Meeting	Board Meeting	*Agenda Item No.*	10
		Paper No.	113.7
Date of meeting	31 March 2021	*Time required*	20 minutes

Title	**Actions From the Independent Reviews**
Sponsor	Petrina Hoggan People Strategy & OD and Elisabeth Davies OLC Board Chair
Status	OFFICIAL
To be communicated to:	Members and those in attendance

Executive summary
It is important to note that the first Independent Review was conducted eighteen months ago and the second a year ago. Thirty nine recommendations were identified in total as a result of both Independent Reviews. Since then significant work has taken place in responding to the recommendations acknowledging that a number of these required Projects to be set up and are currently in progress. Other recommendations have been adopted into a new way of working.   The attached table Appendix 1 sets out the position presented to the Board in July 2020 and identifies the action taken to date against each of the recommendations at the end of Quarter 4 2020/21.   Of the thirty nine recommendations in Appendix 1   • Thirty two are both included within the scope of work as outlined in the People Plan or identified as actions taken by the Leadership Team and/or Operational Management.   • Seven recommendations refer to Board effectiveness identified in Annex X which has been provided by the OLC Board Chair.   The combination of a new leadership team and a brand new way of working due to Covid-19 will allow further progress to be made.   There is an opportunity to work with the People Plan project manager to ensure all People Plan actions are clearly annotated in the programme plan and a clear and frequent review of progress and impact is established.
Recommendation/action required
Board are asked to **NOTE** the recommendations from the Independent Reviews and progress made.

Table Ref	Report	Issue /Recommendations	Position in July 2020	Staff Survey Theme	Board Action	People Plan Action	Does the People Plan Action Address the recommendation in Full	Position in Q4 2020/21
1	IR1	**Issue: Focus on performance and hitting targets rather than complaint resolution.** Recommendation: The Board should take steps to satisfy itself that policies are being applied consistently and effectively on the ground.	Q and F framework and workload management tool has shifted focus to complaint progression, timeliness and customer experience	My Organisation	No	No	No	At the start of the 2020 pandemic targets were superseded by a new way of managing people, managing by behaviours. The organisation asked all staff to work from home and the target culture ended at that point
2	IR1	**Issue: Performance Plans for staff who fail to meet 'unrealistic' targets.** Recommendation: The Board will need to satisfy itself that on-paper policies are being applied consistently on the ground.	Temporary suspension of targets during period of Covid pandemic, move towards management by behaviours as opposed to outputs, focus on supporting staff wellbeing during Covid and home working.	Performance Management	No	Yes	Yes	During the Covid pandemic performance support plans and probation progression was suspended as the focus was on supporting wellbeing and balancing work out put. Managing staff through probation and introducing performance support plans have been restarted. This falls under operational and HR BAU however it is within the scope of the People Plan Project 3 Employee Relations which provides for proactive guidance to managers to be developed in relation to managing Performance/Probation/Absence and Grievance and Discipline. The first priority which will start in March which is providing proactive guidance to managers and team leaders in managing absence this will then enable the focus to then turn to managing attendance promoting wellbeing as a method to do this.
3	IR1	**Issue: Case timescales are extremely short and failure to achieve timescales results in 'punishment' of staff.** Recommendations: (a) Better communication of the processes involved needs to be made to staff; (b) LeO should benchmark its processes and methodologies against those used by other ombudsman services or bulk complaints handling organisations outside the public sector.	Introduction of weekly all staff briefings and improved comms strategy. Change management policy introduced.	Performance Management	No	Yes	Yes	This arose in the Discussion Groups workstream and was addressed in the Discussion Groups paper. This will also be addressed in the Suggestions Forum which will be launched in March as part of the Discussion Groups workstream. There is no planned benchmarking with other Ombudsman services. However, this may be considered following review of the Suggestions Forum.

#	ID	Issue / Recommendation						Commentary
4	IR1	**Issue: The target-driven issue is caused by senior management's unrealistic promises to the Board.** Recommendation: It may be helpful for Board members to spend time shadowing investigators on a regular (annual?) basis to better understand the business of LeO and its dynamics.	Cannot be progressed in current COVID situation due to staff availability. Will be picked up and reviewed for deliverability in the autumn	NA	Yes	No	NA	Addressed in Board Effectiveness paper Annex X
5	IR1	**Issue: Flaws in setting the 8,000 case target.** Recommendation: As a principle of good governance, I strongly suggest that the Board satisfies itself that ARAC is maintaining active oversight of the rolling list of GIAA management recommendations so that management can be held to account for variances and that the Board, ultimately, is assured that the appropriate actions are being taken by management.	Performance and Quality Group addresses this - Action to communicate that more widely	NA	Yes	No	No	Addressed in Board Effectiveness paper Annex X
6	IR1	**Issue: Staff retention and departures.** Recommendation: It might be useful for the Board to compare LeO figures with those of another ombudsman organisation such as RICS which is also based in Birmingham.	Discussion circles introduced. Revised induction providing enhanced support to new starters in the early stages of career with LeO.	Plans for the future	No	Yes	No	Staff retention is monitored and reported monthly to Board in the Agreed Data Set. Exit questionnaires are completed by staff and HR conduct exit interviews to gather greater insight - data coming out of Covid has indicated a slight increase on leavers. Data is reviewed monthly by HR and attrition data is considered against annually and locally where available.
7	IR1	**Issue: Staff breakdowns due to workload.** Recommendation: Staff surveys should be used to identify and test stress points.	Support provided to staff during Covid will become part of BAU post Covid	Proxy Stress Index	No	Yes	Yes	Communication of Staff Survey Results - communicated in January and further analysis will be shared with management teams in March to develop action plans that connect with engagement activity which is underway

8	IR1	**Issue: Staff concerns not being addressed by senior management**. Recommendation: It may be worthwhile for management to consult with the Staff Council over the best method to obtain details of staff concerns and that a rolling action plan to address those concerns is presented quarterly to the Remuneration Committee.	Discussion circles launched Pulse survey undertaken. Enhanced engagement with Staff Council	Leadership and Managing Change	No	Yes	Yes	This has been raised at Staff Council and views sought and included in Discussion Groups held of over Q3 2020. There is regular dialogue with Staff Council in formal meetings in addition to the planned quarterly meetings
9	IR1	**Issue: Concern for the health and wellbeing of staff members.** Recommendation: (a) The Staff Council be asked to canvass staff on this topic; (b) The Board takes steps to assure itself that the policies are being implemented consistently on the ground.	Focus on wellbeing during Covid period to be replicated as part of BAU going forwards. Enhanced engagement with Staff Council. Introduction of discussion circles.	My Organisation	No	Yes	Yes	Pulse Survey conducted in 2020 provided insight into staff wellbeing during COVID and the 2020 Staff Survey provided additional information. LeO will train a further 11 Wellbeing Champions in March recognising that 43% of absence is attributed to mental health. Both Staff Council and Wellbeing Champions have regular dialogue with the Leadership Team. Upskilling Managers to manage absence and move to managing attendance which (focuses on colleague wellbeing) will start in March. It is included in the People Plan Project 3 Employee Relations which is in progress to be completed in Q1 and Q2 21/22. This is then fall to BAU within the Operations and HR teams.
10	IR1	**Issue: Target achievement on return to work from sick leave.** Recommendation: The Board should take steps to assure itself that policies and criteria are being applied fairly, openly and consistently.	Redesigned induction not only supports new starters but those returning to work after prolonged absence.	Inclusion and Fair Treatment	No	Yes	Yes	This is currently addressed by the HR team in the management of absence and proactive guidance being provided to managers starting in March. It is included in the People Plan Project 3 Employee Relations which is in progress to be completed in Q1 and Q2 21/22. This is then form BAU within the Operations and HR teams.
11	IR1	**Issue: Increase in staff departures and long-term sick absence.** Recommendation: This should be further investigated by the Board.	Levels of departures and absence impacted by Covid, considerable work done to improve staff engagement and well-being support during Covid crisis	Inclusion and Fair Treatment	No	Yes	Yes	Staff attrition and absence is reported monthly to Board in the Agreed Data Set. During Covid there was a reduction in attrition and as we come out of Covid we anticipated the slight increase that we are experiencing. The People Plan Project 3 Employee Relations Project will proactively address long term sick absence. It is included in the People Plan Project 3 Employee Relations which is in progress to be completed in Q1 and Q2 21/22. This will then form BAU within the Operations and HR teams. Staff Engagement continues to be a high priority and is addressed in a number of different ways: monthly All Staff Briefings continue from Leadership Team

12	IR1	**Issue: Harassment of staff to complete or close overdue cases.** Recommendation: The Board may wish to consider the introduction of a CONDOR system to allow reporting of harassment incidents to the Board. CONDOR = Confidential Direct Occurrence Reporting System	Consideration to be given to the CONDOR system	Inclusion and Fair Treatment	Yes	No	NA	Addressed in Board Effectiveness paper Annex X
13	IR1	**Issue: Senior management introduce new ways of working all the time**. Recommendations: (a) All proposed change is discussed in staff fora; (b) Change is introduced on an incremental basis and is subject to strict management protocols such as a modified PRINCE2 methodology underpinned by an effective communications plan.	Change management approach introduced. Recruitment of new Senior Leadership in progress.	Leadership and managing Change	No	No	No	Ops Transformation consulted on and published an approach to managing change in Q3 2020. This will be reviewed and impact is evaluated. The change management approach can be found at https://legalombi.sharepoint.com/SitePages/Change-management-guidance.aspx
14	IR1	**Issue: Staff retention.** Recommendation: Given that staff retention appears to be an issue for LeO, the Board should ask management to identify the key issues and develop an action plan in response which seeks to eliminate or ameliorate where possible the issues affecting retention.	Redesigned induction providing support during early stages of Leo Career. Discussion circles launched, pulse survey undertaken. Support provided to staff during Covid to be replicated in BAU.	Plans for the future	No	Yes	No	Interdependency – with the People Plan Project 2- Recruitment and Induction which is in progress and project charters are completed to be signed off at the monthly Programme Control Board. Exit questionnaires are completed by staff and HR conduct exit interviews to gather greater insight – and identify interventions required. The Staff Survey Results of 2020 provide the following insight into retention. Table below
15	IR1	**Issue: Almost 70% departure rate within the first few months.** Recommendation: Keep under review.	Redesigned induction providing increased support to new starters.	Learning and Development	No	Yes	No	Interdependency with People Plan Project 2 Recruitment and Induction and Project 5 Reward and Recognition. Monthly attrition is reported to Board in the Agreed Data set and quarterly review at RemCo. A year after working in a pandemic a small increase in leaver rates emerging - theme of personal betterment.

Table within row 14:

Timescale	2020	2019
I want to leave as soon as possible	8%	32%
I want to leave within next 12 months	16%	21%
I want to stay for at least a year	41%	33%
I want to stay for at least three years	34%	14%

16	IR1	**Issue: Falsification of information presented to the Board by senior management.** Recommendation: If the Board believes that a risk of information falsification remains, the best way to achieve assurance would be to ask the GIAA to conduct a further review of Board reporting.	To be considered by Board Chair	NA	Yes	No	NA	Addressed in Board Effectiveness paper Annex X
17	IR1	**Issue: Efficacy of HR policies.** Recommendation: It is important that these processes remain up to date and that management is suitably challenged as to the status and currency of LeO's HR policies.	To be considered	Inclusion and Fair Treatment/My Organisation	No	Yes	Yes	People Plan Project 3 Employee Relations Project will address relevant policies in Q4
18	IR1	**Issue: Organisational difficulties, unrealistic targets and staff stress.** Recommendation: It is incumbent on the Board to keep these matters under review to ensure that accurate and relevant information is provided, and that management is properly and effectively held to account.	Discussion circles launched for staff engagement. Approach to work and wellbeing during Covid to be replicated into BAU where possible.	Proxy Stress Index	No	Yes	Yes	This arose in Discussion Groups and the output of these will be communicated in March. In recognition of the increase in mental health in February LeO is training a further 11 Wellbeing Champions making a total of 19 to support staff.
19	IR1	**Issue: Management appointments and promotion. Lack of diversity at management level.** Recommendation: The Board should regularly review the relevant data, for example, applicants' ethnicity data should be reviewed against the same data for those who are successful in their applications.	Recruitment for new senior leadership team in progress.	Inclusion and Fair Treatment	Yes	No	NA	Addressed in Board Effectiveness paper Annex X

20	IR1	**Issue: Concerns relating to the recruitment process.** Recommendations: A more robust recruitment process should be introduced including: (a) Dependence on CVs in applications be discontinued; (b)Empirical data such as personal details and educational qualifications shold be screened by HR and detached from the applications seen by the sifting and interview panels to anonymise them; (c) Responses to the essential elements of the person specification to be word limited (250 - 500 words) and this is the only element of the application which is seen by the sifting panel; (d) Role specifications to be refined following data as to why staff fail to achieve required standard in their first year.	Significant external recruitment within operations suspended during period of Covid.	Inclusion and Fair Treatment	No	Yes	Yes	People Plan Project 2 - Recruitment and Induction - Items noted and to be included in scope of the project.
21	IR1	**Issue: Whether effective sick absence and wellbeing policies are embedded and whether these operate in a fair, reasonable and consistent manner.** Recommendation: The Board may wish to consider the appointment of a non-executive Board member as LeO's 'Whistleblowing Champion'.	To be considered by Board	Inclusion and Fair Treatment	Yes	No	NA	Addressed in Board Effectiveness paper Annex X
22	IR1	Concluding comment (not addressed above): There should be careful management of any underperformance which results in WfH privileges being withdrawn and clear procedures put in place to make clear to management and staff that cessation of WfH should be seen as temporary and that the intention is always to restore WfH as soon as performance improves sustainably.	Assumption around the viability of homeworking and flexible working being tested during Covid enforced WfH. Plans around the future post Covid are already being worked on.	Smarter working/ Inclusion and Fair Treatment	No	Yes	Yes	The Flexible working policy has been identified as a priority policy and is included in People Plan Project 3 Employee Relations. As such, policy development has been brought forward and a Project Charted has been completed to be presented to the Programme Control Board

8

					No	Yes	No	
23	IR1	Concluding comment (not addressed above): Work should be undertaken to better understand why staff leave the organisation; where findings suggest that competencies are not being met there should be a feedback loop into recruitment and employment processes. The exit process should be tightened up in order to provide a better set of data regarding reasons for leaving - the provision of a checklist to those leaving may be helpful in this regard.	Discussion circles and pulse survey responses being actively reviewed to identify and understand challenges around retention.	Plans for the future	No	Yes	No	Exit interview questionnaires are completed by staff and an exit interview is conducted by a member of HR. This information is feedback to Recruitment and Reward and Recognition. This is part of HR BAU and noted to be included in the scope of work for People Plan Project 2 Recruitment and Induction.
24	IR2	**Issue: Communication with staff and visibility of senior management**; Recommendation: Continue to remind staff about the wider vision and strategy for LeO through improved internal communications and increased visibility and engagement of the senior leadership team with staff.	All staff briefings, discussion circles, senior leadership blogs all in place. Improved information cascade from MT meetings. Feedback on FAQs and handling of Covid shows improvement in levels of communication and engagement.	Leadership and Managing Change	No	No	NA	The New Leadership team will continue to build on the communication approach already established and as significant issues arise in relation to the business and/ or colleagues we will continue to consult and communicate with colleagues. e.g consultation with colleagues in preparing the Business Plan, continued regular All Staff Briefings refreshed engagement with Staff Council on key issues before they are communicated. The New Leadership Team have met with Staff Council and Network groups. Network Groups are also invited to monthly Management Team Meetings to share their work and identify forthcoming area of interest and events
25	IR2	**Issue: Approach to reviewing performance ensuring that wellbeing and staff views are taken into account.** Recommendation: Review performance in a more holistic way including the results of the Workload Management Tool and QAF alongside staff wellbeing and engagement results	Discussion circles and pulse survey results, combined with enhanced engagement of staff council provide greater insight into wellbeing and operational concerns.	My Manager	No	Yes	No	Information is provided in the Agreed Data Set to aid in reviewing operational performance. This arose in discussions groups and the output will be communicated in March. Monthly Operational Performance is reviewed alongside People Strategy which is included in the monthly Performance Report to the Board. Increased dialogue with Staff Council, Network Groups and Wellbeing Champions enables us to identify and resolve issues as they arise.

					No	No	NA	
27	IR2	**Issue: Measuring performance.** Recommendation: Agree the same performance metrics of days per complexity of case for both internal and external reports.	Work ongoing to management by behaviours as opposed to outputs alone	Organisational Culture	No	No	NA	The Agreed Data Set are the metrics used for internal and external reports

Data - Performance is measured in a number of different ways. Reporting on closures mirrors the external timeliness targets, while the workload management tool has expectations that are within these. These are expectations based on an average case, and where investigators are unable to meet these expectations they are helped to progress the cases, rather than these being used as a target in terms of a percentage being resolved within a set number of days.

How we measure performance internally is an entirely operational decision, however it is not uncommon for internal and external expectations to be different. An external expectation should correctly account for things that are outside an investigator's direct control. This issue was raised as part of the Discussion Groups and discussed by Ops Managers afterwards where it was agreed that there is a difference between external and internal expectations but that this was valid and wouldn't be changed.

This will be published at the end of March when the output of the Discussion Groups will be communicated. |
| 28 | IR2 | Issue: Need for continuous improvement.

Recommendation: Be explicit about the purpose, value and success of the WLM tool and work with the staff who use the processes to make improvements, adopt a recognised continuous improvement methodology in order to involve and engage the workforce. | New approach to change management adopted. | Leadership and Change | No | No | NA | Ops Transformation developed and published an approach to Change Management to address this recommendation. Going forward this will be reviewed to meet organisational requirements

https://legalombi.sharepoint.com/SitePages/Change-management-guidance.aspx |
| 29 | IR2 | **Issue: Change management**

Recommendation: When seeking to make changes, communicate clearly why, recognise the human element of the change, allow enough time to design, implement and feedback the outcomes to staff so they understand can relate to what is being asked of them. | New approach to change management adopted. Staff feedback and input encouraged through discussion | Leadership and Managing Change | No | No | NA | Ops Transformation developed and published an approach to Change Management to address this recommendation. Going forward this will be reviewed to meet organisational requirements.

https://legalombi.sharepoint.com/SitePages/Change-management-guidance.aspx |

			circles, staff council and pulse surveys.					
30	IR2	**Issue: Issue management and engagement** Recommendation: Establish a working rhythm, all staff expressed a wish for greater opportunity to talk face to face, peer group teams, across the organisation, minimise the current sense of lurching from one issue to another and manage the messages.	Discussion circles, pulse survey, wellbeing champions and staff council all contributing to better communication and two way interaction with staff.	Engagement	No	No	NA	Covid has required all work and management communication to be on-line The new leadership team have continued with regular All Staff Briefings on-line. In addition, the New Leadership Team hold regular on-line briefings for the Management Team as required. This enables the cascade of information to Managers and Team Leaders who also hold regular on-line meetings/ briefings with their teams Effectiveness is reviewed and fed back to the Leadership Team at regular intervals
31	IR2	**Issue: Reporting to the Board on performance.** Recommendation: Reinstate the Board quarterly reports that include a more formal summary of achievements, outcomes and contribution against the organisation's wider strategic objectives from each of the supporting committees.	To be addressed by Board Chair	Leadership and Managing Change	Yes	No	NA	Addressed in Board Effectiveness paper Annex X
32	IR2	**Issue: Overview of people issues and reviewing organisational performance.** Recommendation: Increase the regularity and visibility of individual and people management issues alongside those of operational performance. Adoption of a more balanced portfolio of organisational metrics and inclusion of subject matter experts would help increase the diversity of views considered.	Position to be considered	Taking Action	No	Yes	No	People Strategy included in Performance Report to Board. People issues also now considered at Monthly Executive with an overview of Employee Relations metrics which include trends and impact on organisational performance.

33	IR2	**Issue: Accountability and achieving a high performance culture.** Recommendation: Provide clear levels of accountability by role. Recognise the knowledge, skills and behaviours required to carry out these roles well and ensure training is made available appropriately. To achieve a high performance culture everyone needs to know what is expected of them, is trusted, and supported to achieve that with good work recognised.	Revised induction improves individual ability to be job ready as early as possible and provides ongoing support. Work ongoing to review all job descriptions and behaviour expectations. Team Leader development program has been scoped.	Learning and Development	No	Yes	Yes	Project 1 - Workstream 1: Role Design and Organisation Structure work is in progress in the People Plan Project 1 Workstream 3 Simplify the Competency and behavioural Frameworks Project Charter to be presented to Programme Control Board.
34	IR2	**Issue: Improve consistency of HR processes.** Recommendation: Train People Managers in people practices and processes to encourage familiarity and comfort with content to be fairer and more consistent in their application.	Position and approach to be considered	Learning and Development	No	Yes	Yes	This is covered in several different projects in the People Plan Project 2 Recruitment skills for hiring managers, Project 3 Employee Relations. in In March briefings and case conferences for operations managers and Team leaders will take place on management of absence. These are designed to increase confidence in absence management and reduce absence and increase attendance.
35	IR2	**Issue: Staff retention and staff development.** **Lack of clarity on career progression.** Recommendation: Agree up to date job descriptions, and design career pathways and an approach to identifying and managing talent across the organisation. Providing career pathways that includes additional and different tasks for variety and promotion and manages risk by building capability and continuity of skills.	Increased level of support and communication have improvement levels of staff retention (although Covid impact present) Work ongoing to review all job description and behavioural expectations.	Learning and Development	No	Yes	Yes	This is addresses in the People Plan Project 1 - Workstream 1: Role Design and Organisation Structure work is in progress. Workstream 2 Career Pathways scheduled for Q4

36	IR2	**Issue: Improving performance and staff management.** Recommendation: Introduce a coaching culture across the organisation. Equip line managers to listen and support an intelligent, caring workforce who meet both organisational performance requirements as well as developing the confidence and skill to handle multiple complex customers' enquiries and complaints.	Leadership development program scoped. Transition to management by behaviours rather than outputs alone. Plans to recruit additional line management sourced impacted by Covid.	My Manager	No	Yes	Yes	Management Development Programme will be completed in April for Operational Leaders. People Plan Project 4 Performance and Training - identifies a Training Needs Analysis organisation wide. The Leadership discussion paper present at Executive and Remco (to be re -presented to Executive in April and Remco in June) identifies the need to build greater Coaching capability.
37	IR2	**Issue: Communicating with staff**. Recommendation: Follow up on the Staff Survey. Communicate the results again, acknowledge areas of concern, make it clear how staff can get involved to help overcome these issues and regularly update staff on the progress made. Keeping staff well informed through honest and clear communication will help build trust and visibility in the work of the senior leadership team.	Discussion Groups launched, pule survey results communicated, all staff briefings in place.	Taking Action	No	Yes	Yes	Discussion Group information to be published during March 2020 staff survey results published in January 2021 and managers working on engagement and action plans for improvement.
38	IR2	**Issue: Discussion forums and ensuring follow up.** Recommendation: Publish the dates for the Discussion Forums, what was discussed and agreed next steps. Follow through.	Discussion Groups launched	Engagement	No	Yes	Yes	Ops Transformation held Discussion Groups across operations. Results now form part of an online ideas portal to be launched by end March. This is designed to ensure clearer engagement and communications back to the business.

| 39 | IR2 | **Issue: The role of Staff Council.**

Recommendation: Agree the future and important role of Staff Council. Review the terms of reference and recognise the value of participation, with management and staff jointly involved in making decisions on matters of mutual interest with the aim of producing solutions to problems which will benefit all concerned. Enabling the workforce to be represented role models respectful and inclusive behaviours. | Increased engagement with Staff council already in place. | Engagement | No | Yes | Yes | People Plan Project 6 Comms and Engagement. Project Charter is deferred to Q1 current focus is on staff survey. Staff Council is meeting more regularly out of quarterly meetings to build relationships and increase communications |

Key

IR1	Ronald Barclay-Smith Independent Review, October 2019
IR2	Melanie Whitfield Independent Review, March 2020

Annex X: Independent Review recommendations in relation to Board effectiveness

Issue and recommendation	OLC Chair response (September 2020)	OLC Chair response (March 2021)
Issue: The target-driven issue is caused by senior management's unrealistic promises to the Board. Recommendation: It may be helpful for Board members to spend time shadowing investigators on a regular (annual?) basis to better understand the business of LeO and its dynamics.	The Quality and Performance Task and Finish Group is now well established and making good progress on delivering its five stage work programme: 1. Understand - issues of understanding the model construct, its assumptions and how it works (much of the first meeting covered this area but we still have further work). 2. Improvement & Confidence (static) - activities associated with improvement and building confidence that the model is robust and works as a static budget setting and one-off reforecast tool (note: it will be from this model that any in year budget adjustment requests are defined). 3. Utilisation (dynamic) - activities that improve the model and allow it to become dynamic and therefore useable as a tool to dynamically reforecast and help inform ongoing decision making. 4. KPIs - building the dataset and KPIs that provide the input and basis for all Board level internal and external reporting. 5. Control & Governance - activities required to ensure the right control and governance around the model and changes. Induction package is currently being reviewed and in advance of new NEM and Chair of ARAC starting. This will include opportunities for shadowing which will then be offered to the wider Board.	The Board meeting agenda has now been restructured. This will ensure the Board hears from those who experience LeO, including staff groups. RemCo also had its annual meeting with the Staff Council in March 2021. The new COO has briefed the Board about the wider cultural issues facing LeO in relation to people and performance and how performance management needs to be re-established. This will become part of the standard reporting of the Performance and People Report at every Board meeting. Post Covid the Board will consider specific opportunities to schedule in sessions with staff.
Issue: Flaws in setting the 8,000 case target. Recommendation: As a principle of good governance, I strongly suggest that the Board satisfies itself that ARAC is maintaining active oversight of the rolling list of GIAA management recommendations so that management can be held to account for variances and that the Board, ultimately, is assured that the appropriate actions are being taken by management.	Integrity of target setting is addressed by the Quality and Performance Task and Finish Group. ARAC now reviews a summary of progress against GIAA management recommendations at every meeting.	The OLC Board has comprehensively reviewed targets and demand forecasting as part of the approval process for the Business Plan and Budget for 21/22. The new ARAC Chair has reset the relationship with the internal and external auditors. ARAC continues to oversee at every meeting a summary of progress being made with implementing outstanding GIAA recommendation.
Issue: Harassment of staff to complete or close overdue cases. Recommendation: The Board may wish to consider the introduction of a CONDOR* system to allow reporting of harassment incidents to the Board. *Condor = Confidential Direct Occurrence Reporting System	Further consideration will be given to the CONDOR system by the new interim Head of OD.	Creating the right environment is critical to enable colleagues to raise issues and believe they will be listened to without reprisal. And this includes through their line management reporting Consideration has been given to the value of a confidential reporting. It is more common for Dignity at Work and Grievances policies to refer complainants to their manager or manager's manager. Confidential reporting would make it difficult to investigate and take appropriate action about inappropriate behaviour. This is because the name of the complainant and the name of the individual/s to whom the complaint refers is required although the overall matter is confidential. LeO's Dignity at Work and Grievance policy requires colleagues to raise issues with their manager, or manager's manager or HR. The Whistleblowing Policy enables colleagues to contact OLC Board Chair, ARAC Chair or CO (complaints raised here are about organisational

		wrongdoing rather than individuals and where there is a public interest to do so). Grievance and harassment claims can appear via this route, however they would be redirected through Dignity at work and Grievance wherever possible. Building management skills in dealing with complaints including grievances, harassment and conduct is planned this year in the People Plan. A Zero Tolerance Policy on Bullying and Harassment will be issued during March and directs colleagues to seek guidance in how to raise the matter and support from Network Leads, HR and the Staff Council. In addition, open dialogue is encouraged by the CO and COO and regular dialogue with between Staff Council and Network Groups provides the opportunity to raise themes affecting colleagues across the organisation. In the future the Board could consider an anonymous Whistleblowing system as this encourages colleagues to raise issues without being identified although this would typically relate to "organisational wrong doing"
Issue: Falsification of information presented to the Board by senior management. Recommendation: If the Board believes that a risk of information falsification remains, the best way to achieve assurance would be to ask the GIAA to conduct a further review of Board reporting.	Confidence in information on forecasting addressed by the Quality and Performance Task and Finish Group.	The quality of information presented to the Board continues to improve. Following the work of the Task and Finish Group the Board has not had any reason to question the integrity of the information being brought to it. The format and content of Board papers is being reviewed by the new CO. GIAA carried out a Governance review in September 2020 and this was reviewed by ARAC at its March 2021 meeting. Some aspects of this review relate to Board level governance and ARAC has received some reassurance about the progress that has been made since September 2020. Further improvements are needed and ARAC will continue to monitor these.
Issue: Management appointments and promotion. Lack of diversity at management level. Recommendation: The Board should regularly review the relevant data, for example, applicants' ethnicity data should be reviewed against the same data for those who are successful in their applications.	In July 2020 the Board heard directly from LeO's BAME Network. The OLC Chair has shared and discussed with the Network possible follow up actions, feeding back to the Executive team. BAME Network have been involved in CO recruitment process; clear expectations will be set with new CO around commitment to EDI.	An EDI Board Sponsor role has been created. The role description sets out clear responsibilities including overseeing and ensuring the Board receives an annual report on LeO's commitment to, and progress that has been made on delivering its EDI agenda. This will include an annual progress report on LeO's RACE Action Plan. The interim budget application for 20/21, approved by the OLC Board and by the LSB, includes the role of a new EDI Specialist. Recruitment is live and an appointment will be made shortly. The EDI Specialist will be asked to review and consider what EDI information should be reported to the Board on a regular basis.
Issue: Whether effective sick absence and wellbeing policies are embedded and whether these operate in a fair, reasonable and consistent manner. Recommendation: The Board may wish to consider the appointment of a non-executive	Effectiveness of sickness policies will be reviewed by the Interim Head of OD. Board lead role for Whistleblowing previously in place. OLC Chair giving consideration to this as part of new approach to Board sponsor roles.	Board sponsor roles have been established for EDI. Further consideration still needs to be given to other Board sponsor roles. A wider review will take place following the appointment of new NEMs in May 2021. The Board received extensive feedback on the staff survey results in January 20201 and noted that these included increases in fair

Board member as LeO's 'Whistleblowing Champion'.		treatment scores, acknowledging LeO falls below the benchmark for ALBs and the Civil Service, however LeO's improvement vs 2019 is significantly higher (LeO +20, ALB's +4, Civil Service +3). Of particular note is the positive reduction in the number of staff feeling bullied and harassed from 18% last year to 11 % this year compared to 10 % for the Civil Service. The Interim Head of OD has started the process of reviewing LeO's approach to absence management. At the start of the pandemic LeO suspended the absence management policy to ensure staff were not adversely impacted with regard to action and reduction in pay. On 18th March LeO consulted with staff Council regarding the reintroduction of the standard Absence Management Policy. Ahead of the policy being reintroduced the HR Team are providing skills training to managers and Team Leaders and will be supported by HR through the introduction of monthly case conferences. The desire is that management of absence is moved into management of attendance and that HR enable managers in the provision of data and skills. The data will report on long term absence > 28 days continuous absence and short term intermittent absence as the management of both is different. Both data and skills are part of the Employee Relations Project in the People Plan which is underway. In addition LeO will have trained a further 11 Wellbeing Champions in March 2021 making a total of 19. This is in recognition of the increase in mental health needs across LeO which in February accounted for 43% of absence (the number of days absence during the pandemic i.e. in the last 12 months has been reasonably static with c11 days absence per colleague per year).
Issue: Reporting to the Board on performance. Recommendation: Reinstate the Board quarterly reports that include a more formal summary of achievements, outcomes and contribution against the organisation's wider strategic objectives from each of the supporting committees.	Work on commonly agreed dataset and revised KPIs will be considered by the Board in September; Board will have the opportunity to then consider whether the proposed monthly reporting will give it what is required.	The commonly agreed dataset is now well established and shared with the Board on a monthly basis. Further improvements have been identified as part of its three month review including reviewing the metric around closures by investigation and incorporating a narrative within each dataset. A new COO has been appointed and is carrying out a review of operational performance which is ongoing. The OLC Board received a detailed analysis in March 2021 out of committee.