

**Minutes of the 63rd Meeting of the
Office for Legal Complaints Remuneration and Nomination Committee
20 March 2024**

Present:

Alison Sansome, Chair.

Dale Simon.

Rachel Cerfontyne.

In attendance:

Paul McFadden, Chief Ombudsman.

Debra Wright, Head of People Strategy and Services.

Elisabeth Davies, OLC Chair, observing.

Laura Stroppolo Head of Programme Management and Assurance (Item 7)

Nawal Henry, Health and Safety and Facilities Manager (Item 7)

Apologies

Minutes:

Kay Kershaw, Board Governance Manager.

Item 1 – Welcome, apologies and declarations of conflict of interest

1. The Chair welcomed attendees to the meeting.
2. There were no apologies.
3. There were no declarations of interest reported.
4. The meeting was quorate and with a lay majority.

Item 2 – Feedback on RemCo’s annual meeting with Staff Council on 20 March 2024

5. The RemCo Chair reported that RemCo’s annual meeting with Staff Council had been positive, with open and reflective discussions about the refresh of Staff Council and the Civil Service People Survey.
6. In discussion, the following key points were made:
 - Staff Council members had welcomed the refresh of the Staff Council and the improvements it would deliver.
 - There was recognition of the need for Staff Council members to adopt a more proactive approach towards their role and to do more to support to the Executive

on matters such as staff engagement and key communications. It was acknowledged that the additional facility time now allocated to the Staff Council role following the refresh would help members to achieve this.

- The Executive recognised that there was more to be done to support Staff Council to effectively fulfil its role and purpose, this included the election of a lead Staff Council representative and ensuring the staff Council was more aligned and representative of the whole organisation.
 - Staff Council members had provided feedback on the length of time it had taken to conclude the Staff Council refresh and the reduced level of engagement with the Executive since the Covid-19 pandemic. The Executive had not been surprised by this feedback which would be addressed through the refresh of the Staff Council, its new Terms of Reference and other planned work. The time taken to refresh Staff Council had been unavoidable because this work had been undertaken alongside a larger piece of work to refresh the other Staff Networks. The introduction of a communications framework and a regular meeting schedule would ensure an increased level of engagement between the Executive and Staff Council in the future.
 - Elections for new Staff Council members were taking place; some existing members would not be seeking re-election.
 - Staff Council members had not been surprised by the results of the Civil Service People Survey. Mixed views were expressed about the survey results and there had been some disappointment about the level of staff engagement with the survey.
 - A discussion had taken place about how Staff Council would work effectively alongside the other Staff Networks and how any overlap or replication of work would be minimised.
 - Staff Council had raised a question on behalf of a member of staff about pay negotiation and the rationale for having a Staff Council as distinct to trade union recognition.
7. RemCo had found it helpful to hear directly from Staff Council on the points discussed and was keen to continue to meet Staff Council on an annual basis.
8. It was suggested that there may be value in conducting a post implementation review of the new arrangements for Staff Council.

Item 3 – Previous minutes, matters arising and actions from previous meetings.

9. The minutes of the RemCo meeting held on 23 November 2023 were **approved** as an accurate record of the meeting.
10. RemCo **noted** the update on previous actions.
11. Following discussion, the Chief Ombudsman **agreed** to consider whether some of the long-standing actions from previous meetings could be closed off the actions log because they were being progressed as part HR's forward plan of work.

ACTION: The Chief Ombudsman to consider whether some of the long-standing actions from previous meetings could be closed off the RemCo action log.

Item 4 – HR metrics

12. The Head of People Strategy and Services reported on key HR metrics for the period November 2023 to February 2024, drawing RemCo's attention to the following points:
- There had been a decrease in overall attrition and in the investigator cohort. This was attributed to: the improved induction process which now included additional support for new staff, particularly those in operational roles; Brum Fest activities; improvements in areas of the Employee Value Proposition (EVP) that were within LeO's control; improved employee engagement; and, the improvements made to LeO's policies, including the flexible working policy.
 - Mental health was the main reason for sickness absence. It was noted that not all mental health sickness absence was work related. Improved HR policies and more timely interventions by the HR Business Partners were helping to reduce the duration of sickness absences.
 - Formal HR case work had reduced because of the early intervention of HR Business Partners.
13. Having sought to understand how robust the improved position on attrition was and the level at which attrition would no longer have an adverse impact on performance goals RemCo was advised that:
- LeO would always remain susceptible to the recruitment campaigns of organisations that offered better pay and benefits; LeO would therefore continue to do all that was within its control to mitigate the risk and impact of attrition.
 - The Executive had taken part in an attrition workshop in January where consideration had been given to the causes of attrition, the associated strategic risks and what more could be done to mitigate them.
 - The Board's strategic attrition risk workshop had been rescheduled and would now take place in April where consideration would be given to the wider aspects driving attrition including things that were beyond the OLC /LeO's immediate control.
 - The Performance Sub-Group (PSG) had reviewed the attrition assumptions and the performance trajectories for 2023/24. If attrition were to remain at current levels, the year-end position would be better than the likely case scenario.
 - The level of attrition and LeO's susceptibility to attrition would be taken into consideration as part of the work on risk scoring for the 2024/25 Strategic risks and issues.
14. With attrition remaining a key strategic risk, it would be important to remain realistic when developing the new 2024/27 People Strategy and action plan.
15. In discussion, and further to action 4 paragraph 17 from the November 2022 RemCo meeting, the Head of People Strategy and Services was encouraged to review what

data was available on short-term sickness absences and include it in future HR metric reports to RemCo as a further indicator of the effectiveness of the absence management policy and how well it was being applied by managers.

ACTION: The Head of People Strategy and Services to review what data was available on short-term sickness absences and include it in future HR metric reports to RemCo.

16. RemCo had been pleased to note that HR policies remained effective in mitigating the attrition risks that were within LeO's control and risks associated with sickness absence.
17. RemCo **noted** the update on HR metrics.

Item 5 - People Strategy: Progress against the 2023/24 action plan and approval of the new 2024/27 People Strategy.

18. The Head of People Strategy and Services reported on the progress that had been made against the 2023/24 People Strategy and action plan, drawing attention to the following key points:
 - A comprehensive review of the end to end recruitment process that had been undertaken and a new Recruitment, Selection and Promotion Policy that had been implemented; training and guidance on this would soon be rolled out to managers .
 - The refresh of the Staff Council and all Staff Networks and been undertaken.
 - A comprehensive pay and benchmarking exercise had been completed. This had provided an evidential base on which to assess LeO's competitiveness within the job market; assess the impact of pay and benefits on the LeO's ability to attract, recruit and retain staff ;and identify the areas of potential development in a new EVP in areas within LeO's control.
 - Staff had been recruited to key roles in the HR team including the appointment of a HR Systems Business Partner who had made progress on identifying and addressing the gaps in HR system functionality and HR management reporting.
19. In response to feedback, the Head of People Strategy and Services **agreed** to evaluate and report on the impact of HR activities in future progress updates to RemCo on the People Strategy.

ACTION: The Head of People Strategy and Services to evaluate and report on the impact of HR activities in future People Plan progress updates to RemCo.
20. There had been a notable reduction in HR case work and Employment Tribunal cases following the implementation of the Leadership and Development Training on performance related policies.
21. Having re-prioritised the 2023/24 People Strategy action plan earlier in the year, progress had been made on all deliverables. It was acknowledged that the work undertaken to date would provide a strong foundation for further improvements that would be made as part of the 2024/27 People Strategy and the 2024/25 action plan.

22. Following discussion, RemCo **noted** the progress that had been made against the 2023/24 People Strategy and action plan.
23. The Head of People Strategy and Services presented a new 2024/27 People Strategy, advising that the new strategy:
- Closely aligned to the 2024/27 OLC Strategy.
 - Was high level and had the flexibility to be reviewed and updated as required.
 - Aimed to strike a balance between building on the progress made in 2023/24 and driving further people related improvements.
 - Retained the four key themes set out in the 2023/24 People Strategy, maintained a focus on the key people-related strategic risks and introduced four new workstreams.
 - Would be underpinned by an annual action plan setting out key deliverables within realistic time scales that focussed on areas of priority linked to the strategic risks. Some larger pieces of work would commence in quarter one and would take the full year to complete.
24. RemCo was supportive of the proposed development of an apprenticeship scheme in 2024/25 to support LeO's attraction, recruitment and retention strategies.
25. RemCo had been pleased to note the alignment between the proposed 2024/27 People Strategy and the 2024/27 OLC Strategy.
26. In response to a question, the Head of People Strategy and Services **agreed** to give further consideration to strengthening the 2024/27 People Strategy by making the cultural shift required to deliver learning and insight to the sector more explicit.
- ACTION: The Head of People Strategy and Services give further consideration to strengthening the 2024/27 People Strategy by making the cultural shift required to deliver learning and insight to the sector more explicit.**
27. RemCo was advised that work had commenced to identify the skills and resource required to deliver learning and insight.
28. Recognising that the 2024/27 People Plan was ambitious, RemCo recommended that the plan was kept under regular review and that there should be a clear understanding of which aspects of the plan were a priority and which aspects could be deferred if the need arose.
29. The RemCo Chair stated that the Committee expected to be alerted to any changes to the assumptions underpinning the 2024/27 People Strategy and their impact.
30. Subject to making the cultural shift required to deliver learning and insight more explicit, RemCo **approved** the 2024/27 People Strategy.

Item 6 – Civil Service People Survey Results

31. The Head of People Strategy and Services presented a report setting out a detailed analysis of the findings of 2023 Civil Service People Survey results. RemCo's attention to the following key points:

- The headline findings had been shared with the Board and staff. A detailed analysis of the findings would be shared with the staff after this meeting.
- Despite regular staff communications to raise awareness of the survey, the response rate had been disappointing. There was scope for Staff Council to play a more active role in promoting staff engagement in future surveys.
- The survey scores for the core themes of learning and development and organisational objectives and purpose had increased compared to the previous year.
- The score for pay and benefits had decreased year-on -year over the last three years.
- There had been a small decrease in the scores for some other core themes, but the scores remained higher than in 2021.
- The employee engagement scores for staff with protected characteristics had been broadly similar to the previous year. The scores from disabled and LGBTQ+ respondents had improved compared to the previous year.
- Respondents with caring responsibilities provided the most negative responses.
- The score for bullying and harassment had decreased. The number of respondents to some of the EDI questions and the questions about bullying and harassment had been quite small. To protect anonymity, responses of fewer than 10 were suppressed, making it difficult to conduct a more detailed analysis to determine the underlying reasons for the scores.
- Safe space sessions would be held to further explore the experiences of staff with protected characteristics, caring responsibilities and those who had experienced bullying and harassment to provide further insight.
- There was scope for Staff Council to engage with staff to provide further insight on the survey results.
- Whilst 175 LeO staff had responded to the survey, it was not possible to tell whether they had answered all of the questions; this had the potential to skew the results and made it difficult to effectively analyse the data. Concerns about this had been raised by LeO and other Arms Length Bodies (ALBs) to the Civil Service Survey team for escalation to the Cabinet Office.

32. In response to a question, RemCo was advised that there had been a high level of staff engagement in last year's safe space sessions and manager led sessions, this had provided a better understanding of the survey results. In response to the constructive feedback that had been provided, further improvements had been made to LeO's flexible working policy, staff benefits, and the way the benefits package was promoted to staff.

33. It was acknowledged that it would be important to issue communications to staff to raise awareness of the follow up action that was being taken in response to the 2023 survey and the subsequent safe space and manager led sessions; this would demonstrate that staff views had been taken into consideration and may in turn encourage engagement

in future surveys. The RemCo Chair requested that RemCo was sighted on these staff communications.

ACTION: The Head of People Strategy and Services to ensure that RemCo was sighted on staff communications raising awareness of the follow up action being taken in response to the 2023 survey and the subsequent safe space and manager led sessions.

34. Some newer staff had not completed the survey. Recognising that the views of newer staff were important, it was recommended that they were encouraged to complete future surveys.
35. Considering the recent focus on staff pay, benchmarking and the impact of salary differentials, it was suggested that there would be value in promoting and strengthening the narrative on LeO's non-pay benefits and what it means to work for LeO.
36. In response, RemCo was advised that internal communications were regularly issued to promote LeO's non-pay benefits, but more could be done externally to highlight the positive benefits of working for LeO and the important work that it does to help attract people to the organisation.
37. A key People Strategy priority for 2024/25 was to further develop LeO's EVP. This work would provide a platform for strengthening the narrative on LeO's non-pay benefits and promoting the positive aspects of working for LeO, both internally and externally, in line with LeO's attraction and retention strategies.
38. The OLC Chair shared positive feedback from the Chairs of the Staff Networks about LeO's changing culture and identity.
39. In response to the end to end review of recruitment, the information shared with applicants had been updated to highlight why LeO was a great place to work. As part of the 2024/25 People Plan deliverables, further work would be undertaken to develop LeO's employer brand to further attract new staff.
40. The OLC Chair questioned how significant the Civil Service People Survey was to LeO's work and was advised that LeO, along with some other ALBs, felt that this survey was becoming increasingly out of date and was an imperfect mechanism for gauging the views of staff. LeO was considering the introduction of shorter, more frequent pulse surveys to supplement the Civil Service People Survey but would continue to take part in the Civil Service People Survey as LeO's results were a key focus for the MoJ at business assurance meetings.
41. Following discussion, RemCo **noted** the Civil Service People Survey results.

Item 7 – Annual Health and Safety Compliance Report

42. The Head of Programme Management and Assurance presented the annual Health and Safety Compliance Report, drawing RemCo's attention to the following key points:
 - ARAC had considered the annual report on health and safety at its meeting in January 2004.

- Since issuing the report to both ARAC and RemCo, LeO has successfully migrated to a new health and safety platform. Staff had received communications about this and had been asked to complete some mandatory e-learning modules before the end of April 2024.
 - The 2023/24 annual Health and Safety Audit has been completed. The actions arising from this audit had been presented in a new format using RAG ratings instead of percentage scores. There had been 4 red and 5 amber rated actions.
 - One of the amber rated actions related to the safety of homeworkers. Measures in place to ensure the health and safety of home workers included home PAT testing, the completion of DSE assessments, health and safety training for all new starters and homeworking policies.
 - There had been no further health and safety incidents or near misses in quarter four 2024/25.
 - There had been no lapse in any of the specialist equipment referrals.
43. A discussion took place about the successful Health and Safety awareness raising day that had taken place at the Birmingham office in 2021/22. Due to issues arising from the migration of LeO's health and safety platform it had not been possible to schedule a similar event in 2023/24, but the Health and Safety and Facilities Officer was exploring the possibility of holding another event in 2024/25 to align with World Health and Safety Day.
44. RemCo members congratulated the Health and Safety and Facilities Officer on the work that had been done to raise awareness of health and safety by engaging staff and making sure that such an important subject remained at the forefront of their minds.
45. Reflecting on issues with the migration to a new health and safety platform, the RemCo Chair questioned whether the migration had been a positive exercise that the Committee could take assurance from. In response, the Health and Safety and Facilities Officer reported that the migration had been advantageous, the challenges had provided opportunities to learn and improve health and safety at LeO. Improvements had included closer collaboration with HR to ensure that staff were not overlooked on the new health and safety platform.
46. RemCo **noted** the annual Health and Safety Compliance Report.

Item 8 – Items to escalate to Board.

47. There were no specific items for escalation to the Board.
48. The RemCo Chair confirmed that a written update on the meeting would be submitted for information at the next Board meeting in April.

Item 9 – Effectiveness of the meeting

49. In response to feedback, the RemCo Chair confirmed that appropriate time would be allocated on future RemCo agendas for items requiring approval to allow for more detailed discussion and debate.

Item 10 - Any other business

50. There was no other business.