

**College of West Anglia
Minutes of
The Employment Policy Committee
5 October 2022
8.30 am
Meeting Room, Principal's Suite, King's Lynn Campus**

Present:	Sally Mitton	Governor (Chair)
	Chris Ashman	Governor
	Kay Driver	Governor
	David Pomfret	Governor (Principal)
Attending:	Paul Harrison	Vice Principal Corporate Services
	Julie Howlett	Head of Human Resources
	Stephen Halls	Clerk to the Corporation

The Chair welcomed everybody to the meeting, particularly to Julie Howlett, attending her first meeting of the committee as the college's new Head of HR.

1 Apologies

Apologies for absence were received from Danny Huddleston, Health & Safety Officer.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes of the previous meeting

The Minutes of the meeting held on 18 May 2022 were agreed as being an accurate record of the meeting.

4 Matters Arising

The progress against the outstanding matters from previous meetings was summarised in the report for item 4.

With regard to Item 5, 18/5/22, Data Protection, which remained outstanding, the Vice Principal Corporate Services advised that data retention guidance would be included in the next iteration of the data protection policy.

Also with regard to Item 5, 18/5/22, Data Protection, which remained outstanding, the Vice Principal assured the committee that there had been no reportable data breaches over the last 7 years; should a breach occur this would be reported to the Audit Committee within the Risk & Internal Controls report which was presented at each Audit Committee meeting. The Chair asked that this practice was written into the procedures so that it was clear how a breach was reported to governors.

ACTION-HoHR

The Principal asked the Head of HR to comment on data retention practices at the college; the newly appointed Head of HR advised that since commencing at the college

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she had noticed that too much information was being retained in hard copy format in staff files. Over time, each file would be reviewed, with unnecessary information removed from files and destroyed confidentially; further, the remaining stored information would be copied into an electronic format to allow for safer storage and easier access. The Head of HR advised that the college used an external company to manage its GDPR obligations; the Vice Principal advised that the external company planned to visit the college to carry out an audit on data retention across the college.

The updates were noted.

5 Election of Vice Chair

The Clerk explained that previously it had been the custom for the Chair of the Remuneration Committee to also serve as Vice Chair for the Employment Policy Committee.

It was agreed that Chris Ashman would continue to serve as Vice Chair of the Employment Policy Committee.

6 Policy Review

The Head of HR reported that she had reviewed a number of employment policies currently in use by the college and that most were in need of updating, particularly with regard to both the terminology used and the need to demonstrate a greater level of support for the employee, rather than the employer. The policies most in need of immediate attention included the recruitment policy and the probation policy. It was agreed that, for the current time, once policies were ready for review, rather than wait until the next committee meeting these would be circulated by the Clerk for members to either comment or indicate their approval; the policies would then be ratified en-bloc at the next scheduled committee meeting. **ACTION-HoHR/CLERK**

Disciplinary Policy – The Head of HR advised that although this policy was being presented to the committee for review, the Head of HR would continue to work on this document where further updates were necessary.

The Chair considered that suspended staff were vulnerable and that it was important for HR staff to support those individuals who had been suspended pending investigations; the Chair asked for this to be included in the responsibilities of the HR Officers, as detailed on page 10 of the policy. The Principal added that support from HR should also be given to the investigating officers.

ACTION-HoHR

All agreed that there was the potential for the disciplinary process to have a detrimental effect on the mental well-being of a member of staff, even if no action was taken against the individual and they returned to work. The Head of HR commented that it was not uncommon for individuals to be absent from work due to sickness during the period of a disciplinary review.

The Head of HR said that she was mindful of following correct procedures so that should the case be taken to a tribunal, the review panel would be assured that correct procedures were followed, that the employee was supported and that they were given the correct information and guidance.

Governors considered that the college's grievance policy should be considered at the same time as the disciplinary policy as there were a number of correlating links.

Governors asked that all policies should be updated to reflect gender-neutral terminology. **ACTION-HoHR**

Governors asked how the college ensured that any necessary documentation issued to the individual as part of the disciplinary process was received; the Head of HR explained that the common practice would be either to send documents in the post via recorded-delivery, or to send electronically via secure emails.

Governors asked about the timescale of holding a hearing, particularly if a supporting companion was to accompany an individual, as detailed on page 6 of the policy. The Head of HR confirmed that there was some flexibility allowed should a companion be attending the hearing; the Principal added that union representatives occasionally attended to support one of their members, although often they were not available for the specific date/time of the hearing.

The Head of HR considered that with any disciplinary matter the college's interest should be the priority, however, there was a need to fully support the individuals and others involved in the process. The Head of HR was planning a training session regarding the ACAS Code of Conduct so that managers were fully aware of how tribunals operated and their own responsibilities should they be involved in the process.

The next discussion was deemed 'Confidential.'

The updates on policies were noted.

7 Legal Updates

The committee reviewed the latest legislative changes regarding employment matters as detailed in the report.

Governors discussed the likely impact of the changes to holiday pay calculations for part-year workers following the outcome of the Harpur Trust v Brazel case where it was considered the effect would have an unfair advantage against full time members of staff; the effect could also favour female members of staff who tended to work term-time only compared to their male colleagues. The Vice Principal Corporate Services explained that the financial impact was being calculated and that it may be necessary to make a provision in the accounts for any additional holiday pay that became necessary, covering the past two-year period.

Governors noted the potential changes in laws regarding criminal record disclosures, reducing the disclosure period for sentences lasting 4 years or less; Governors asked if this would impact on Children's Barred List checks (List 99). The Head of HR would investigate this and report back to the committee. **ACTION-HoHR**

Governors asked about the new law introducing rights for workers to request predictable and stable contracts after 26 weeks' service, and if this would apply to casual staff at the college, such as exam invigilators; the Vice Principal was unsure of which, if any, staff members this new law would affect at the present time. The Head of HR explained that she would be reviewing all zero-hours contracts to identify any that were likely to fall within the scope of the new law. **ACTION-HoHR**

The updates were noted.

8 Curriculum Impact Report

This item was deemed "Confidential."

9 Annual HR Report

The Principal noted that this report, as with many others on the agenda, had been prepared by Nicky Rowland, Head of HR, before she retired from the college in August 2022. The Chair thanked Julie Howlett, the new Head of HR, and the Vice Principal Corporate Services for presenting the reports at today's meeting.

The Head of HR referred to the recruitment data for the year and commented that there was little diversity/ethnicity mix in the recruitment numbers; in due course the Head of HR would review this data against the local population demographics of each campus to ensure that the recruitment data was reflective; the Principal added that this would also be highlighted in the recruitment policy when it was next reviewed. **ACTION-HoHR**

The Principal noted the 308 recruitment campaigns during 2021/22, compared to the 190 campaigns in the previous year; the number of repeat campaigns was 127, compared to just 59 in the previous year. The college had recently appointed Gemma Everitt as a recruitment consultant within HR to help address the difficulties of staff recruitment.

Governors reviewed the sickness absence statistics at Appendix 1 and asked if the college engaged the services of an Occupational Health practitioner; the Head of HR confirmed that the college used an occupational health service, although at times the advice and guidance given did not always ensure an early return to work for absent staff. The Head of HR considered that immediate and regular contact with staff by their respective manager and also by HR would help to avoid sickness absence becoming long-term. The Principal noted that more recently, many short-term periods of absence were Covid-related. The Principal reported that the new HR software system, iTrent, would aid the monitoring of sickness absence and improve sickness management.

Governors noted the exit interviews carried out and exit questionnaires received from those leaving the college. It was agreed that this feedback provided very useful information for managers. The Chair suggested that leavers were asked how they could be encouraged to remain or return to the college after leaving; the Principal reported that 2 members of staff recently joining the college were both former employees, now returning. Governors suggested that those leaving the college received a follow-up call from HR a short time after leaving the college to check that they had settled with their new employer, or to discuss plans for returning to CWA if appropriate. The style of exit interview and questionnaire format would be reviewed to provide improved feedback. **ACTION-HoHR**

The Head of HR would be reviewing her own staff within HR and looking for them to take on new responsibilities within the HR function, to provide interest and development opportunities, and to aid in succession planning.

The Head of HR asked if the committee found the style of the annual report useful and easy to read; governors suggested the use of more graphical illustrations to display the data in future reports, rather than tables of data. The Chair considered that the executive report summary should focus on 3 main areas of concern/note for the HR department.

The report was noted.

10 Staff DBS Compliance/Safeguarding & Prevent Training Update

The Vice Principal Corporate Services assured the committee that managers were chasing individuals who had not yet completed their relevant training within the

specified timescales. The Head of HR would be speaking with the HR team to ensure that regular monitoring was being undertaken and action taken when appropriate.

Governors discussed the suggestion noted in the report that as part of the recruitment process an on-line check was made on shortlisted candidates, to include areas such as Linked-In and social media. It was agreed that this process would be carried out informally, but without publicising this to applicants for fear of deterring them from applying for the position; further, if any matters of concern were noted during the on-line checking process then this would help to form appropriate questions during the interview.

The Principal noted that applicants were provided with an opportunity to declare anything of a sensitive nature that they considered appropriate when applying to the college; further, DBS checks and other reference checks would be used to provide further information on the applicant.

The report was noted.

11 Annual Staff Development Review 2021/22

Governors asked about the gender mix of the 7 lecturers undertaking the 'Thames' programme for aspiring learners; the Vice Principal Corporate Services confirmed that there was a mix of males and females within the group. The Principal noted that the college had benefited from individuals taking up this training and then taking on management positions within the college as part of their career development. Governors noted the need to publicise management promotions, particularly for females, to encourage existing staff and potential new employees.

Governors asked about the Workforce Industry Exchange Programme that had been an area to be developed in 2021/22. The Principal explained that this initiative had been delayed by the government.

The report was noted.

12 Health & Safety Report 2021/22

The Vice Principal Corporate Services asked the committee to note a correction to the report where on page 1 of Appendix 1 the number of student accidents in the text was noted as being 34, whereas it was actually 36, as per the data table.

The Vice Principal noted that a reportable accident had occurred the previous week (w/c 26/9/22) whereby a student had damaged her ankle whilst horse riding.

The Vice Principal also noted a cycling accident that had occurred during the 2021/22 year, but which had not been reported.

The Principal explained to the committee that although the number of accidents had increased on the previous year, members should be mindful that the Covid pandemic impacted on the campuses during 2020/21 with less students actually on the campuses across the year.

Governors asked if there was an assigned link governor for health & safety; the Clerk replied that there was no link governor position overseeing this area. The Principal added that health & safety matters were reviewed by the Employment Policy Committee; further, the college had a Health & Safety Committee which met regularly throughout the year, chaired by the Principal, attended by various managers including the Vice Principal Corporate Services, Head of HR and the unions.

The Vice Principal noted that Danny Huddleston, Health & Safety Officer, had indicated his intention to retire from the college in 2023.

Governors asked about the recent visit from Norfolk Fire and Rescue Service. The Vice Principal explained that during the visit an issue had been noticed with the fire doors in the tower block on the King's Lynn campus. An audit of the doors had now been planned to ascertain the scope and costs of the works required. The Principal added that the works were classed as advisory for now, but the college would be expected to have completed the project within 6 months, otherwise enforcement action could be taken. The Principal noted that this matter would be reported to the Board at its meeting on 12 October 2022.

The report was noted.

13 Health & Safety Policy Review

The Vice Principal Corporate Services reported that the policy had been updated to reflect the latest line management responsibilities and the removal of Covid-19 interventions which had been moved to a specific Covid-19 risk assessment.

The Health & Safety Policy was approved.

14 JNC Summary 2021/22

The Principal explained that meetings with the unions throughout the year were attended by himself, the Vice Principal Corporate Services and the Head of HR; there was a good working relationship between the college and the unions.

The Principal noted that some colleges were currently facing strike action relating to pay concerns. Although CWA's recent pay award did not match the request of the unions, it was considered that the unions were however content with the level of the award given by the college, thereby minimizing the risk of any local strike action.

Governors asked about the involvement of Unison when evaluating job roles and pay awards. The Principal explained that the practice, reported previously to the committee, of emailing Unison with details of any proposed changes and asking for feedback within a specified time period continued.

The report was noted.

15 Gender Pay Gap Report – March 2022

The Vice Principal Corporate Services explained his disappointment with the report in that the gender pay gap had widened in 2022, compared to 2021; further, the number of females within the upper quartile salary range had reduced in 2022. The actions being taken to address the gender pay gap were detailed in the report.

Governors asked about the intentions of the college with regard to this matter. The Vice Principal said that the college, operating as a public sector employer, should be striving to reduce the gender pay gap. Governors asked if there was an unconscious bias against females when recruiting into higher-paid roles at the college; the Vice Principal considered that this was not the case. The Vice Principal noted that many of the lower paid, part-time, term-time only positions, such as in catering, cleaning and administration, tended to attract females who were also parents and who looked to be at home with children outside of school/college hours.

The report was noted.

16 Any Other Business

There were no items of other business.

17 Chair's items for briefing to the Corporation

- The committee met Julie Howlett, the new Head of HR;
- Policies – the Head of HR will be reviewing all employment policies to ensure they used the latest terminology and supported both the employer and the employee;
- The committee reviewed the latest legal updates, curriculum impact report and the annual report of the HR department, covering its work over the 2021/22 academic year;
- The Health & Safety report was reviewed for 2021/22, along with the Health & Safety Policy;
- The gender pay gap report, as at March 2022 was reviewed.

18 Date and time of next meeting

Wednesday, 22 February 2023 at 8.30 am, if required, or Wednesday 17 May 2023 at 8.30 am.

The meeting closed at 9.58 am