).

#### **RESOLVED:**

That the People, Performance and Development Committee monitored progress on the implementation of actions from previous meetings.

#### 51/17 FORWARD WORK PROGRAMME [Item 6]

#### **Declarations of interest:**

None

#### Witnesses:

Ken Akers, Head of HR & OD Andy Baird, Regulatory Committee Manager

#### **Key points raised during the discussion:**

- Attention was drawn to the Council's Policy Statement which was due for consideration by PPDC at its meeting on 25 September 2017. Members stressed that the Pay Policy Statement needed to be considered at this meeting to ensure that it could be put forward to Full Council for approval on 10<sup>th</sup> October 2017.
- 2. Discussions turned to the large number of items scheduled for consideration at the PPDC meeting on 25 September 2017 and it was

- agreed that the Chairman of the Committee should meet with the Head of HR & OD to review the agenda for this meeting.
- 3. The Chief Executive's decision to retire meant that it was no longer necessary to assess his performance through a formal appraisal process. It was therefore agreed that the item scheduled for consideration the PPDC meeting on 30 November for PPDC to review the outcome of the Chief Executive's appraisal should be removed from the Committee's Forward Work Programme.

#### Actions/ further information to be provided:

- Chairman of the People, Performance and Development Committee to meet with the Head of HR & OD to discuss the agenda for the meeting on 25 September 2017 (Action Ref: A24/17).
- 2. Remove Chief Executives Appraisal from the Forward Plan for the People, Performance and Development Committee meeting on 30 November 2017 (Action Ref: A25/17).

#### **RESOLVED:**

That the People, Performance and Development Committee reviewed upcoming items due to be considered at future meetings.

#### 52/17 STAFF SURVEY RESULTS [Item 7]

#### **Declarations of interests:**

None

#### Witnesses:

Amy Bailey, Employee Engagement Lead Rachel Crossley, Chief of Staff

#### **Key points raised during the discussion:**

1. Clarification was sought on the Staff Survey scoring system and how it was determined whether the results achieved by a given service were considered to be good or bad. This query was raised specifically in relation to the Adult Social Care (ASC) Operations Team which had been assessed as having a low score in the context of the rest of the organisation. Officers advised that SCC had been allocated a 'One to Watch' rating which was the equivalent of being assessed as 'Good'. Best Companies, who conducted the survey, analysed the results to arrive at a score for SCC which was then benchmarked against those of other organisations which had participated in the survey. ASC Operations had been identified in the report on account of the fact that its specific score at fallen beneath the 'One to Watch' achieved by the rest of the organisation. An action plan had, however, been developed to target areas of concern highlighted by the survey results which sought to improve staff perceptions of communication, personal growth and wellbeing. It was agreed that the Committee would receive

- data on the breakdown of the Staff Survey results for the entirety of the Adult Social Care Directorate as a backdrop to the results achieved by ASC Operations.
- 2. Specific concerns were raised regarding the results achieved by Surrey Fire & Rescue Service (SFRS) and clarification was sought on the steps being taken to improve leadership. Members were advised that an action plan had been created to address the concerns highlighted by the survey which included introducing measures to improve staff perceptions of leadership. The Committee requested that the Chief of Staff reflect Members' concerns on SRFS's Staff Service results back to the Strategic Director of Environment & Infrastructure and seek assurances on how the action plan will improve leadership and communication across the Service.
- 3. The Committee highlighted that staff perceptions of leadership were relatively low across SCC and asked what steps could be taken to change this. Officers stressed that the Council was, by necessity, a diverse and disparate organisation due to the range of services it provides over a large geographical area which meant that a degree of disconnection from senior leaders was inevitable. Work had, however, been done with to improve how senior managers from across SCC engage with staff which it is hoped will improve how staff feel about the way in which SCC is led. Members emphasised the importance of collaborating with the Internal Communications Team to demonstrate that SCC is listening to staff by showing how what steps the Council will take to ameliorate concerns articulated in the survey.
- 4. Discussions took place regarding whether it was necessary for the Council to conduct a Staff Survey annually. Officers indicated that it was important to have some means of understanding staff perceptions of the Council to determine the need to make improvements in how individual services or the organisation as a whole functions. Officers did, however, stress the need balance the cost of the Staff Survey against the benefits it provides to the Council to determine whether a full survey is required every year.

#### Actions/ further information to be provided:

- Committee Members to receive data on the breakdown of the Staff Survey results for the Adult Social Care Directorate (Action Ref: A26/17).
- 2. Chief of Staff to reflect Members' concerns on SRFS's Staff Service results back to the Strategic Director of Environment & Infrastructure and seek assurances on how the action plan will improve leadership and communication across the Service (Action Ref: A27/17).
- Officers to speak to the Head of Communications to ensure that there
  is effective communication to staff about next steps following analysis
  of the results of the staff survey (Action Ref: A28/17).

#### **RESOLVED:**

That the People, Performance and Development Committee notes the work underway to respond to the staff survey results in the service areas identified.

# 53/17 HUMAN RESOURCES POLICY UPDATE - INDUSTRIAL ACTION POLICY [Item 8]

#### **Declarations of interests:**

None

#### Witnesses:

Ken Akers, Head of HR & OD Prodromos Mavridis, Senior HR Advisor (Policy)

#### Key points raised during the discussion:

 The report was introduced by officers who advised the Committee that SCC's Industrial Action Policy had been updated to reflect changes in legislation and that these were outlined within the revised Policy as outlined in Annex 1 of the report.

#### Action/ further information to be provided:

None

#### **RESOLVED:**

That the People, Performance and Development Committee notes the amendments to Surrey County Council's Industrial Action Policy which have been made in response to changes in relevant legislation.

# 54/17 HUMAN RESOURCE POLICY CHANGES - CHANGES TO ANNUAL LEAVE ACCRUAL AND CARRY-FORWARD ARRANGEMENTS [Item 9]

#### **Declarations of interests:**

None

#### Witnesses:

Ken Akers, Head of HR & OD Prodromos Mavridis, Senior HR Advisor (Policy)

#### Key points raised during the discussions:

1. The report was introduced by officers who informed Members that amendments to SCC's Annual Leave Policy had been instigated by case law which had demonstrated that there was a clear expectations amount the time that employees were able to carry forward annual leave accrued during a protracted period of absence. This changes also sought to remove an existing provision in the policy which enabled members of staff who were leaving the SCC to take up a position with a different employer to take their remaining annual leave allowance with them to their new employer. This was not consistent with existing employment practices and could potentially lead to extra costs for the Council.

2. The Committee suggested that amendments to the Annual Leave Policy which enabled members of staff to carry forward accrued annual leave for up to two years was generous. Officers suggested that the Policy be revised to enable staff who had been on an extended period of sick leave to carry annual leave forward for up to a year but to include a further provision within the Policy allowing this to be extended by a further year in exceptional circumstances to be agreed by the relevant strategic director as well as the Head of HR & OD. The proposed amendments to the Annual Leave Policy were agreed by the Committee and the recommendations were updated to reflect these changes.

#### Actions/ further information to be provided:

 Policy to be updated to state that staff who have been on an extended period of sick leave to carry forward accrued annual leave up to a year following the period of absence. This can be extended for up to two years in exceptional circumstances with agreement from the Head of HR & OD and the relevant (Action Ref: A29/17).

#### **RESOLVED:**

That the People, Performance and Development Committee agrees to the proposed changes to Surrey County Council's Annual Leave Policy specifically regarding the accrual of annual leave when officers are absent due to sickness and the facility for them to take such leave during subsequent years. The updated policy allows those who have been on an extended period of sick leave to carry forward accrued annual leave up to a year and a day following the period of absence. This can be extended for up to two years in exceptional circumstances with agreement from the Head of HR & OD and the relevant strategic director. The Committee is also asked to note that the updated policy includes a codification of restrictions which apply to transferring annual leave between employers.

#### 55/17 KEY WORKER HOUSING [Item 10]

#### **Declarations of interests:**

None

#### Witnesses:

Ken Akers, Head of HR & OD Gill Kearney, Strategic Business Partner

#### Key points raised during the discussions:

 Some Members expressed disappointment at the recommendations contained within the report and challenged officers on whether the proposals would deliver any tangible benefit in addressing staff shortages in key positions. Evidence from officers on the recruitment and retention of frontline staff at previous PPDC meetings had stated that the cost and accessibility of housing in Surrey was making it more

- difficult to attract applications for vacant positions which seemed to be at odds with the conclusions drawn in the report.
- 2. Discussions turned to the cost of operating a key worker housing scheme given the financial resources that were required to run a similar initiative by SCC in the past. It was suggested that the provision of key worker housing could help to reduce the costs associated with employing locums and agency staff by improving retention of permanent staff.
- 3. The Committee discussed staff members' motives for leaving SCC to determine whether the cost and availability of housing in Surrey is a key reason why employees seek other opportunities. Officers indicated that the Council does not routinely undertake exit interviews with departing members of staff due to the difficulty in getting staff to engage meaningfully with the process although they had recently been introduced by both the Adult Social Care and Children, Schools and Families directorates to contribute to their understanding of significant push factors. Members suggested that housing was not the primary concern of staff as exemplified by the low uptake of the Council's previous key worker housing scheme.
- 4. Discussions took place regarding the definition of what constitutes a key worker and the processes that would be required to ensure that housing was made available to the right members of staff. Members suggested that it would be problematic to establish and resource a system that would ensure that housing was targeted at the most challenging areas of recruitment and retention for the Council.
- 5. Attention was drawn to recommendation ii which proposed asking district and borough councils to expand their eligibility criteria for key worker housing to include staff members from to include hard to recruit and retain posts within the County Council. Some Members suggested it was not realistic to expect district and borough councils to engage with this proposal in the absence of any recompense being offered by SCC. The Committee agreed to revise recommendation ii expanding it to encompass other institutions and public sector organisations operating in Surrey including universities and the NHS.
- 6. The Committee emphasised the importance of supporting staff relocating from other parts of the country to navigate Surrey's challenging property market to help them find a house that is right for them. Officers were asked to review potential options for broadening the support available for assist staff relocating in order to take up a position at SCC. Members agreed that the outcomes of this review should be presented to a future meeting of PPDC.

#### Actions/ further information to be provided:

- Officers to investigate the full range of options for to provide housing for staff taking up a role in a hard to recruit to position. This includes talking to other public sector organisations as well as institutions such universities (Action Ref: A30/17).
- Officers to consider ways of improving the assistance it provides for staff required to relocate to take up a position at SCC and to present a report on the outcomes of this to a future meeting of PPDC (Action Ref: A31/17).

#### **RESOLVED:**

That the People, Performance and Development Committee:

- i. notes the suggestion to broaden the current signposting of available housing support in Surrey to all potential candidates;
- ii. agrees that the strategic leads identified should work with all relevant housing associations in Surrey to discuss the potential for expanding their eligibility criteria for key worker housing to include hard to recruit and retain posts in order to widen the support available; and
- iii. notes work undertaken in relation to recruitment and retention and agrees that the benefits to Surrey County Council through a focus on key worker housing does not warrant further investment based on the findings in this report.

#### 56/17 LEADERSHIP AND MANAGEMENT DEVELOPMENT [Item 11]

#### **Declarations of interests:**

None

#### Witnesses:

Ken Akers, Head of HR & OD Lavern Dinah, Strategic OPD Manager David McNulty, Chief Executive

#### Key points raised during the discussions:

- 1. The report was introduced by officers who informed Committee Members that the decision had been taken to revise SCC's leadership and management development offer following a review of the High Performance and Development Programme by the University of Surrey. The offer outlined within the report has identified three groups of leaders within the Council and proposes a distinct development offer for each group. Member were further advised that the proposals contained within the report focussed on self-directed learning to balance both the cost and delivery of the scheme.
- 2. The Committee asked about the processes in place to identify and support aspiring leaders at SCC. Officers confirmed that identifying potential in such a large organisation wasn't straightforward but that processes were in place to support this. Managers were encouraged to talk to staff about career aspirations thereby enabling them to identify opportunities for them to achieve these. The improved appraisal process had also helped to ensure that staff had at least one conversation a year with their manager about development opportunities. This was supported by proposals contained within the leadership and development offer which enable those recognised as future leaders to participate in stretch projects designed to develop their skills and experience in a way that is cost effective.
- 3. Referencing the outcomes of the Staff Survey, Members enquired as to why managers were not successfully inspiring and motivating staff. Officers indicated that there had been some improvement in the extent to which staff felt motivated and listened to by leaders within the organisation but acknowledged that there was still work to do in this area. The Committee was informed that motivating and inspiring staff

- were perhaps the hardest elements of management and that SCC would seek to improve the way in which senior leaders reached out and articulated a clear vision for the future of the organisation.
- 4. Members agreed that recommendation i should be expanded to include reference to potential leaders within the Council.

#### Actions/ further information to be provided:

None

#### RESOLVED:

That the People, Performance and Development Committee:

- notes the development of corporate leadership expectations for all leaders and potential leaders employed by Surrey County Council that link to and support its behaviours framework;
- ii. notes the key elements driving a different approach to the leadership offer being developed and the learning outcomes agreed; and
- iii. notes the approach of targeted development for specific high priority groups of managers and leaders that include those who fulfil positions with direct impact on resident experience (frontline), and to support succession planning for those who demonstrate potential.

#### 57/17 APPRENTICESHIP REFORMS UPDATE [Item 12]

#### **Declarations of interests:**

None

#### Witnesses:

Ken Akers, Head of HR & OD Sandie Hamilton, Learning and Development Manager

#### Key points raised during the discussion:

- 1. The Committee received an introduction to the report from officers who informed Members that SCC was required to pay 0.5% of its annual pay bill towards the Apprenticeship Levy which equated to a commitment of £2.1m every year. Officers advised that the Council would seek to leverage as much as possible from the Levy by using the scheme to improve the skill set of existing staff members which could also lead to reductions in allocations to the Council's annual training budget of £250,000. It was further highlight that SCC also aimed to save money by hiring apprentices to fill entry level positions. Officers stated that SCC was well-positioned to take advantage of funds made available through the Levy and it was forecast that SCC would secure £2.15m from the centralised Apprenticeship Levy fund in the first year.
- 2. Concern was expressed by the Committee that the term 'apprenticeship' could deter existing staff from undertaking training courses funded by the Levy. Officers confirmed that consideration

- would be given to how training delivered through the Levy was marketed to staff members.
- Members asked whether officers had considered the use of learning agreements to help SCC retain skills paid for through the Levy. Officers advised that employers were prohibited from using learning agreements for training delivered through the fund.
- 4. The Committee congratulated officers on the work that they had done in ensuring that the £2.1m that the Council was required to pay into the central Apprenticeship Levy fund would deliver a net benefit to the Council.

#### **Actions**

None

#### **RESOLVED:**

That the People, Performance and Development Committee noted the contents of the report and comment on the conclusions.

# 58/17 PAY EXCEPTIONS ANALYSIS 2016/17 QUARTER 4 AND END OF YEAR REPORT [Item 13]

This item was considered after item 15

#### **Declarations of interests:**

None

#### Witnesses:

Ken Akers, Head of HR & OD

#### Key points raised during the discussion:

- 1. Members asked if the number of pay policy exceptions applied to the starting salary of social workers in the Children, Schools and Families Directorate suggested that pay bands need to be revisited to give social workers a higher starting salary. Officers stated that it had been necessary to employ a number of experienced social workers to contribute to improvements in Children's Services following the Council's Ofsted inspection in 2015 and buying this experience had meant temporarily approving starting salaries that were above the pay band minimum. The Committee observed that the combined cost of increased starting salaries within the Children, Schools and Families Directorate over the past two years was over £500,000 and emphasised the need for this additional expenditure to deliver improved performance within Children's Services.
- 2. Discussions took place regarding whether it was necessary for the Committee to receive quarterly updates on the pay policy exceptions and agreed that PPDC should instead receive this update annually.

#### **Actions**

1. Updates on Pay Policy Exceptions should be provided to PPDC annually rather than quarterly (Action Ref: A32/17).

#### Resolved:

That the People, Performance Development Committee noted the analysis of pay exceptions for the period April 2016 to March 2017

#### 59/17 EXCLUSION OF THE PUBLIC [Item 14]

**RESOLVED:** That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

#### 60/17 CHIEF EXECUTIVE RECRUITMENT [Item 15]

#### **Declarations of interest:**

None

#### Witnesses:

Ken Akers, Head of HR & OD David McNulty, Chief Executive

#### Key points raised during the discussions:

The report was introduced by officers. The Committee asked a number of questions which were responded to by the officers present before moving to recommendations.

#### Actions/ further information to be provided:

The Committee agreed a number of actions which are recorded in the Part 2 minutes.

#### 61/17 EDUCATIONAL PSYCHOLOGY SERVICE [Item 16]

#### **Declarations of interest:**

None

#### Witnesses:

Ken Akers, Head of HR & OD

#### Key points raised during the discussions:

The report was introduced by officers. The Committee asked a number of questions which were responded to by the officers present before moving to recommendations.

#### Actions/ further information to be provided:

The Committee agreed a number of actions which are recorded in the Part 2 minutes.

#### 62/17 PAY POLICY EXCEPTIONS JULY 2017 [Item 17]

#### **Declarations of interest:**

None

#### Witnesses:

Ken Akers, Head of HR & OD

#### Key points raised during the discussions:

The report was introduced by officers. The Committee asked a number of questions which were responded to by the officers present before moving to recommendations.

#### **Actions/ further information to be provided:**

The Committee agreed a number of actions which are recorded in the Part 2 minutes.

#### 63/17 PUBLICITY OF PART 2 ITEMS [Item 18]

It was agreed that the information in relation to Part 2 items discussed at this meeting would remain exempt.

#### 64/17 DATE OF NEXT MEETING [Item 19]

The Committee noted that its next meeting would be held on 25 September 2017.

Meeting ended at: 5.30 pm

Chairman









#### People, Performance and Development Committee 14 June 2017

#### **Action Review**

#### Purpose of the report:

For Members to consider and comment on the Committee's actions tracker.

#### Introduction:

An actions tracker recording actions and recommendations from previous meetings is attached as **Annex 1**, and the Committee is asked to review progress on the items listed.

#### **Recommendations:**

The Committee is asked to monitor progress on the implementation of actions from previous meetings (Annex 1).

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Report contact: Andrew Baird, Regulatory Committee Manager

Contact details: 020 8541 7609, andrew.baird@surreycc.gov.uk



### People, Performance & Development Committee – ACTION TRACKING September 2017

#### **ONGOING ACTIONS**

Number	Meeting	Item	Action	Action by	Action update
	Date			whom	
A23/17	14 June 2017	Surrey Pay Review 2017 to 2018	The Committee to be provided with the number of people in each service across the Council who are at the top of their pay band including details on how long individual members of staff (anonymised) have been at the top of their pay band.	Head of HR & OD	The results from this action will be considered at the Committee's meeting on 21 October and will include a short cover report providing a clear summary of the results and how they impact on the Council.  (Updated: 16 August 2017)
A29/17	25 July 2017	Human Resources Policy Update – Changes to annual Leave Accrual and Carry-Forward Arrangements	Policy to be updated to state that staff who have been on an extended period of sick leave to carry forward accrued annual leave up to a year following the period of absence. This can be extended for up to two years in exceptional circumstances with agreement from the Head of HR & OD and the relevant Strategic Director.	Senior HR Advisor	A recent decision of the Employment Appeal Tribunal means that it will be necessary for the People, Performance and Development Committee to reconsider Surrey County Council's Annual Leave Policy in order to adjust the annual leave/holiday pay entitlements of officers who work overtime/additional hours. A date will be found to add this item to the Committee's forward plan. Officers would also like the Committee to have a further discussion on carryforward arrangements for employees who have been prevented from taking leave because of sickness, as the legal position seems to indicate a firm obligation on the employer to arrange for that leave to be carried forward for at least 15 months. Detailed advice will be sought from the Legal Services department to inform Committee deliberations.
					(Updated: 15 August 2017)

# People, Performance & Development Committee – ACTION TRACKING September 2017

A30/17	25 July 2017	Key Worker Housing	Officers to investigate the full range of options to provide housing for staff taking up a role in a hard to recruit to position. This includes talking to other public sector organisations as well as institutions such universities.	Strategic Business Partner	The SCC website now gives all candidates access to housing information (previously available on the Children's Social Worker job pages only). Further work is planned to expand the information available to include the current relocation scheme offer (pending a review of the Scheme). Further work is also required to identify the appropriate public sector organisations we should be liaising with, in addition to the Boroughs and Districts, and the best approach to take with each.  (Updated: 15 September 2017)
A31/17	25 July 2017	Key Worker Housing	Officers to consider ways of improving the assistance it provides for staff required to relocate to take up a position at SCC and to present a report on the outcomes of this to a future meeting of PPDC.	Strategic Business Partner	Work has been scheduled to review the current Relocation Assistance Scheme and to consider ways of improving it to best meet our needs.  (Updated: 15 September 2017)

#### **COMPLETED ACTIONS**

Number	Meeting Date	Item	Recommendation / Action	Action by whom	Action update
A21/17	14 June 2017	Surrey Pay Review 2017 to 2018	The Committee requested details of the overhead costs associated with employing part time staff to cover full time equivalent positions with the Council including details of the additional National Insurance contributions the Council is required to make as a result.	Head of HR & OD	A report has been included in the agenda for the Committee's meeting on 25 September 2017.  (Updated: 14 September 2017)
A24/17	25 July 2017	Forward Work Programme	Chairman of the People, Performance and Development Committee to meet with the Head of HR & OD to discuss the agenda for the meeting on 25 September	Head of HR & OD	The Chairman of PPDC and Head of HR & OD met on 17 August 2017 and agreed the agenda for the PPDC meeting on 25 September.  (Updated: 14 September 2017)
A25/17	25 July 2017	Forward Work Programme	Chief Executive's Appraisal to be removed from the Forward Plan for the Committee meeting on 27 October.	Regulatory Committee Manager	This item has been removed from the Committee's Forward Plan.  (Updated: 27 July 2017)
A26/17	25 July 2017	Staff Survey Results	Committee Members to receive data on the breakdown of the Staff Survey results for the Adult Social Care Directorate.	Chief of Staff	This information was circulated to the Committee on 18 August 2017.  (Updated: 18 August 2017)

# People, Performance & Development Committee – ACTION TRACKING September 2017

A27/17	25 July 2017	Staff Survey Results	Chief of Staff to reflect Members' concerns on SRFS's Staff Service results back to the Strategic Director of Environment & Infrastructure and seek assurances on how the action plan will improve leadership and communication across the Service	Chief of Staff	The Chief of Staff has discussed the implementation of the action plan with the Strategic Director for Environment & Infrastructure and provided the statement below on the outcome of this conversation which was circulated to Committee Members on 10 August 2018  "The Strategic Director understands the concerns regarding the low staff survey scores in Surrey Fire and Rescue and is committed to putting in place actions to improve this. Improving staff engagement has been set as a priority for the Chief Fire Officer and his senior team, with suggestions made on simple actions that could be taken. The Strategic Director has set an expectation that tangible improvements will be seen through the Staff Survey and other service based evaluation over the coming year and will continue to monitor this closely"  (Updated: 10 August 2017)
A28/17	25 July 2017	Staff Survey Results	Officers to speak to the Head of Communications to ensure that there is effective communication to staff about next steps following analysis of the results of the staff survey.	Chief of Staff	The following was circulated to Members on 1 September 2017.  'Officers from the Communications Team, the OD Team and HR have been working together to ensure the results of the staff survey are shared promptly and in a way which reaches as wide an audience as possible. All members of staff are due to receive an email from their Strategic Directors in September encouraging them to complete this year's survey and using examples of changes which have been made as a result of last years' survey as encouragement.'  (Updated: 1 September 2017)

# People, Performance & Development Committee – ACTION TRACKING September 2017

A32/17	25 July 2017	Pay Policy Exceptions Analysis	The Committee to receive a report analysing pay policy exceptions on an annual basis.	Head of HR & OD	The forward plan has been updated to remove the quarterly Pay Policy Exceptions report received by the Committee and a report analysing Pay Policy Exceptions will be considered every year in June.
					(Updated: 10 August 2017)

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#### **Part Time Staff report**

#### Introduction

At June's People, Performance and Development Committee members requested details of the overhead costs associated with employing part time staff to cover full time equivalent positions with the Council including details of the additional National Insurance contributions the Council is required to make as a result.

#### **Findings**

When employing staff, there is no Employer National Insurance (NI) contribution on the first £8,164 of the employee's salary per annum. After this the employer's rate of 13.8% applies to all earnings. Therefore, from NI point of view it is cheaper to employ multiple part time staff than it is full time staff. The saving is around £1,127 per annum per additional employee. However, having more part time staff would increase management and training costs.

#### **Example**

On an assumption that a manager on an average hourly rate of £20.41, which is top of grade PS9 (£38,312), spends one hour a month on managing an employee, it would cost around £245 extra per year per employee.

The training budget per head is around £218.

Therefore, if 100 FTE posts are filled by 200 part time employees, this would create a saving by the council benefiting from the additional NI allowance. If a saving of a £1000 per additional employee is assumed, then the figures would work out as follows:

100 (extra employees) x £1,000 = £100,000 - (£24,500 management time + £21,800 training budget) = savings of £53,700.

#### Conclusion

Although there are costs associated with employing more part time employees, the NI savings compensate for this additional cost.







# People, Performance and Development Committee 25 September 2017

## **Forward Work Programme**

#### Purpose of the report:

For Members to review and comment on upcoming items due for consideration by the People, Performance and Development Committee.

#### Introduction:

A Forward Plan recording agenda items for consideration at future People, Performance and Development Committee meetings is attached as **Annex 1**, and Members are asked to review the items listed on the Forward Plan.

#### **Recommendations:**

That the People, Performance and Development Committee review items that it is due to consider at future meetings (Annex 1).

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Report contact: Andrew Baird, Regulatory Committee Manager

Contact details: 020 8541 7609, andrew.baird@surreycc.gov.uk





# People Performance and Development Committee Forward Work Programme – September 2017

# 27 October 2017

Item title	Monthly Pay Policy Exceptions October 2017 (Part 2)
Report	Oonagh Dixon, Reward Advisor
author	Ken Akers, Head of HR & OD
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

Item title	SCC Financial Position and its Impact on Staff
Report	Ken Akers, Head of HR & OD
author	
Item	To review the number of redundancies likely as a result of SCC's Financial
Summary	Position and to consider measures to mitigate the impact of any potential
	redundancies on staff morale.

Item title	Policy Statement on Recording HR Meetings
Report	Prodromos Mavridis, Senior HR Advisor (Policy)
author	
Item	To review the number of redundancies likely as a result of SCC's Financial
Summary	Position and to consider measures to mitigate the impact of any potential
	redundancies on staff morale.

Item title	HR Strategy
Report	Hannah Dwight, HR Business Services & Programmes Manager
author	
Item	For the Committee to review and approve SCC's HR Strategy.
Summary	

Item title	Pay Policy Statement 2017/2018
Report	Ken Akers, Head of HR & OD
author	Julie Smyth, HR Reward Manager
Item	To review the Pay Policy Statement for 2017/18 for recommendation to Full
Summary	Council

Item title	Staff at the Top of their Pay Band
Report	Ken Akers, Head of HR & OD
author	
Item	To report on the number of staff sitting at the top of their pay band at Surrey
Summary	County Council.

	Item title	Family-friendly Policies
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Report	Prodromos Mavridis, Snr HR Advisor – Policy and Engagement
author	
Item	To approve the revisions/realignments to the Council's family friendly policies
Summary	including maternity, adoption and parental leave.

Item title	Termination of Employment Policy
Report	Prodromos Mavridis, Snr HR Advisor – Policy and Engagement
author	
Item	To approve revisions to the Council's Termination of Employment Policy
Summary	

Item title	Leadership Expectations
Report	Ken Akers, Head of HR & OD
author	
Item	For the Committee to review and approve SCC's leadership expectations
Summary	

# **30 November 2017**

Item title	Monthly Pay Policy Exceptions November 2017 (Part 2)
Report	Oonagh Dixon, Reward Advisor
author	Ken Akers, Head of HR & OD
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

Item title	Review of Senior Management Arrangements for the Environment & Infrastructure Directorate
Report	Ken Akers, Head of HR & OD
author	
Item	To update the Committee on the senior management arrangements for the
Summary	Environment and Infrastructure Directorate following changes made to the
	senior management structure within the Directorate.

Item title	HR Policy Changes
Report	Prodromos Mavridis, Snr HR Advisor – Policy and Engagement
author	
Item	For the Committee to approve changes to HR policies.
Summary	

Item title	Embedding the Behaviours Framework Update
Report	Lavern Dinah, Strategic OPD Manager
author	
Item	To update the Committee on action that has been taken to embed the
Summary	Behaviours Framework

# 29 January 2018

Report	Ken Akers, Head of HR & OD
author	
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

# 8 March 2018

Item title	Pay Policy Exceptions March 2018 (Part 2)
Report	Ken Akers, Head of HR & OD
author	
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

Item title	Staff Survey Results
Report	Amy Bailey, Employee Engagement Lead
author	
Item	To provide the Committee with details and analysis of the results of the staff
Summary	survey. This will include details of how SCC is capturing and progressing
	innovative staff ideas.

# 26 April 2018

Item title	Pay Policy Exceptions April 2018 (Part 2)
Report	Ken Akers, Head of HR & OD
author	
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

# 14 June 2018

Item title	Pay Policy Exceptions June 2018 (Part 2)
Report	Ken Akers, Head of HR & OD
author	
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

Item title	Appraisal Completion Update
Report	Ken Akers, Head of HR & OD
author	Lavern Dinah, Acting Strategic OPD Manager
Item	To update the Committee on the number of appraisals that have been
Summary	completed to date so far for the year 2017/18.

# 25 July 2018

Item title	Pay Policy Exceptions Analysis (2017/18) Q4 and Full Year
Report	Rahul Singh, Senior MI Specialist
author	Ken Akers, Head of HR & OD
Item	To review analysis of Pay Policy Exceptions agreed for Quarter 4 and for the
Summary	full year 2017/18.

Item title	Pay Policy Exceptions July 2018 (Part 2)
Report	Ken Akers, Head of HR & OD
author	
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

# 24 September 2018

Item title	Pay Policy Exceptions September 2018 (Part 2)
Report	Ken Akers, Head of HR & OD
author	
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of
Summary	the published pay policy.

# 7 November 2018

Item title	Pay Policy Exceptions November 2018 (Part 2)	
Report	Ken Akers, Head of HR & OD	
author		
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of	
Summary	the published pay policy.	

## 13 December 2018

Item title	Pay Policy Exceptions December 2018 (Part 2)	
Report	Ken Akers, Head of HR & OD	
author		
Item	For PPDC to decide on senior pay (grades S13 or above) that fall outside of	
Summary	the published pay policy.	



# People, Performance and Development Committee 25 September 2017

#### **Surrey County Council New Learning Agreement**

#### Purpose of the report:

The purpose of this paper is provide Members of the People, Performance and Development Committee with background on the use of Learning Agreements within Surrey County Council, outline the rationale for introducing a revised Learning Agreement and seeking approval to implement a new Learning Agreement for the Council.

#### Recommendation

It is recommended that the People, Performance and Development Committee approve the implementation of a revised Learning Agreement for Surrey County Council Staff undertaking a qualification that is paid for by the Council via Directorate devolved budgets.

#### Introduction

The aim of a Learning Agreement is to set out the terms and conditions for the provision of training for the Learner and to set out the respective obligations and responsibilities of both the learner and Surrey County Council.

#### **Current Status**

- Learning Agreements have been in place in several forms within Surrey County Council (SCC) over the last few years with each directorate or service creating different versions tailored to their needs. This has resulted in a number of different Learning Agreements in circulation and the subsequent impact of confusion and challenge that the appropriate and relevant Learning Agreements are not being used.
- 2. These have been managed within services and there is no recognised central system for recording and monitoring Learning Agreements.

#### The Requirement for a revised Learning Agreement

- The Apprenticeship Reform and subsequent levy on SCC's pay bill has changed the way professional and accredited learning will be delivered in the Council.
- 4. In preparation for this, Adult Social Care and Children's Services have put their Social Worker and Occupational Therapist Degree Training Offer under review in the anticipation that the Apprenticeship Qualification for Social Worker and Occupational Therapist Degrees will be ready for delivery in 2018/2019. All current cohorts of the degree training will be finished by 2019.
- 5. The Education and Skills Funding Agency, together with Department of Education, have confirmed that it is not possible to impose any recovery clauses for qualifications attained by utilising the Apprenticeship Levy. The Skills Funding Agency guidelines published in March 2017 "Apprenticeship Funding: Rules and Guidance for Employees" Section 52.4: not be asked to contribute financially to the direct cost of learning or assessment (this includes where an apprentice leaves their programme early you must not claim training or assessment costs back from ex-apprentices).
- 6. However, until such time Apprenticeships Standards can replace many if not all of SCC's training requirements, there will continue to be a need for devolved training budgets to be spent on professional qualifications.

# Financial Implications

- 7. The repayment clause allows for the Council to recoup fee costs for a professional qualification. Services agree for learners to obtain a professional qualification at high cost to budgets and the team (i.e. absences from office, no backfill) and therefore a tie-in agreement has been stipulated over a course of two years post qualification. The repayment sum is calculated on the fees if an employee leaves within two years of completing the training paid for by the Council as it represents a genuine loss to the Council. The repayment clause only seeks to recover the cost of training the employee and is proportionate to the unexpired portion of the two year period.
- 8. The Legal Team have advised that the two year tie in period is proportionate. Any clause providing a full recovery of course fees over a longer period of time would be considered a penalty. The benefits of the training would have been realised in the years of employment following the training and the Council will have had that benefit. A much more limited clause has been implemented to recoup fee costs that is calculated on fees left within two years of completing the training paid for by the Council. The clause only seeks to recover the cost of training the employee and is proportionate to the unexpired portion of the two year tie in period.

#### **Equality**

9. A Learning Agreement clearly states the responsibilities of all involved in the learning process before it takes place. It clarifies expectations on all sides and helps to ensure commitment from the signatories towards the learner

achieving their qualification. By having a central version, all will been given the same

### **Next steps**

10. It has been agreed at HRLT and Pay & Reward Board on 2 May 2017, that Employee Services will be responsible for creating a central system for recording all Learning Agreements and connecting them to Employee Records (SAP). They will also administer any Fee Clause Recovery requests.

**Contact:** Ken Akers, Head of HR&OD

**Contact Details:** 07792 511083

**Annexes:** Annex 1 – Proposed new Learning agreement





#### Annex 1

### **Proposed Learning Agreement**

This is the proposed Learning Agreement for staff undertaking a qualification paid for by Surrey County Council which would cover all courses, including course / classroom/ attendance, including distance learning / virtual qualifications

THIS AGREEMENT is made on [insert date] BETWEEN

- 1. SURREY COUNTY COUNCIL of County Hall, Penrhyn Road, Kingstonupon-Thames, Surrey KT1 2DN ("the Employer")
- 2. [Insert name] of [insert home address] ("the Employee")

#### **DEFINITIONS**

"Employee Contract" means the Employees Terms and Conditions of

service with the Employer

"the Course" means [type of course / Degree / Diploma / etc] in

[name of course] with the Course Provider [name of college, Higher Education Institute, University,

Training Provider] commencing on [date]

"Course Duration" means [length of the course] years/months/weeks

"Course Provider" means the training establishment which hosts the

Course

"Course Fees" means the current amount of [£amount] per

annum/term/month being the course fees for the Course Duration and agreed to be paid by the

Employer in accordance with the Policy

"the Payment Date" means the date when the Course Fees are paid to

the Course Provider

"the Policy" means Surrey County Council's policy entitled

"Study Leave and Financial Assistance" attached

as Schedule 1 to this Agreement

"the Employer" means Surrey County Council

And Staff in HR who need to know about your progress; this may include HR Training but also

other branches of HR and Finance

"persistent" means any unauthorised and frequent absences in

a period of time [12] week period



#### IT IS AGREED as follows:

#### 1. PURPOSE

- 1.1. The Employee is employed by the Council and wishes to undertake a training course in order to improve and develop the skills and knowledge required for the position they have within the Council.
- 1.2. The Employer will support the Employee [with [paid or unpaid] time off and payment of Course Fees] for [name of course] approved in advance by the Employer with a view to gaining a recognised [professional or vocational] qualification which may benefit both the Employee and the Employer.

#### 2. TRAINING AND DEVELOPMENT

- 2.1. The Employer will:
  - 2.1.1. grant the Employee leave of absence from [insert date] for the sole purpose of attending [specify particular course] OR any educational or training course (Course) and sitting any examination[s] relevant to the Course
  - 2.1.2. Permit the Employee to take [paid OR unpaid] leave of absence from work in order for the Employee to attend [and/OR sit any such examination] in relation to the Course
  - 2.1.3. Pay any enrolment, tuition and/or examination fees for the Course
- 2.2. In consideration for, and as a condition of, the Employer's obligations in Clause 2.1, the Employee agrees:
  - 2.2.1. to attend the Course diligently and apply the whole of their energies during the Course to gain the skills and knowledge taught or otherwise made available in connection with the Course and to the successful achievement of all work, tests and examinations set in connection with the Course
  - 2.2.2. to notify the Employee's line manager as soon as possible stating when and why if, at any time, they are unable to attend the Course
  - 2.2.3. to permit the Employer to enquire of any institution or tutor as to the Employee progress and attendance at the Course and as to the result of any examination[s]
- 2.3. The Employee will be paid their Salary (as defined in the Employment Contract) during any period they are absent from work in order to attend the Course or to sit or study for any test or examination for the Course.
- 2.4. The Employee's attendance at [the Course OR any Course] will not constitute a break in their continuity of employment with the Employer.



## 3. STUDY LEAVE

The Employee is entitled to the following paid leave:

- 3.1. when taking any examination, a period equivalent to the duration of the examination.
- 3.2. if the examination is scheduled to take place in the evening (after 5pm) a period equivalent to half a day immediately prior to the examination.
- 3.3. the Employee is entitled to a maximum of three (3) days revision leave unless the Course makes provision for Study Leave.

#### 4. PAYMENT OF COURSE FEES AND BREACH BY THE EMPLOYEE

- 4.1. The Employer shall pay the Course Fees directly to the Course Provider on the Payment Date, provided the Employee attended the Course in accordance with Clause 2.2.
- 4.2. The Employer shall not pay the Course Fees if the Employer is notified by the Course Provider that the Employee has persistently failed to attend the Course and where the Course Fees have already been paid, the Employer shall be entitled to recover the Course Fees from the Employee in accordance with provisions in Clause 4.5.
- 4.3. The Employee shall notify the Employer immediately if the Employee fails all or part of the Course, or if the Employee is aware of any other circumstances which would cause the length of the Course to be extended.
- 4.4. The Employee acknowledges the implications of Clause 4 and the costs involved have been explained to the Employee by the Employer.
- 4.5. In the event that the Employee fails to commence or complete all or part of the Course, fails all or any part of the examination(s) as part of the Course undertaken, has decided to withdraw without reasonable justification, has breached Course Provider policies and been withdrawn from the Course, or is required to re-sit or retake any part of the Course and for that reason the length of the Course is extended beyond the Course Duration, the Employer may:
  - 4.5.1. Refuse to pay any Course Fees outstanding or due at the time of the circumstance described in Clause 4.5
  - 4.5.2. Bring this Learning Agreement to an end by giving the Employee written notice
  - 4.5.3. Recover from the Employee 100% of the Course Fees paid in respect of the Course, and deduct the same from the Employee's salary by monthly instalments, and recover the same as a debt where the Employee leaves their employment and the Employee's final salary

# 5. EMPLOYEE LEAVING THEIR EMPLOYMENT AND REPAYMENT OF FEES

- 5.1. Where the Employer has agreed to pay the Course Fees for the Employee:
  - 5.1.1. To attend a Course; or
  - 5.1.2. Sit or study for any test or examination(s) for a qualification approved by the Employer and the Employee fail such tests or examination(s); and / or
  - 5.1.3. The Employee ceases employment with the Employer

The Employee will reimburse the Employer (and the Employer shall be entitled to recover all such sums due by deducting from any instalments of salary payable to the Employee (or any such sum due to the Employee from the Employer).

5.2. Any repayments after the completion of the Course will be abated by length of employment, i.e., by one month for every month serviced within the two-year period following the completion of the course.

For example, if the cost of the Course amounts to £2,400 and the Employee leaves one month after completing the Course, he/she will repay £2,300. If he/she leaves 23 months after completing the Course he/she will repay £100.

- 5.3. The Employee shall repay to the Employer on demand the Repayment Amount if the Employee leaves their employment with the Employer less than two (2) years after completion of the Course
- 5.4. Clause 5.1 will not apply if the discontinuance of their employment is a result of:
  - 5.4.1. Retirement or termination of employment due to ill health;
  - 5.4.2. Compulsory redundancy; if the employee made redundant due to voluntary severance application, management may consider waiving any Course fees due under 5.1
  - 5.4.3. Employees who are subject to Transfer of Undertakings (Protection of Employment)
  - 5.4.4. Unfair or wrongful dismissal if found proven by an Employment Tribunal
- 5.5. The Employee agrees and consents that in the event the Employee owes an amount to the Employer, the Employer shall be entitled to deduct any such amount from the Employee's salary or any other monies payable by the Employer to the Employee, and the same shall be recoverable from the Employee as a debt.





#### **UNFORSEEN EVENTS**

1. Neither Party to this Contract shall be liable for the failure to perform their obligations under this Learning Agreement if such failure is for circumstances beyond the contemplation of the parties or which are beyond the party's reasonable control.

#### 6. DECLARATION

The Employee confirms that they agree to and will sign the Declaration as set out in this Learning Agreement

Signed for and on behalf of the Employer	Date: [insert date]
Name: [Insert Name]	Signature:
Signed for and on behalf of the Employee	Date: [insert date]
Name: [Insert Name]	Signature:
Signed for and on behalf of the Line Manager	Date: [insert date]
Name: [Insert Name]	Signature:













