

## **Minutes of the fifteenth meeting**

### **Office for Legal Complaints (OLC) Remuneration & Nomination Committee**

**Wednesday 14 December 2011 10.15am – 13.00pm**

#### **Present:**

Rosemary Carter (Chair)  
Tony Foster (Member)  
Margaret Doyle (Member)

#### **In attendance:**

Rob Hezel – Director of Finance and Business Services  
Adam Sampson – Chief Ombudsman  
Lesley Hancock – Head of Human Resources

#### **Acting Committee Secretary**

Gurmit Sangha – Legal Ombudsman FOI and Complaints Officer

The quorum requirements for the meeting were met.

#### **Item 1 – Welcome, apologies and conflicts of interest**

1. The Chair welcomed those in attendance.
2. There were no apologies received.
3. There were no conflicts of interest declared

#### **Item 2 – Minutes of the previous meeting**

4. The minutes of the meeting held on 28 June 2011 were approved for publication and for distribution to OLC Members.

#### **Item 3 – Matters arising & action points**

5. Members noted that they are to receive amended terms of reference for the Staff Forum to reflect the recommendations previously made by the committee, by 31 December 2011.
6. The Chair noted that before the next meeting of the Committee, an audit of Human Resources will take place by KPMG. An update should be provided to members following the audit.

#### **Action:**

- The Head of Compliance to circulate to members amended terms of reference for the Staff Forum before 31 December 2011.

- The Director of Finance and Business Services to update members on the outcomes of the KPMG audit of Human Resources by 31 January 2012.

#### **Item 4 - Chair's update**

7. The Chair noted private meetings of the committee were held on 8 August 2011 and 10 October 2011.
8. Members had agreed that the salary of the Head of Policy and Communications should be increased to an agreed amount. Pay to be backdated to 1 January 2011. The decision was made following a presentation by the Chief Ombudsman at the fourteenth meeting of the committee, and further information requested supplied to members by the Chief Ombudsman.
9. It was noted that a new pay scale for Operations Managers has been agreed and pay for the role of Deputy Director of Operations is to be managed in line with all other executive pay.

#### **Item 5 –HR strategy**

10. The Head of Human Resources presented members with a paper on the Human resources strategy Dec 2011 – Dec 2014.
  - The HR Team recently held an away day identifying six strategic themes. Objectives have been identified for each theme, and will be delivered through supporting strategies. Feedback is being invited from internal stakeholders, and a further away day is planned for January 2012 to discuss the feedback received.
  - The Chief Ombudsman advised that the HR strategy may require minor modification to ensure it ties in with other functional strategies such as the three year plan.
  - Members requested that the KPI completion dates are reviewed to ensure that they can realistically be measured and achieved. For example having a target of no employment tribunal claims whilst desirable may not be realistic.
  - Members advised on changes to wording within the strategy paper to ensure clarity

#### **Action:**

- The Head of Human Resources to amend strategy with suggested changes to wording.
- The Head of Human Resources to review key performance indicators, to ensure dates are relevant, and circulate strategy to members once amended.
- The Head of Human Resources to circulate to members modified HR strategy once reviewed to ensure compatibility with other strategies.

#### **Item 6 – Recruitment strategy**

11. Head of Human Resources presented the paper and members were advised that:
- The recruitment strategy is to work alongside other key policies such as the pay policy, flexible working and promotions policy.
  - Comments received from the Executive Management Team had been incorporated into the strategy.
  - Key internal stakeholders, for example the Operations Team, had been consulted for feedback.
  - A procurement process is underway to obtain the services of a recruitment agency which will be able to provide a pool of applicants for future recruitment programmes. Responses have been received from 26 organisations, and these have been narrowed down to 12 to be considered in the New Year.
  - The availability of staff from a recruitment agency will also address situations where temporary posts need to be filled quickly. It is anticipated that staff could be on board within three weeks.
  - The recruitment agency will provide candidates; the selection process will take place in house.
  - Recruitment will take place in waves, as this allows more effective training, which is best delivered in blocks. The possibility of web based training is being considered.
12. Questions were invited, and members were advised on how the Recruitment Strategy and Promotions Policy fits-in with the Equality and Diversity Policy. Both policies are seen as a tool to advance equality and diversity through providing motivation, training, and support for staff to advance within LeO. Recruitment in waves provides an opportunity to review and seek to address any shortfalls.
13. The Chief Ombudsman highlighted a possible future development, with the Ministry of Justice keen to have posts within all its sponsor bodies opened as internal vacancies, for those working within their Non Departmental Bodies.
14. Members requested that once the Executive Management Team forms a view on the priorities for recruitment, details should be provided to members for comment and reporting to the Board.

**Action:**

- The Head of Human Resources to make more identifiable the sections of the policy that review what has taken place to date, and those which address what is to take place going forward.
- The Head of Human Resources to check dates provided in the strategy document are accurate and dove detail with other key documents.
- The Head of Human Resources and Director of Finance & Business Services to ensure the approach being adopted at various levels of staff is clear.

**Item 9 – Flexible working and Eqia**

- 15.** The Director of Finance and Business Services presented to members papers on flexible working. Members were advised that:
- Currently there is an ad hoc system in place whereby staff may work one day a week from home. The flexible working paper will allow up to two permanent days working from home.
  - Monitoring will take place through the current procedures for supervising staff performance. The “My HR system” will provide a further monitoring and reporting tool.
  - Legal advice has been obtained on home working. LeO will provide tools for a display screen equipment (DSE) assessment. If any adjustments are required the employee will be responsible for meeting these.
  - The policy has gone to all staff that have staff management responsibilities for feedback.
  - Applications for flexible working will be invited from January 2012
- 16.** Members suggested seeking out good practice developed by other organisations. The policy should also highlight that any reasons provided for requests will be received, and held in confidence.
- 17.** Members further highlighted the important link between these policies and equality and diversity, pointing out the benefits of the policy for those who may require flexible working as a reasonable adjustment. Members were advised that the policies are seen as a support to the overall culture which has been developed. Examples were provided where ad hoc adjustments to the working day had been provided to those who have required them.

**Action:**

- The Director of Finance and Business Services to detail within the policy the appeal procedure once a decision on flexible working has been made.
- The Director of Finance and Business Services to ensure equality impact assessments are complete and update members at the March meeting of the committee.

**Item 7 – Promotion statement**

- 18.** The Head of Human Resources presented to members a promotions statement.
- The statement has been produced in consultation with the Equality & Diversity Manger.
  - It has been incorporated into the recruitment policy, and an equality impact assessment has been conducted.
  - Further work is being undertaken in conjunction with the Equality & Diversity Manger on positive action.

**Action:**

- The Head of Human Resources to amend the third bullet point, removing reference to the Office for Legal Complaints.

### **Item 11 – TRS update**

19. The Director of Finance and Business Services provided members with a statement on the remuneration supplement (TRS).
20. Members suggested the following amendments to the wording of the statement:
- Removing word “originally” in first line,
  - Removing the last two bullet points.

#### **ACTION:**

- The Director of Finance and Business Services to ensure that the statement is discussed with all those it affects, and a copy is provided to them.
- The Director of Finance and Business Services to circulate the amended TRS to be signed off.

### **Item 10 Staff handbook**

21. The Director of Finance and Business Services updated members on the staff handbook.
- The handbook now contains links to all the policies.
  - Members were advised that the “Occasional working from home” section is different from the flexible working policy which amounts to a contract change. The occasional working from home policy addresses ad hoc home working.
  - The “unacceptable behaviour” section includes harassment and all other serious unacceptable behaviour
  - A Social Media Policy is currently with the Policy Board, which will be mentioned in the handbook once it is signed off.
22. Members suggested amendments to handbook, including:
- Removing the last sentence in the first paragraph of the section “purpose of this handbook”
  - Re-looking at the wording of the “Adoption Leave” and “Maternity & Adoption leave” sections to ensure that they carry the same tone.
  - The “Bullying and harassment” section to contain a link to the grievance procedure
  - The “pay arrangements” section should make it clearer that there is no right to an annual salary increase when the rate of inflation salary rises are reviewed each year.
  - The “Sickness absence” section should make reference to the procedure for considering disability issues.
  - The handbook should include a note to employees, that if they cannot find the information they are looking for, they can speak to their Team Leaders or a member of the HR team

- The word “horseplay” can be taken out of the “unacceptable behaviour” section.

**ACTION:**

- The Director of Finance and Business Services to ensure amendments are made to handbook.

**Item 15 PDR process review**

23. The Director of Finance and Business Services provided members with an update on the PDR process review.
- Members were advised of the PDR process that staff had gone through.
  - Reviews and moderations took place in October 2011. Revised pay was received from November 2011, backdated to October 2011.
24. Members discussed the PDR process for Grade A roles. It was acknowledged that any increase of pay for members of the Executive Management Team will require sign off from RemCo. A process should be put in place for the consideration by RemCo of Grade A PDR's.
25. It was agreed that the role of Deputy Director of Operations will be placed in the same group as current Grade A roles.

**Action points**

- The Director of Finance and Business Services together with Chief Ombudsman to draft a note on the Committees role in the PDR process for Grade A staff.
- The Director of Finance and Business Services to ensure that the role of Deputy Director of Operations is in the same group as current Grade A staff.

**Item 8 Exit report**

26. The Head of Human Resources presented to members with an Exit report on staff that had left LeO. Members were advised that staff leaving were encouraged to fill out an exit form, but it is not compulsory to fill the form out.
27. The data collected can be compared against equality data. Information will be analysed to identify any trends requiring action plans.
28. Members advised against the use of the term “natural wastage”

**Item 12 Tribunal update**

29. The Head of Human Resources presented to members an Employment Tribunal update.

- The ongoing employment tribunal case had been settled, with LeO agreeing to provide a reference to the claimant, setting out start and finish dates only. Each party is to pay their own legal costs. Legal costs for LeO are anticipated to be in the region of £15,000.
- The claim has identified some procedural lessons for LeO and once reviewed, advice will be provided to those with staff management responsibilities.
- Members were advised that there is a further employment tribunal claim before the tribunal, listed for review on 12 January 2012. The principle issue for the tribunal to consider is whether the claimant is within the time limits to bring a claim.
- A procurement process has been put in place to obtain ongoing support and legal advice on employment issues. Members advised that there should be regular reviews of such arrangements, and warned against long review dates.

### **Item 13 HR dashboard**

- 30.** The Head of Human Resources presented to members an update on the HR dashboard. Members were advised that the “My HR system” provides tracking of staff against key HR measures. Monthly reports are provided to individual managers on the individuals they manage. Reports identify where HR triggers have been activated.

### **Item 14 Policy update**

- 31.** The Director of Finance and Business Services provided members with a policy update;

Four policies are currently at the review, amend, and external view stage:

- Discipline policy – Currently with the Executive Management Team.
- Absence management policy – Currently with Policy Board.
- Grievance policy – Currently with Policy Board.
- Capability policy – Currently with Policy Board.

The following policies will be going to the Policy Board

- Secondment Policy.
- Mediation Policy.
- Social Media Policy
- Trade Union Policy.

### **Action Points**

- The Director of Finance and Business Services to circulate policies to members for comment, once the Executive Management Team has considered them.

### **Item 16 – Any other business**

**32.** No other business was raised.

**33.** The next meeting will be held on 13 March 2012 at Baskerville House, Birmingham commencing at 11.15am.

The Chair to and to review the timing of the June meeting and to provide the secretary to the committee availability for a revised meeting date in November 2012.

Gurmit Sangha  
Acting Secretary  
Date: