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| **HIGH LIFE HIGHLAND****REPORT TO BOARD OF DIRECTORS****31 August 2022** | AGENDA ITEM:REPORT No H LH/ 12 /22 |

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| **HR UPDATE – Report by Chief Executive** |

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| **Summary**The purpose of this report is to update Directors on HR related matters for Quarter 1, April to June 2022.It is recommended Directors:1. note the standing HR matters for Q1, 2022/23;
2. agree to a partnership working arrangement with The Highland Council in terms of internal vacancies;
3. note the proposal for employing young people under 16;and
4. note the new Guidance on Menopause
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| **1.** | **Business Plan Contribution** |
| 1.1 | This report supports the highlighted Business Outcome from the High Life Highland (HLH) Business Plan:1. Seek to continuously improve standards of health and safety.
2. Commit to the Scottish Government’s zero carbon targets and maintain the highest standards in environmental compliance.
3. Use research and market analysis to develop and improve services to meet customer needs.
4. **Increase employee satisfaction, engagement and development to improve staff recruitment and retention.**
5. Improve the financial sustainability of the company.
6. **Value and strengthen the relationship with THC.**
7. Develop and deliver the HLH Corporate Programme and seek to attract capital investment.
8. Use research and market analysis to develop and deliver proactive marketing and promotion of HLH and its services.
9. Initiate and implement an ICT digital transformation strategy across the charity.
10. **Develop and strengthen relationships with customers, key stakeholders and partners.**
11. Deliver targeted programmes which support and enhance the physical and mental health and wellbeing of the population and which contribute to the prevention agenda.
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| **2.** | **Background** |
| 2.1 | This report will summarise and update on the following standing HR matters, relating to 2022/23 Q1.* Staffing matters:
	+ establishment;
	+ turnover;
	+ attendance management;
* Implementation of HR policies/procedures;
* Industrial relationships
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| 2.2 | The report will also cover the following non-standard HR matters:* Partnership working with The Highland Council relating to internal vacancies
* Employment of young people under 16
* New Menopause Guidance
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| **3.** | **Update on standing HR matters Q1, April to June 2022** |
| 3.1 | Staffing matters – establishment |
| 3.1.1 | Changes to the charity’s staffing establishment = +5.98FTE. (**Appendix A**) |
| 3.1.2 | Quarter 1(2022/23) establishment = 823.08 FTEQuarter 4 (2021/22) establishment = 817.10 FTE |
| 3.1.3 | The above changes can predominantly be attributed to the creation of externally funded posts and minor adjustments to the establishment within:* Adult Learning;
* Leisure; and
* Youth work.
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| 3.2 | Staffing matters – turnover |
| 3.2.1 | The number of resignations as a percentage of posts (number in brackets denotes the number of individual resignations) during the quarter was:* April = 0.7% (9)
* May = 0.5% (6)
* June = 0.8% (10)
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| 3.3 | Staffing matters – attendance management |
| 3.3.1 | Attendance management **(Appendix B)** can be summarised thus:* Short-term absence (<10 consecutive working days) = +0.45%
* Long-term absence (>10 consecutive working days) = +1.25%
* Long-term absences carried into Q2 = 17 individuals
* Average days sick per FTE employee = +0.88 days
 |
| 3.3.2 | There has been an increase in both the short- and long-term absences during Q1.It should be noted that the highest percentage of all absences for this period were recorded as ‘COVID related illnesses’ at 33% with the second highest at 22%, stating ‘cold’ as the reason for absence.  |
| 3.4 | Implementation of HR policies or processes |
| 3.4.1 | The following list details the application of HR policies or processes:* Disciplinary procedure = 1
* Internal resolution process (formerly Grievance) = 1
* Dignity at Work = 0
* Whistleblowing = 0
* Official complaints against staff (external) = 2\*
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|  | \*Board Directors will note this new section added to the Implementation of HR policies or processes section. The HR Report will now update Board members of the number of official complaints against a staff member(s), where the source of the complaint is not internal (i.e. not covered by the internal resolution process). |
| 3.5 | Industrial relationships |
| 3.5.1 | The Charity recognises and engages with the following Unions:* EIS (Music instructors)
* GMB
* UNISON
* Unite the Union

Ongoing communication and consultation with the above unions is undertaken through the Joint Consultation Forum (JCF), Chaired by the Director of Corporate Services and which meets quarterly. |
| 3.5.2 | The JCF met virtually on 29 June 2022. The following items were discussed:* Asset Rationalisation Project
* Face to face meeting commitments
* HLH Menopause Guidance
* Swim Teacher proposals
* Weekend Enhancements
 |
| 3.5.3 | In addition, the Director of Corporate Services and HR Manager met with union representatives on 11 May 2022 on a single item agenda to conclude the matters around updates to the way in which Swim Teaching are recruited.  |
| 3.63.6.13.6.23.6.33.6.43.6.5 | Weekend Enhancement Back Pay – update/report backMembers will recall that due to the implementation of contractual changes, HLH had previously offered to consider financially recognising all staff that had taken up a newly contracted post(s) since 1 August 2020.Based on a dip-test calculation, it was recommended to, and agreed by the Board to propose to the Unions that a one of pro-rata recognition payment be paid to all staff affected by the decision. Having undertaken a dip-test of over 30 members of staff, the average payment proposed would be £420 (based on full-time, 37 hours) with relief staff receiving a minimum payment of £50.Two of our three JCF Unions have advised HLH that they would be unable to recommend a formulaic settlement as the charity had proposed. As a result of this decision, HLH will now carry out a ‘line-by-line’ calculation for around 100 affected employees. The decision by the Unions means that some employees will be entitled to more than £420 but many others will receive less (with some receiving zero). It is anticipated that the cost to the line-by-line will be equivalent to that previously budgeted for (additionally some staff will now have left the organisation – so the figure may be less).  |
| **4.** | **Recruitment partnership with The Highland Council** |
| 4.1 | Board members will be aware of the ongoing recruitment challenges being faced by HLH, as well as other organisations due to the low-level of unemployment and high level of vacancies/choice to the workforce.  |
| 4.2 | The Director of Corporate Services has been in discussion with colleagues in The Highland Council’s HR Service vis-à-vis offering employees of both organisations the opportunity to apply for ‘internal’ vacancies for both organisations.  |
| 4.3 | Board Members will be aware as to the importance of ‘independence’ between both organisations – however, it should be stressed that there is **absolutely no** imposition of a directive coming from THC regarding this proposal. Discussions to-date have been collaborative and consultative. The arrangement is purely around working together to [perhaps] mutually support each other’s recruitment challenges.  |
| 4.4 | It is recommended that the Board **agree** to entering into a recruitment partnership, whereby vacancies with both organisations are mutually shared, and that applicants from each organisation would be treated as ‘internal candidates’.The benefits to HLH entering into such an arrangement would be as follows:1. Makes some attempt to address the current recruitment challenges being faced in some geographic areas.
2. Offers staff from both organisations the opportunity for career development in a potentially smaller recruitment pool (i.e. HLH/THC staff would not be applying alongside other external applicants).
3. Has the potential to reduce the costs of externalised recruitment for certain posts.
4. Enhances the working relationship between HLH/THC whilst retaining the appropriate legal arms-length working arrangements required.
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| 4.5 | It is suggested that any arrangement(s) is put in place and reviewed after 12-months, with the opportunity to rescind any such arrangements immediately, or within an agreed period of time to be decided by Officers from the respective organisations.   |
| 4.6 | Board Members should note that the above has been presented having taken legal advice from the charity’s advisors.  |
| **5.** | **Employment of young people under 16** |
| 5.1 | In considering the previously referred to recruitment challenges, HR reviewed the legalities and measures that would need to be put in place to offer employment to young people under the age of 16, putting a recommendation to the Executive Leadership Team.  |
| 5.2 | Historically, HLH has never employed anyone under 16 (despite the fact it does engage volunteers that are under 16). For this reason, the charity currently has no guidelines or procedures in place to allow such recruitment/employment to be progressed. |
| 5.35.3.1 | Having reviewed the legal requirements of employing children and the relevant Highland Council byelaw, there are several restrictions that would preclude the employment of young people in some areas of HLH’s work due to its nature, Health and Safety issues or required [age-restricted] qualifications meaning certain roles would not necessarily be suitable for young people under 16.However, working, for example, in a café or shop or carrying out administrative tasks in an office or library would be deemed acceptable under the legal restrictions.  |
| 5.4 | The above proposal was considered by the Executive Leadership Team at a recent Weekly Business Meeting and agreement was reached that HLH should look to adapt processes to enable the charity to employ young people aged between 14-16 years of age.  |
| 5.55.5.1 | ProposalNoting the legal and THC permit requirements, HLH should trial the employment of under 16s. In the first instance, the following restrictions should be applied: |
|  | * Those being considered for employment should be no younger than 14 on the post start-date.
* Posts that can be filled by young people are restricted (initially) to:
* Catering Assistants in cafés;
* Visitor Centre Assistants (e.g. Ben Nevis Centre);
* Library Assistants;
* Event Assistants (day events only).
* None of the posts should involve lone working.
* None of the posts should involve the serving or selling of alcohol.
* The recruitment process of Under 16-year old employees will be subject to annual review.
 |
| 5.6 | At the time of writing this report, HR is drafting guidelines to assist managers with the legal recruitment and employment requirements. An update on progress will be presented to a future board meeting through the HR Report.  |
| **6.** | **New Guidance on Menopause** |
| 6.1 | Earlier this year a short-term working group of female employees, jointly led by the Head of Health and Wellbeing and HR Manager, was established to create new guidance relating to the impact of, and support that can be offered to colleagues going through the Menopause. Details of the group’s work will be covered in more detail by the Head of Health and Wellbeing in the regular six-monthly Health and Wellbeing Update Report elsewhere on the Board agenda.  |

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| **7.** | **Implications** |
| 7.1 | Resource Implications – there are no new resource implications arising from this report |
| 7.2 | Legal Implications – there are no new legal implications arising from this report |
| 7.3 | Equality Implications – there are no new equality implications arising from this report. |
| 7.4 | Risk Implications – there are no new risk implications arising from this report.  |

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| **Recommendation**It is recommended Directors:1. note the standing HR matters for Q1, 2022/23;
2. agree to a partnership working arrangement with The Highland Council in terms of internal vacancies;
3. note the proposal for employing young people under 16; and
4. note the new guidance on Menopause.
 |

Designation: Chief Executive

Date: 16 August 2022

Authors: James Martin, Director of Corporate Services

**Appendix A**

**CHANGES TO STAFFING ESTABLISHMENT IN Q1**

**(April – June 2022)**

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| **Post Title** | **Location** | **FTE** | **Additional comments** |
| Assistant Manager Events | Strathpeffer Pavilion | 0.08 |  |
| Assistant Manager Events | Strathpeffer Pavilion | 0.08 |  |
| Centre Supervisor | Sunart Centre | -0.50 |  |
| Facility manager | Sunart Centre | 1.00 |  |
| AYW Outdoor Activities | Dingwall | 0.23 | Temporary for 28 weeks |
| Youth Development Officer | Thurso Coastal Communities | 0.40 | Temporary for 12 monthsFully Funded – Highland Coastal Communities Fund |
| Youth Support Officer | Thurso Coastal Communities | 0.40 | Temporary for 12 monthsFully Funded – Highland Coastal Communities Fund |
| Assistant Youth Worker | Thurso Coastal Communities | 0.40 | Temporary for 12 monthsFully Funded – Highland Coastal Communities Fund |
| Assistant Youth Worker | Ullapool Coastal Communities | 0.29 | Temporary for 12 monthsFully Funded – Highland Coastal Communities Fund |
| Assistant Youth Worker | Ullapool Coastal Communities | 0.29 | Temporary for 12 monthsFully Funded – Highland Coastal Communities Fund |
| Tutor Coach | Ullapool  | -0.08 |  |
| Business Support Officer | Broadford | 0.20 |  |
| Adult Learning Support Worker | Inverness  | 0.40 |  |
| Tutor/Coach | Spectrum Centre  | -0.31 |  |
| High Life Systems Analyst | Inverness  | 1.00 | Temporary for 12 Weeks (Student Placement) |
| Leisure Assistant | Culloden Leisure Centre | 0.30 |  |
| Leisure Assistant | Culloden Leisure Centre | 0.09 |  |
| Cashier Receptionist  | Tain Leisure Centre | 0.30 |  |
| Cashier Receptionist  | Tain Leisure Centre | 0.20 |  |
| Cashier receptionist  | Tain Leisure Centre | 0.10 |  |
| Leisure Supervisor | East Caithness Community Facility | 0.11 |  |
| Adult Learning Tutor | Invergordon | 0.20 | Temporary for 6 weeks |
| Adult Learning Tutor | Alness | 0.20 | Temporary for 6 weeks |
| Music Instructor (Strings) | MillburnASG | 0.19 | Temporary for 10 months |
| Assistant Youth Worker | Inverness High School | 0.29 | Temporary for 10 months |
|  |  | **+5.98** |  |

Table 1

**Appendix B**

**Attendance Management Tables**

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| **SHORT-TERM ABSENCE RATES** |
|  | **Quarter 1****(Apr–Jun)****%** | **Quarter 2****(Jul–Sep)****%** | **Quarter 3****(Oct–Dec)****%** | **Quarter 4****(Jan–Mar)****%** |
| **2020/21** | 0.01 | 0.15 | 0.42 | 0.11 |
| **2021/22** | 0.66 | 0.66 | 1.13 | 1.62 |
| **2022/23** | 2.07 | - | - | - |

Table 2

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| **LONG-TERM ABSENCE RATES** |
|  | **Quarter 1****(Apr–Jun)****%** | **Quarter 2****(Jul–Sep)****%** | **Quarter 3****(Oct–Dec)****%** | **Quarter 4****(Jan–Mar)****%** |
| **2020/21** | 0.05 | 0.78 | 2.22 | 1.13 |
| **2021/22** | 1.93 | 2.88 | 2.96 | 2.51 |
| **2022/23** | 3.76 | - | - | - |

Table 3

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| **AVERAGE SICKNESS ABSENCE DAYS PER EMPLOYEE** |
|  | **Quarter 1****(Apr–Jun)** | **Quarter 2****(Jul–Sep)** | **Quarter 3****(Oct–Dec)** | **Quarter 4****(Jan–Mar)** |
| **2019/20** | 2.82 | 2.34 | 1.74 | 1.81 |
| **2020/21** | 0.04 | 0.64 | 1.64 | 0.78 |
| **2021/22** | 1.63 | 2.33 | 2.70 | 2.73 |
| **2022/23** | 3.61 | - | - | - |

Table 4