

**Minutes of the 64<sup>th</sup> Meeting of the  
Office for Legal Complaints Remuneration and Nomination Committee  
27 November 2024**

**Present:**

Alison Sansome, Chair.

Elaine Banton.

Rachel Cerfontyne.

**In attendance:**

Paul McFadden, Chief Ombudsman.

Debra Wright, Head of People Strategy and Services.

Elisabeth Davies, OLC Chair, observing.

Mark Persard, EDI Manager (Item 5)

**Minutes:**

Kay Kershaw, Board Governance Manager.

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

1. The Chair welcomed attendees to the meeting, noting that it was Elaine Banton's first meeting as a new member of the RemCo.
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 – Previous minutes, matters arising and actions from previous meetings.**

5. The minutes of the RemCo meeting held on 20 March 2024 were **approved** as an accurate record of the meeting.
6. The minutes of RemCo's meeting with Staff Council on 20 March 2024 were **noted**.
7. All Previous actions had been completed or closed, except action 6, paragraph 35 from RemCo's meeting in February 2022 which had been re-focussed with a revised delivery date of March 2025. A paper would be presented to RemCo in March 2025 setting out how the application of LeO's staff performance policies would differ for roles that were appointed by the Board, as distinct to roles that were appointed by LeO. In progressing this action, the HoPS&S may draw on advice from the RemCo and OLC Chair. All closed actions had been embedded into future work plans as part of Business as usual.

8. RemCo **noted** the update on previous actions.
9. RemCo **ratified** a unanimous decision made out of committee in July 2024 to approve the HR policies following their annual review and update by the Head of People Strategy and Services.

### **Item 3 – HR people metrics**

10. A paper updating RemCo on HR metrics for the period April to October 2024 was presented by the Head of People Strategy and Services.
11. In discussion, the following key points were made:
  - Attrition had fallen steadily during the reporting period; overall attrition and investigator attrition were within target. The drivers of attrition and the mitigations were well understood, but there was no complacency, and attrition would continue to be closely monitored.
  - As a result of improvements to the operational induction process, attrition amongst operational staff during their probationary period had reduced. Most operational staff now leaving the organisation were established in role and leaving for career development opportunities.
  - The HR metrics had been updated to include more information on long and short-term sickness absences in line with a request from RemCo.
  - Overall sickness absence had increased. This had been driven mainly by an increase in long-term sickness absences, for reasons including mental health, bereavement, cancer and pregnancy and recurrent periods of short-term sickness absence by a small number of staff. Other reasons for short-term sick leave included Covid and other viruses. The majority of mental health absences were not work related.
  - To better understand the reasons for this, and to identify whether more could be done in line with LeO's policies to support individuals and manage sickness absence, a deep dive review of individual sickness absence cases was being undertaken. A further update on this would be provided to RemCo in due course.
  - Leadership development training on a range of new HR policies, including the sickness absence policy and how to conduct effective return to work interviews had been provided to all people managers to ensure they had the required skills to fulfil their roles.
  - People managers, with support from the HR Business Partners, ensured that all HR policies, including the sickness absence policy and the return-to-work process were fairly, consistently and effectively applied.
  - Consideration could be given to asking GIAA to conduct an internal audit of sickness absence management if there was any concern about the effectiveness of the sickness absence policy and the management of sickness absences.

- The number of live absence management cases had increased. The effective and consistent application of the new HR policies, timely interventions, and improved reporting had contributed to this increase.
- A wide range of initiatives and services were in place to support staff with disabilities and health conditions to help them to stay in work or return to work sooner following periods of sickness absence. Consideration would be given to seeking data to assess whether the Employee Assistance Programme (EAP) was being well used by staff; this would help determine whether there was scope for more to be done to support staff, particularly those with poor mental health, to help them to stay in work.
- It had not been possible to conduct any meaningful benchmarking of sickness absence rates at other similar organisations because the data was not collected or monitored in a standard format.
- There would be value in monitoring and reporting sickness absence data by location and by teams to provide greater insight on areas where additional support and intervention may be required.

12. Following a detailed discussion, RemCo **noted** the update on HR metrics.

#### **Item 4 - People strategy: Progress against the 2024/25 action plan.**

13. A report on the 2024/25 People Strategy and deliverables was presented by the Head of People Strategy and Services.

14. In discussion the following key points were made:

- The People Strategy deliverables for 2024/25 were realistic, appropriate and on track for completion by year end. RemCo commended the work undertaken in delivering the People Strategy and the significant improvements and progress that had been made.
- An HR Payroll Administrator had been appointed on a permanent basis and two temporary appointments had been made to the Senior HR Services Business Partner and HR and Payroll Assistant roles. Recruitment for an HR Co-ordinator was ongoing.
- Following the annual review of HR policies in July 2024, improvements had been made to the Time Off Work and Sickness Absence policies; the improvements had strengthened the Employee Value Proposition and had ensured compliance with legislative changes.
- The dignity at work policy had recently been updated in response to new employee protections against sexual harassment in the workplace Training on this would be delivered to line managers in early 2025.
- The recruitment process was now more structured and rigorous following the implementation of the new recruitment policy and the associated processes and guidance; this had improved the candidate experience.

- Following a review of induction and onboarding, a new induction policy and line manager guidance had been developed. An online core induction programme for all new employees and an onboarding portal were also being developed and it was as anticipated that these would be rolled out in January 2025.
- To support the People Strategy's key priorities of attracting and retaining skilled staff, an apprenticeship framework had been developed. The framework provided a structured approach to the recruitment of apprentices, the provision of a relevant apprenticeship offer for existing staff and detailed the training and support that would be provided to apprentices and their line managers to ensure the success of the scheme. Following consultation with Staff Council, the apprenticeship framework would be rolled out to the organisation.
- It was suggested that there may be value in extending the mentoring programme to support apprentices. Whilst there was no financial reward for staff who volunteered to be mentors, mentoring was recognised as part of the PDR process as a development opportunity. It was noted that corporate activities such as mentoring were an effective lever for changing culture.
- The leadership development programme continued to focus on equipping managers with the knowledge and skills required to deal consistently and fairly with people issues. Employment Tribunal training was being delivered in quarter three and training on flexible working and sexual harassment protections was planned.
- A new Aspiring Leaders programme was being developed.
- The work to re-focus Staff Council had concluded. A revised terms of reference (ToR) was now in place setting out defined roles and responsibilities; this provided a clear framework within which Staff Council would operate to ensure that the workforce had a voice.
- RemCo had been pleased to note the positive headline findings of the 2024 People Survey which demonstrated improved scores for eight of the nine core themes, with the remaining theme being the same as the previous year. The headline findings would be shared with staff and with the Board as part of the Chief Ombudsman's report in December. The detailed survey results were expected in late November and, following analysis by the Executive, would be presented to RemCo in March 2024.
- The 2024-27 People Strategy, which was aligned to the OLC Strategy and the EDI Strategy, would be reviewed in quarter four and adjusted if necessary to ensure that it remained appropriate for the needs of the organisation. Any changes arising from this review would be reported to RemCo at its meeting in March 2025 along with the 2025/26 deliverables

15. Following discussion, RemCo **noted** the progress that had been made against the 2024/25 People Strategy and deliverables.

### Item 5 – Gender pay gap

16. The 2024 Gender Pay Gap report was presented by the EDI Manager.

17. In discussion the following points were made:

- The mean gender pay gap was 8%. This was a reduction of 3% compared to the previous year. The public sector average mean gender pay gap was 11.5%.
- Sixty-eight percent of LeO's workforce were women, many of whom were in lower graded roles, such as the GET Team, of which 85% were women. Sixty-eight percent of the investigator workforce were women.
- There were more men in the higher pay quartiles.
- The implementation of a range of initiatives from LeO's EDI Strategy and People Strategy, addressed gender pay gap challenges and contributed to LeO's inclusive culture. Initiatives included family friendly policies; opportunities to participate in mentoring programmes; support for carers and individuals with disabilities; a Women's Network which ensured a voice for women across the organisation; annual safe space workshops to ensure a better understanding of the scores for the Civil Service People Survey; a range of ongoing leadership and development training for people managers to ensure best practice across the organisation; improved change management including consultation on policy development decisions through the Staff Council; and, improved Performance Development Reviews, to help identify areas for personal development, including secondments.
- The OLC Board, which was not included in the gender pay gap report, comprised 6 women, one of whom was the Chair, and 2 men.
- The EDI Strategy and People Strategy were well aligned and coherent. The deliverables were regularly reviewed and refined to ensure synergy of efforts and alignment with the aims of the OLC.
- It was anticipated that if LeO's workforce profile remained the same in future years, the gender pay gap would become broadly static however LeO would continue to exploit opportunities to reduce the gender pay gap and drive positive action wherever possible.
- Opportunities to report on the pay gap for other characteristics such as disability and ethnicity may be explored as part of future strategies, subject to the availability of the required reporting data.

18. Following discussion, RemCo **approved** the 2024 the Gender Pay Gap.

### Item 6 – Annual review of the RemCo terms of reference

19. RemCo conducted an annual review of its ToR.

20. Following a comprehensive review in 2023, the ToRs had been refined to ensure clarity on the Committee's purpose and responsibilities. Due to the frequency of RemCo meetings, it had been decided that the ToRs were to be reviewed every two years, but

with a wider review of OLC Governance documents due to take place in December 2024, it was considered appropriate for RemCo to review the ToRs again so that any feedback could be considered as part of this.

21. In discussion the following points were made:

- The ToR were comprehensive, worked well and ensured that appropriate and constructive discussions took place.
- Due to the small number of OLC Board members, their other OLC commitments and the lay and non-lay requirements, there was little flexibility to increase RemCo's membership or change the quorum of meetings. The OLC Chair would keep this under review and consider whether there was scope to operate a 'reserve' style approach to nominated OLC substitutes who could attend RemCo meetings if required.
- RemCo and the Executive were content with the frequency of RemCo meetings, which broadly aligned well to the business cycle. Within the ToRs it was specified that an additional RemCo meeting could be convened, if necessary, with the agreement of the OLC Chair which provided some flexibility if ever it was needed.

22. Following discussion RemCo confirmed that it was content with its terms of reference and no changes were required.

#### **Item 7 – Items to escalate to Board.**

23. There were no specific items for escalation to the Board.

24. The RemCo Chair confirmed that a written update on the meeting would be shared with the Board for information in due course.

#### **Item 8 – Effectiveness of the meeting**

25. Members confirmed that this had been a productive, constructive and effective meeting enabled by the size of the Committee, which had been Chaired effectively.

#### **Item 9 - Any other business**

26. There was no other business.