

Agenda

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Scrutiny Committee

This meeting will be held on:

Date: **Monday 16 January 2023**

Time: **6.00 pm**

Place: **Long Room - Oxford Town Hall**

For further information please contact:

Lucy Brown, Committee and Member Services Officer

01865 252784  DemocraticServices@oxford.gov.uk

Members of the public can attend to observe this meeting and.

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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All public papers are available from the calendar link to this meeting once published

Committee Membership

Councillors: Membership 12: Quorum 4 substitutes are permitted.

Councillor Dr Christopher Smowton
(Chair)

Councillor Lizzy Diggins (Vice-Chair)

Councillor Mohammed Altaf-Khan

Councillor Lubna Arshad

Councillor Nadine Bely-Summers

Councillor Tiago Corais

Councillor Barbara Coyne

Councillor Chris Jarvis

Councillor Edward Mundy

Councillor Lucy Pegg

Councillor Mike Rowley

Councillor Jemima Hunt

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

Agenda

	Pages
1 Apologies for absence	
2 Declarations of interest	
3 Chair's Announcements	
4 Minutes	7 - 12
<p>Minutes from 5 December 2022.</p> <p><u>Recommendation:</u> That the minutes of the meeting held on 5 December 2022 be APPROVED as a true and accurate record.</p>	
5 Work Plan and Forward Plan	13 - 22
<p>The work plan is driven to a very large extent by the Cabinet Forward Plan a summary of which is attached. The Scrutiny Committee agrees its priorities for items coming onto the Forward Plan, which then form part of its work plan.</p> <p>The Committee is recommended to:</p> <ol style="list-style-type: none">1. Confirm its agreement to the current priorities and the work plan both of which are attached.	
6 Flexible Working/Hybrid Working Policy	23 - 40
<p>Council will, at its meeting on 30 January 2023, consider a report on Flexible Working/Hybrid Working Policy. Cllr Nigel Chapman, Cabinet Member for Citizen Focused Services, Helen Bishop, Head of Business Improvement and Gail Malkin, Head of People, have been invited to present the report and to answer questions.</p> <p>The Committee is asked to consider the report and to agree any recommendations it wishes to make to Council.</p>	
7 Disciplinary Policy	41 - 80
<p>Council will, at its meeting on 30 January 2023, consider a report on the Disciplinary Procedure. Cllr Nigel Chapman, Cabinet Member for Citizen Focused Services, Helen Bishop, Head of Business Improvement and Gail Malkin, Head of People, have been invited to present the report and to answer questions.</p> <p>The Committee is asked to consider the report and to agree any recommendations it wishes to make to Council.</p>	

8 Report back on recommendations and from Scrutiny Panel meetings

At its meeting on 14 December 2022, Cabinet considered the following reports from the Scrutiny Committee and made responses to the recommendations:

- Thriving Communities Strategy 2023-2027
- Grant Allocations to Community & Voluntary Organisations 2023/24
- Authority Monitoring Report and Infrastructure Funding Statement 2021/22
- Workplace Equalities and Action Plan

Since the last meeting of the Scrutiny Committee, the **Finance and Performance Panel** met on 07 December 2022. The Panel considered reports to Cabinet on Integrated Performance Report Q2 and Treasury Management Mid-year Review for April-September 2022. It made no recommendations to Cabinet on 14 December.

The Panel noted the Medium Term Financial Strategy 2024-25 to 2026-27 and 2023-24 Budget for Consultation which had been published on 06 December 2022 in readiness for Cabinet on 14 December. The Panel began to prepare a list of written questions to Heads of Service which were to form part of the discussion for the Budget Review Group.

The **Budget Review Group** has met three times, on 04 January, 05 January, and 10 January 2023. It will meet a fourth time on 19 January 2023 in order to agree its draft report. This will be confirmed by the Finance and Performance Panel on 23 January 2023 and submitted to the Scrutiny Committee for its approval on 01 February 2023.

The **Climate and Environment Panel** will have met for the first time by the time of the Scrutiny Committee's meeting. It will have met on 11 January 2023 for a briefing by Professor Nick Eyre, the Scientific Adviser to the Council. An update will be provided to the Committee.

9 Dates of future meetings

Scrutiny Committee

- 01 February 2023
- 06 March 2023
- 04 April 2023

Standing Panels

Housing & Homelessness: 02 March 2023; 24 April 2023

Finance & Performance: 23 January 2023; 28 March 2023

Climate & Environment Panel: A provisional date of 01 March 2023 has been set for the first substantive meeting with another before the end of the municipal year to be agreed in consultation with the Chair and Panel.

Companies Scrutiny Panel will meet on the same dates as the SJVG: 01 March 2023; 27 April 2023.

All meetings start at 6.00 pm.

Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". The matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Minutes of a meeting of the Scrutiny Committee on Monday 5 December 2022

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Committee members present:

Councillor Snowton (Chair)

Councillor Altaf-Khan

Councillor Bely-Summers

Councillor Coyne

Councillor Mundy

Councillor Rowley

Councillor Diggins (Vice-Chair)

Councillor Arshad

Councillor Corais

Councillor Jarvis

Councillor Pegg

Officers present for all or part of the meeting:

Ian Brooke, Head of Community Services

Lucy Cherry, Leisure and Performance Manager

Paula Redway, Culture and Community Development Manager

Rachel Nixon, Principal Planner

Lan Nguyen, Senior Data Analyst

Christian Cameron, Data Analyst

Helen Bishop, Head of Business Improvement

Gail Malkin, Head of People

Richard Doney, Scrutiny Officer

Lucy Brown, Committee and Member Services Officer

Cabinet Members present:

Councillor Shaista Aziz, Cabinet Member for Inclusive Communities and Culture

Councillor Chewe Munkonge, Cabinet Member for Leisure and Parks

Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery

Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services

Apologies:

Councillor Hunt sent apologies.

Substitutes are shown above.

58. Declarations of interest

There were no declarations of interest made.

59. Chair's Announcements

There were no announcements.

60. Minutes

The Committee resolved to **approve** the minutes of the meeting held on 7 November 2022 as a true and accurate record.

61. Work Plan and Forward Plan

The Committee **noted** the Forward Plan.

The Committee reviewed the Work Plan and **confirmed** its agreement to consider the following reports at future meetings.

- January Cabinet reports
 - Flexible Working/Hybrid Working Policy
 - Disciplinary Policy

62. Thriving Communities Strategy 2023-2027

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities and Culture and Cllr Chewe Munkonge, Cabinet Member for Leisure and Parks introduced the report which asked Cabinet to recommend Council adopt the Thriving Communities Strategy 2023-2027 as part of the Budget and Policy Framework. Cllr Aziz highlighted the importance of ensuring the voices of communities are front and centre to the Council's work and the language of the report was more accessible than previous reports. She advised that Westminster City Council had recently removed the term 'BAME' which she welcomed as a step forward to move away from terminology that classified communities.

Cllr Arshad arrived at the meeting.

Cllr Munkonge drew the Committee's attention to the strategy which had brought together four outdated strategies that had overlapping outcomes. He had attended one of the positively received workshops as part of the 10-week Thriving Communities City Conversation which had reached hundreds of partners, community groups and residents.

Ian Brooke, Head of Community Services and Lucy Cherry, Leisure and Performance Manager attended the meeting to speak to the item and answer Councillors questions.

During discussions, the Committee noted the following:

- Conversations with communities remain ongoing, and Councillors are invited to input into these via their Wards and Parish Councils.
- Data and insight from partner agencies for health profiling, allowing greater understanding of community needs, have been explored in commencing work in communities.
- The strategy was purposely ambitious, and as focused on creating a shared purpose working closely with those communities. It was emphasised that previous reports had been reported as 'talking at' people and communities and the report sought to work alongside communities and organisations and work with their expertise.

Cllr Corais arrived at the meeting.

- Leisure centre contracts expire in 2024, providing an opportunity to review these facilities and how they meet changing community needs, and would explore further

opportunities with partners, such as Oxfordshire County Council public health and the NHS.

- Where work is carried out with partners, it would be beneficial to highlight these specifically, and link these to actions highlighted to explicitly answer questions within the report, and adapt the language to make it more accessible to those with English not as a first language.
- Work with other Councils had been ongoing on use of facilities and green spaces to ensure learning and adaptation of good practice.
- Key programmes with partners in communities included specific work with Leisure For All match funded grants with Fusion encouraging access to leisure facilities ensuring greater inclusivity and accessibility in communities, and also Covid support funding with schools which supported those youngsters most impacted by Covid to support with mental health.
- Community spaces, available through the community grants programme, targeted inequality and identified gaps in provision, ensuring support across the city in tackling inequality.
- Work would continue to improve the booking access system in leisure centres that supports the needs of all communities.
- Due to the ongoing resource challenges caused by Covid and rising energy prices, swimming pools had experienced a decline in service, however the Council, along with Swim England, would be lobbying Government for more grants to support these public services, and more comprehensive service contracts were being explored.

The Committee were in agreement that the action plan published on 1 April 2023 be added to the Committee Work Plan for review.

The Committee resolved to make the following recommendations to Cabinet:

1. That the Council states explicitly in the Executive Summary where changes have been made to our principles or ways of working, by contrast with those existing principles or ways of working that we intend to reaffirm or restate.
2. That the Council provides greater clarity around partnership working and distribution of work in the strategy by explaining clearly which partners are involved in particular projects and what the nature and level of that collaboration is.

63. Grant Allocations to Community & Voluntary Organisations 2023/24

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities and Culture, introduced the report which sought approval of the criteria and weighting for assessing the 2023/24 grant allocations, providing an interim update to Cabinet showing examples of the impact of the Community Impact Funds grants to date. She highlighted that this was the first report since the Cabinet agreement to merge all the existing community grant funds into one, the Oxford Community Impact Fund, created to ensure a wider range of people, communities and organisation can access the limited pool of resource.

Ian Brooke, Head of Community Services, Lucy Cherry, Leisure and Performance Manager and Paula Redway, Culture and Community Development Manager, attended the meeting to speak to the item and answer Councillors questions.

During discussions, the Committee noted the following:

- There was a rigorous multi-staged process to approve or reject grant allocation requests, which reviewed assessment scores and other factors before any decisions were made.
- Monitoring of the delivery would be through engagement with beneficiaries, with focus on the big ideas learning network.
- Sessions with individuals and organisations took place guiding them through the process of application, and over 90% of applications had been received from those attending.
- Clear feedback was provided to non-successful applicants via grant advice sessions, to ensure that constructive relationships were continually built upon.
- A briefing summary would be provided for future reports on organisations in receipt of grant funding.
- Due to the limited amount of funds available, other funding sources are explored with the applicants throughout the application process, and the Council was aware of the challenging financial climate and lack of funding available to all organisations, regardless of size and experience.

The Committee resolved to make the following recommendation to Cabinet:

1. That the Council includes a very brief summary of the nature and purpose of individual organisations in receipt of Community Impact Fund grants at Appendix 1 of the report.

64. Authority Monitoring Report and Infrastructure Funding Statement 2021/22

Cllr Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery introduced the report which sought Cabinet approval of the Authority Monitoring Report and Infrastructure Funding Statement for publication. He advised that the report was an annual report which summarised a series of performance indicators based on policies set out in the Oxford Local Plan. The Infrastructure Funding Statement is a factual statement and a statutory requirement summarising the amount of developer contributions (CIL and Section 106) obtained, allocated and spent by the authority in the previous financial year (April 2021 – March 2022).

Rachel Nixon, Principal Planner, Lan Nguyen, Senior Data Analyst and Christian Cameron, Data Analyst attended the meeting to speak to the item and answer the Committee's questions.

Cllr Arshad left the meeting.

During discussions, the Committee noted the following:

- Key IFS Headlines were included within the report, further information on which projects the developer contributions received, allocated and spent for were included within Appendix 2.
- Whilst there was a lack of community-led housing projects currently in the City, there were sites identified, however uptake would be dependent on the applicant.
- Data was corrected due to changes in Government policies and improvements to data collection/analysis methods, which is clearly shown in the report.
- The projected future amount of windfall sites versus major strategic sites was provided within the report and demonstrated that there were approximately 10% of windfall sites and 10% of smaller sites already committed, concluding approximately

80% for the major strategic sites, however a site by site summary could be included for future reports.

The Committee resolved to make the following recommendation to Cabinet:

1. That the Council reports in subsequent Annual Monitoring Reports on the amount of housing delivered as a result of site allocation policies and the degree to which those policies have been realised.

65. Workplace Equalities and Action Plan

Cllr Nigel Chapman, Cabinet Member for Citizen Focused Services introduced the report which sought Cabinet approval for the publication of the annual Workforce Equality Report 2022, the Gender Pay Gap Report, the Ethnicity Pay Gap Report and the Disability Pay Gap Report, and shared progress on the current progress of the Workforce Equalities Report and Action Plan. He advised that the report was a snapshot of figures taken at 31 March 2022, and highlighted the increase made in many areas, however drew the Committee's attention to the increased pay gap in ethnicity, which has clearly shown the issue of low number of ethnicity in senior positions within the Council.

Helen Bishop, Head of Business Improvement, and Gail Malkin, Head of People, attended the meeting to speak to the item and to answer the Committee's questions.

Cllr Diggins left the meeting.

During discussions, the Committee noted the following:

- The Council was working to increase awareness of self-reporting across the workforce to ensure regular communication and best practice. Whole workforce engagement surveys had taken place to help build a better picture of behaviours within the workplace.
- The low number of staff who identify as lesbian, gay or bisexual had increased, however it was noted that lower numbers could be caused by staff not wishing to state their sexual identify, which nationally stands at only 2%. This makes it difficult for assessment purposes, however other methods of monitoring could be considered and further details included at the application stage of recruitment.
- A question was raised about plans to address equality issues for trans and non-binary staff. Data for this group was not currently collected, however this would be reviewed. It was noted that smaller numbers of staff would present difficulties for reporting as lower numbers could be easily identifiable.
- A Recruitment Consultant and EDI specialist had been appointed in the People Team to help target recruitment of under-represented groups.
- Whilst there is not a Disability Pay Gap target, the Committee would be interested to compare this to previous years, and would welcome a target included for future reports in line with other pay gap targets.

The Committee resolved to make the following recommendations to Cabinet:

1. That the Council set out explicitly its target in relation to the Disability Pay Gap.
2. That the Council provides an opportunity in its application forms and monitoring for people to provide their gender identity, including if they identify as trans or non-binary.
3. That the Council reports on work surrounding its trans and non-binary policies.

4. That the Council assesses whether it would be beneficial to monitor and report on work being undertaken around the LGBT pay gap.

66. Report back on recommendations and from Scrutiny Panel meetings

The Committee noted the following Cabinet responses to its recommendations:

- Procurement Strategy 2022-2025
- Social Housing Decarbonisation Fund Wave 2.1
- West End and Osney Mead SPD

The Committee noted that since the Scrutiny Committee’s previous meeting, no standing panels have met as the Housing and Homelessness Panel did not meet on 30 November 2022. This meant that they were not able to approve the recommendation to adopt three tenant ambassadors to the Committee. Therefore, the Committee were asked to approve this recommendation, and were **resolved** to appoint Anthony Church, Gillian Taylor and Jerry Assongu as Co-Optees to the Housing and Homelessness Panel.

67. Dates of future meetings

The dates of future meetings were noted.

The meeting started at 6.00 pm and ended at 8.35 pm

Chair
2023

Date: Monday 16 January

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council’s Constitution.

Scrutiny work plan

October 2022 to December 2022

Published on 06/01/23

www.oxford.gov.uk



The Scrutiny Committee agrees a work plan every year detailing selected issues that affect Oxford or its people.

Time is allowed within this plan to consider topical issues as they arise throughout the year as well as decisions to be taken by the Cabinet. The plan sets out the work of scrutiny for this council year and will be reviewed at each meeting of the Scrutiny Committee.

The plan is based on suggestions received from all elected members and senior officers. Members of the public can also contribute topics for inclusion in the scrutiny work plan by completing and submitting our [suggestion form](#). See our [get involved webpage](#) for further details of how you can participate in the work of scrutiny.

Some topics will be considered at Scrutiny Committee meetings and others will be delegated to standing panels. Items for more detailed review will be considered by time-limited review groups.

The Committee will review the Council's [Forward Plan](#) at each meeting and decide which Cabinet decisions it wishes to comment on before the decision is made. The Council also has a "call in" process which allows decisions made by the Cabinet to be reviewed by the Scrutiny Committee before they are implemented.

Scrutiny Committee

16 January 2023

Agenda item	Cabinet item	Description	Cabinet portfolio	Lead officer
Flexible Working / Hybrid Working Policy	No	To seek approval for a flexible / hybrid working policy.	Cabinet Member for Citizen Focused Services	Tom Hook, Executive Director (Corporate Resources)
Disciplinary Policy	No	To seek approval for a revised disciplinary policy.	Cabinet Member for Citizen Focused Services	Tom Hook, Executive Director (Corporate Resources)

01 February 2023

Agenda item	Cabinet item	Description	Cabinet portfolio	Lead officer
Oxford Local Plan 2040 Regulation 18 Part 2 consultation	Yes	During October and November 2022 we consulted on the Oxford Local Plan 2040 Preferred Options (Regulation 18). As part of this consultation we noted that we did not yet have our evidence base to identify our housing need. This was delayed because work ceased on the Oxfordshire Plan 2050. Now this evidence base is drafted we can carry out a focused public consultation on this element of the Plan only. This will inform the drafting of the Plan (to be consulted on at the end of 2023).	Cabinet Member for Planning and Housing Delivery	Tom Bridgman, Executive Director (Development); Sarah Harrison, Team Leader (Planning Policy)
Implementing the Covered Market "Masterplan"	Yes	To seek approval to fund and enter into contracts for the detailed design works, planning and construction of major improvements to the Covered Market in line with the recently completed masterplan.	Cabinet Member for Planning and Housing Delivery, Cabinet Member for Zero Carbon Oxford and Climate Justice, Deputy Leader (Statutory) - Finance and Asset Management	Tom Bridgman, Executive Director (Development); Ted Maxwell, Regeneration Manager

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06 March 2023

Agenda item	Cabinet item	Description	Cabinet portfolio	Lead officer
Annual Update of the Council's	Yes	A report to present the annual update of the Council's Business Plan.	Leader - Inclusive Economy and	Caroline Green, Chief Executive; Mish

Business Plan			Partnerships	Tullar, Head of Corporate Strategy
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Finance and Performance Panel

23 January 2023

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Agenda item	Cabinet item	Description	Cabinet portfolio	Lead officer
Medium Term Financial Strategy 2024/25 to 2026/27 and 2023/24 Budget	Yes	To propose a Medium Term Financial Strategy and the 2023/24 Budget following consultation.	Deputy Leader (Statutory) - Finance and Asset Management	Nigel Kennedy, Head of Financial Services
Capital Strategy 2023/24 to 2027/27	Yes	To seek approval for the Capital Strategy 2023/24 to 2026/27	Deputy Leader (Statutory) - Finance and Asset Management	Nigel Kennedy, Head of Financial Services
Treasury Management Strategy 2023/24	Yes	To seek approval for the Council's Treasury Management Strategy for 2023/24.	Deputy Leader (Statutory) - Finance and Asset Management	Nigel Kennedy, Head of Financial Services

- Scrutiny-selected Performance Monitoring

Climate and Environment Panel

11 January 2023 – introductory meeting

Agenda item	Cabinet item	Description	Cabinet portfolio	Lead officer
Briefing from the Council's Chief Scientific Adviser	No	To receive advice from Professor Nick Eyre	All	Mish Tullar, Head of Corporate Strategy

01 March 2023 – provisional date

Agenda item	Cabinet item	Description	Cabinet portfolio	Lead officer
Oxford Biodiversity Strategy Development	Yes	To present the Cabinet with a proposed approach to develop a Biodiversity Strategy for the City of Oxford.	Cabinet Member for Zero Carbon Oxford and Climate Justice	Mish Tullar, Head of Corporate Strategy; Mai Jarvis, Environmental Quality Team Manager

Housing and Homelessness Panel

02 March 2023

Agenda item	Cabinet item	Description	Cabinet portfolio	Lead officer
Housing, Homelessness, and Rough Sleeping Strategy 2023-28	Yes	Report presenting the final Housing, Homelessness and Rough Sleeping Strategy and accompanying Action Plan following feedback from a 6-week public consultation on the draft strategy. The report seeks approval of the Housing, Homelessness and Rough Sleeping Strategy 2023-28.	Cabinet Member for Housing	Nerys Parry, Head of Housing; Amie Rickatson, Strategy & Service Development Manager
Report on mould in Council-owned housing in Oxford	No	To brief the Panel on the extent of the problem across the City, the Council's response to tenants who reports this problem, and to consider actions needed to improve the situation.	Cabinet Member for Housing	Nerys Parry, Head of Housing
Housing Performance report	No	To update the Panel on performance data for Q2 and Q3	Cabinet Member for Housing	Nerys Parry, Head of Housing
Updated report on the development of a Tenants Forum	No	To update the Panel on progress made towards the development of a Tenants Forum	Cabinet Member for Housing	Ian Wright, Head of Regulatory Services and Community Safety

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Companies Scrutiny Panel

Companies Scrutiny Panel will join meetings of the Shareholder and Joint Venture Group as non-voting members to provide scrutiny of the Shareholder function.

Companies Scrutiny Panel will consider the same reports as the Shareholder and Joint Venture Group.

Criteria

The following TOPIC criteria may be used by the Scrutiny Committee to evaluate and prioritise suggested topics:

- **Timely** – is it timely to consider the issue?
- **Oxford priority** – is it a council priority or relates to an essential service?
- **Public interest** – is it of significant public interest?
- **Influence** – can Scrutiny have a meaningful influence and add value?
- **Cost** – is there a significant financial impact or an area of high expenditure?

Forward Plan

January 2023 to April 2023

Published on 28/12/22

www.oxford.gov.uk



REPORTS TO CABINET AND COUNCIL

Cabinet - 25 January 2023

Council - 30 January 2023

ITEM 30: ID: I032950	Flexible Working / Hybrid Working Policy
To seek approval for a flexible / hybrid working policy.	

ITEM 31: ID: I032949	Disciplinary Policy
To seek approval for a revised Disciplinary Policy.	

Cabinet - 8 February 2023

ITEM 34: ID: I033044	Additional Loan Finance to Oxford West End Developments (OxWED LLP)
To seek agreement to recommend to Council an in-year budget increase to allow the City Council to provide additional borrowing to Oxford West End Developments (OxWED LLP) to undertake work necessary to procure a development partner, and begin enabling works, for Phase 1 of the Oxpens site.	

ITEM 35: ID: I032290	Joint Venture LLP for South Oxford Science Village
The report will update and seek approval for the proposed Joint Venture LLP and options arrangements for land allocated for development known as South Oxford Science Village.	

ITEM 36:	Medium Term Financial Strategy 2024/25 to 2026/27 and
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ID: I033067	2023/24 Budget
To propose a Medium Term Financial Strategy and the 2023/24 Budget following consultation.	

ITEM 37: ID: I033068	Capital Strategy 2023/24 to 2026/27
To seek approval for the Capital Strategy for 2023/24.	

ITEM 38: ID: I033069	Treasury Management Strategy
To seek approval for the Council's Treasury Management Strategy for 2023/24.	

ITEM 39: ID: I033306	Oxford Local Plan 2040 Regulation 18 Part 2 consultation
During October and November 2022 we consulted on the Oxford Local Plan 2040 Preferred Options (Regulation 18). As part of this consultation we noted that we did not yet have our evidence base to identify our housing need. This was delayed because worked ceased on the Oxfordshire Plan 2050. Now this evidence base is drafted we can carry out a focused public consultation on this element of the Plan only. This will inform the drafting of the Plan (to be consulted on at the end of 2023).	

ITEM 40: ID: I033335	Implementing the Covered Market "Masterplan"
To seek approval to fund and enter into contracts for the detailed design works, planning and construction of major improvements to the Covered Market in line with the recently completed masterplan.	

ITEM 41: ID: I033345	Oxpens Car Park Lease Renewal
To seek approval to renew the lease relating to the car park at Oxpens Road.	

Cabinet - 15 March 2023

ITEM 43:	Delivery of Affordable Housing
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ID: I033132	
The reports seeks further project approvals and delegations to enable the continued delivery of more affordable housing in Oxford.	

ITEM 44: ID: I033267	Integrated Performance Report for Q3 2022/23
To update Cabinet on finance, risk and corporate performance matters as at 31 December 2022.	

ITEM 45: ID: I033302	Housing, Homelessness & Rough Sleeping Strategy 2023-28
Report presenting the final Housing, Homelessness and Rough Sleeping Strategy and accompanying Action Plan following feedback from a 6-week public consultation on the draft strategy. The report seeks approval of the Housing, Homelessness and Rough Sleeping Strategy 2023-28.	

ITEM 46: ID: I033349	Oxford Biodiversity Strategy Development
To present the Cabinet with a proposed approach to develop a Biodiversity Strategy for the City of Oxford.	

ITEM 47: ID: I033355	Annual Update of the Council's Business Plan
A report to present the annual update of the Council's Business Plan.	

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To: Council
Date: 30 January 2023
Report of: Head of Business Improvement
Title of Report: Flexible Working / Hybrid Working Policy

Summary and recommendations	
Purpose of report:	To approve the Hybrid Working Policy
Key decision:	No
Cabinet Member:	Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services
Corporate Priority:	None
Policy Framework:	None

Recommendation(s): That Council resolves to:
1. To approve the Hybrid Working Policy.

Appendices	
Appendix 1	Hybrid Working Policy
Appendix 2	Equalities Impact Assessment
Appendix 3	Risk Assessment

Introduction and background

1. This policy is needed to formalise the working practices that have developed since the start of the pandemic. The Council has moved away from office-based working to a standard practice of hybrid working.
2. Not all roles are covered by the policy as there are a number of roles that may only be carried out in an office base and this includes Town Hall roles, for example. Hybrid working covers all back office roles. It also covers roles that have face-to-face contact with customers and businesses or work on site at different locations, as any desk-based activities can be carried out at home.

3. The proposed Hybrid Working policy will replace the current Homeworking Policy.

Hybrid Working Policy and Case for Change

4. The basis of this new policy is the existing Homeworking policy. The latter operated on the basis that some, but not all, work could be carried out at home. There was a requirement to attend work in an office location periodically. This is what we now refer to as hybrid working. Travel expenses could not be claimed for travel. A home working allowance was paid to circa 12 staff (who had an agreement to work from home) and this payment is protected for this group. We have not extended this allowance to others who have worked from home on a regular basis since the pandemic. This was agreed as part of the current pay agreement. The payment of the allowance will be reviewed in 2024 when the current pay agreement ends. It will be discussed as part of future pay negotiations. The expectation that employees will attend work in Oxford remains in the Hybrid Working Policy with frequency driven by job need. Travel expenses will not be paid.
5. The Homeworking policy described different categories of worker and this has been retained but with updated descriptions. These work profiles acknowledge the range of working arrangements and can be used in communications and to determine equipment needs.
6. Manager and employee responsibilities are made clear and health and safety considerations are included.
7. Where employees are unable to work from home, they have an office base and this will continue with the move to the Town Hall.
8. It is important to address this current policy gap so that policy reflects actual working practices, supports consistent approaches across roles with the same demands and provides clear information to employees.
9. Unison and Unite have been consulted and are happy with the policy.
10. Other options have not been considered as the aim here is to formalise existing practice.

Legal implications

11. Legal advice has been taken on the approach as we do not plan to update existing contracts of employment but will use policy to confirm current, established practice. Unison and Unite are happy with this approach and, in fact, Unison would prefer that we did not write to individuals as they believe this may raise concerns that we are changing something.

Financial implications

12. There is no financial cost to agreeing this new policy. Financial savings and income have resulted from a reduction in office space.

Health and Safety

13. Health and safety considerations are included. This policy will be supported by the roll out of DSE assessments and training later this year.

Level of risk

14. This is a low risk decision with no impact on residents. The revised policy will ensure that the Council complies with its legal requirements. The absence of the policy would increase the risk of action against the Council if individual managers adopt different working practices and this is seen to be unfair.

Equalities impact

15. A completed Equalities Impact Assessment is attached as Appendix 2. The policy and practice may disadvantage some groups, particularly around access to equipment, but this has been addressed.

Carbon and Environmental Considerations

16. The policy has led to a reduced office footprint and Carbon reduction for the Council. Employee household carbon emissions may have increased.

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Background Papers: None

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Hybrid Working Policy

Updated home working policy

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1. Policy statement

Hybrid working is where an employee generally works from two locations, one of which could be home. We have roles that can be carried out mostly from home with some meetings happening in a Council office, we have roles that visit numerous locations with work also carried out at a regular office or home base and we have community-based roles that may also include work at a different location.

We recognise there are benefits for the Council and employees in hybrid working. This includes cost and carbon savings through a reduced office footprint, recruitment of talent from a wider pool of people and greater flexibility and autonomy for employees in managing work demands and other commitments.

Hybrid working will not be open to all roles. Where a job role needs to be carried out in full at a Council location, other location or in the community then there will be no opportunity for hybrid working.

Where hybrid working can be offered, the time working from a home location and in a work location will be determined by business or job need. Employees will be expected to attend a work location to support relationship building, communication, problem solving, planning, training and induction.

Employees will have two work locations: Oxford and home. Work in Oxford may be at one or more sites depending on the role.

2. Scope

This policy and procedure applies to all employees working in a hybrid way.

3. Context and Definitions

We have a number of different work profiles, covering all employees.

Work profiles

Four types of work profile are described below. These are broad definitions. Individuals will agree working arrangements with their manager as job needs will vary, along with individual needs and preferences. Although the frequency of work time in Oxford will be different from role to role, what is certain is that we believe it is important for all employees to attend work in Oxford.

There will be a consistent approach for roles with similar demands.

Fixed

Work is carried out at a specific location because of job requirements, personal choice or personal need. There is one work location at a Council building or office and this is fixed. There is no hybrid working and so this policy does not apply to this group.

Flexible Office

The majority of work can be carried out at any suitable work location and this can include home. There will be a need to attend Oxford to carry out service delivery

and/or attend meetings or events where it is best to do them in person. Time in a Council office can be used to stay in touch or collaborate with colleagues and, for some roles, it will be necessary to meet customers, external partners or contractors at a work location.

Field Based

Work is carried out off site at different locations but there is a need for a work space at a suitable location for desk-based work, which could be at home or at an office location.

Community Based

Work is carried out in community settings with regular in-person contact with customers, partners, contractors and team members. There is still a need for access to a work space which could be in the community or at home depending on the job.

4. Roles and Responsibilities

Employees

- You must complete a DSE (display screen equipment) work station assessment for your main work base and talk to your manager if you need to make any adjustments or need any equipment.
- You will need to comply with our data protection policy whether working at a Council location or at another work base, such as home.
- You will need to make clear your working hours and update your manager and team if you need to change your normal pattern of work.
- Will take a break each day for at least 30 minutes after 6 hours of consecutive work
- Will have a daily rest break of at least 11 continuous hours, between stopping work one day and beginning work the next day

Managers

- Adopt a flexible and inclusive approach to managing teams and individuals to achieve an effective balance to meet both job requirements and individual needs and preferences.
- Set up processes to support effective communication and the setting of clear and achievable objectives and targets, making sure that working arrangements are reviewed and adapted as necessary.

5. Visits to the employee's home

As a condition of home working the Council may wish to attend an employee's home for health and safety reasons, such as to follow up on a risk assessment for example, or to install, maintain and service its equipment. Visits would only occur where necessary and practicable by advance agreement with the employee.

6. Equipment and materials

Equipment will be provided for employees to carry out work at home or in the field in line with job requirements. This may include office furniture such as a suitable chair.

It is the employee's duty to ensure that proper care and security is taken of any equipment and materials provided.

Employees must return all equipment to a Council office on leaving employment unless it is not practicable, for example with office furniture.

On termination of the employee's employment for any reason, the Council may wish to attend an employee's home having exhausted all other options on reasonable notice and retrieve all equipment and documents belonging to the Council that have not already been returned.

Anyone working at home must not allow members of their family or third parties who are not employed by the Council to access or use the Council's equipment.

7. Expenses

The Council will not pay any allowance for employees to work from home except to those who have a protected entitlement to a homeworking allowance as at 31st March 2022 as outlined in the collective agreement effective from 1st April 2022 to 31st March 2024. The working from home allowance will be reviewed as part of the Pay and Grading Review.

As the Council provides a mobile phone for employees who are mobile or who work from more than one location, it will not be possible to claim the cost of calls on other devices.

Travel expenses may not be claimed for travel to an individual's work base in Oxford even if the majority of work is carried out at another location such as home. All employees are required to attend work in Oxford when required and this is not classed as a business expense.

8. Health, safety and well-being

The Council is committed to ensuring safe and healthy working practices at any work location. Managers are required to ensure that this includes the home if used for working and they must make sure:

- all work equipment and systems of work in the employee's home are safe
- all articles and substances for work use are handled and stored safely
- a home working DSE self-assessment of the employee's working environment is conducted
- information and training on the safe use of equipment, including display screen equipment, is provided
- additional risk assessments are carried out (when required) in respect of the work the employee is carrying out
- incidents, accidents and near misses are reported

9. Insurance

The home worker is responsible for checking that all home and contents insurance policies provide adequate cover for working from home.

The Council will not meet any additional insurance costs.

10. Contract

Where hybrid working is offered and accepted, this policy forms part of the contract of employment.

11. Monitoring and Review

This policy will be kept under regular review to ensure it continues to be effective and up to date.

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Form to be used for the Full Equalities Impact Assessment

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Service Area: Business Improvement		Section: People Team	Date of Initial assessment: 3 October 2022	Key Person responsible for assessment: Gail Malkin	Date assessment commenced: 3 October 2022	
Name of Policy to be assessed:			Internal Hybrid Working Policy			
1. In what area are there concerns that the policy could have a differential impact			Race		Disability	
			Gender reassignment		Religion or Belief	
			Sex		Pregnancy and Maternity	
Other strategic/ equalities considerations			Safeguarding/ Welfare of Children and vulnerable adults		Mental Wellbeing/ Community Resilience	
2. Background: Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact Assessment.			This policy formalises the working practices that have been in operation since the start of the pandemic. Hybrid working arrangements have the potential to have a greater, negative impact on: <ul style="list-style-type: none"> employees with a disability who do not have adequate space at home for a work station with all necessary adaptations people who find working from home affects their mental health due to more limited social interaction and reduced peer support and who may also have stress, anxiety or depression younger employees who may live in shared accommodation and have to work from a 			

	<p>bedroom</p> <p>Equally, there are potential benefits for the same groups in that:</p> <ul style="list-style-type: none"> • hybrid working cuts out travel that might be difficult, time consuming or stressful • a better work/ life balance can be achieved through travel time savings • travel costs are reduced <p>Workforce data</p> <p>Disability: 10.7% of the workforce have declared a disability. This compares favourably with local population at 6.7%. Disabilities include visual and hearing impairments and stress and we have employees who are neurodiverse.</p> <p>Age: Average age is 45. The Council's workforce is fairly evenly split between the three decade age groups of 30 to 40, 40 to 50 and 50 to 60.</p>
<p>3. Methodology and Sources of Data:</p> <p>The methods used to collect data and what sources of data</p>	<p>Employee feedback through previous surveys.</p> <p>Discussions with managers to agree team principles that cover ways of working.</p> <p>Feedback from union representatives.</p> <p>More recent data collection has been as part of the Flexible Working Programme and includes:</p> <p>Consultation with staff took place in two Let's Talk events held on the 7th and 13th September 2022. Over 250 staff attended these sessions, representing a third of the workforce. Following these sessions staff were invited to contact the dedicated Future Workplace email address to raise any specific concerns about hybrid working arrangements and the move to the Town Hall.</p> <p>Staff networks were contacted during the w/c 12th September to ask if they would like to raise any concerns. Feedback was received from two members of the Women's Health Network and the</p>

	<p>Accessibility Champion/Advisor and two members of the LGBTQIAPIs Network. This was specifically about the office arrangements at the Town Hall under a hybrid working policy.</p> <p>Meetings were set up with staff members who raised specific concerns at the Let's Talk sessions.</p> <p>Over 20 members of staff have raised EIA specific concerns via the dedicated email for the programme.</p> <p>A Future Workplace staff survey was launched on 30th September which gathered information about staff requirements when using the Town Hall under the hybrid working policy.</p>
<p>4. Consultation</p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> • Why you carried out the consultation. • Details about how you went about it. • A summary of the replies you received from people you consulted. • An assessment of your proposed policy (or policy options) in the light of the responses you received. • A statement of what you plan to do next 	<p>As the policy is not new but is simply formalising existing practice, no new consultation has been carried out but hybrid working has been the subject of much organisation-wide consultation and discussion.</p> <p>Where concerns have been raised about hybrid working, measures have been put in place to meet individual, employee needs and management practices have been changed to offer better support to employees.</p> <p>More recently, individual and group needs have been re-assessed because of the move to the Town Hall. We have surveyed employees and taken feedback through staff engagement sessions and questions sent by email.</p> <p>A number of individuals have raised concerns not with hybrid working but with the arrangements at the Town Hall regarding desks and other equipment and building access. Individual needs are being accommodated for employees with a disability and those who wish to work only in an office because of practical issues or because of mental health reasons.</p> <p>The next staff survey in November will provide an opportunity for further feedback on hybrid working.</p>

<p>5. Assessment of Impact: Provide details of the assessment of the policy on the six primary equality strands. There may have been other groups or individuals that you considered. Please also consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults</p>			
	Race Neutral	Disability Negative	Age Neutral
	Gender reassignment Neutral	Religion or Belief Neutral	Sexual Orientation Neutral
	Sex Neutral	Pregnancy and Maternity Neutral	Marriage & Civil Partnership Neutral
	<p>Some employees with a disability are negatively impacted because under hybrid working as they do not have a dedicated work space when attending an office.</p>		
<p>6. Consideration of Measures:</p>	<p>Measures taken include: providing height-adjustable desks and chairs as standard, accommodating individual needs such as locker space for storing equipment and medication, designing a new DSE</p>		

<p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>assessment and training package and allowing individuals to work in an office only if home is not suitable or if an individual's mental health is at risk.</p> <p>People management practices have been adapted to provide more regular "check-ins" and team social interaction to make up for lost social interaction from regular face-to-face contact.</p> <p>Employees have been able to order office equipment needed for home working.</p>				
<p>6a. Monitoring Arrangements:</p> <p>Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring, making clear whether you found any evidence of discrimination.</p>	<p>We will continue to communicate with staff through the Future Workplace communication channels and keep the programme email established so staff can make contact regarding specific concerns.</p>				
<p>7. Date reported and signed off by Cabinet:</p>					
<p>8. Conclusions:</p> <p>What are your conclusions drawn from the results in terms of the policy impact</p>	<p>The policy impact has both positive and negative consequences but the positive benefits outweigh any challenges and staff are very happy with hybrid working and have not asked for a change to working arrangements. The current cost of living crisis has impacted the savings being made through less frequent travel but time savings from reduced commuting are also very valuable. We have accommodated individual needs whether at home or in the office to minimise any challenges from hybrid working.</p>				
<p>9. Are there implications for the Service Plans?</p>	<p>NO</p>	<p>10. Date the Service Plans will be updated</p>	<p>N/A</p>	<p>11. Date copy sent to Equalities Lead Officer</p>	<p>N/A</p>

.13. Date reported to Scrutiny and Executive Board:		14. Date reported to Cabinet:		12. The date the report on EqlA will be published	N/A Internal
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Signed (completing officer)

Signed (Lead Officer)

Please list the team members and service areas that were involved in this process:

Gail Malkin, Head of People
 Isaac Durno, Flexible Working Programme Manager
 Elaine Swapp, Principal Regeneration Officer

Appendix 2

Employment Policies and Procedures: Hybrid Working Policy - Risk Register

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Employment Policies and Procedures	Failure to provide a suite of policies that comply with employment legislation and that are fit for purposes of improving performance and managing risk	T	Managers not equipped with revised policies and procedures	Effective employment policies not implemented consistently and fairly applied	01.07.22	Helen Bishop	3	3	3	2	2	2	Reviewing and maintaining current employment policies is a continual process	Reviewing and maintaining current employment policies is a continual process	ongoing	open	80	Helen Bishop
Employment Policies and Procedures	Loss of opportunity to have a suite of policies that implement good practice	O	Managers not equipped with revised policies and procedures	Effective employment policies not implemented consistently and fairly applied	01.07.22	Helen Bishop	3	3	3	2	2	2	Reviewing and maintaining current employment policies is a continual process	Reviewing and maintaining current employment policies is a continual process	onging	open	80	Helen Bishop
Employment Policies and Procedures	Damage to Council's reputation	T	Failure to comply with legislative requirements	Effective employment policies not implemented consistently and fairly applied in line with legislation	01.07.22	Helen Bishop	3	3	3	2	2	2	Reviewing and maintaining current employment policies is a continual process	Reviewing and maintaining current employment policies is a continual process	ongoing	open	80	Helen Bishop

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To: Council
Date: 30 January 2023
Report of: Head of Business Improvement
Title of Report: Disciplinary Procedure

Summary and recommendations	
Purpose of report:	To approve the Disciplinary Procedure
Key decision:	No
Cabinet Member:	Councillor Nigel Chapman, Cabinet Member for Citizen Focussed Services
Corporate Priority:	None
Policy Framework:	None

Recommendation(s): That Council resolves to:	
1	Agree the Disciplinary Procedure and Guidance with immediate effect;
2.	Confirm whether the involvement of an elected member as an observer in disciplinary appeal hearings is removed and the Constitution be amended accordingly or is retained at the employee's consent;
3.	Authorise the Head of Business Improvement or their designated deputy to make revisions to the Disciplinary Procedure as required to correct any clerical errors or comply with changes to law;
4.	Authorise the Head of Business Improvement or their designated deputy to make minor revisions to the Disciplinary Guidance to ensure that it continues to be fit for purpose.

Appendices	
Appendix 1	Disciplinary Procedure
Appendix 2	Disciplinary Guidance
Appendix 3	Risk Register
Appendix 4	Equalities Impact Assessment

Introduction and background

1. There has been a full review of the Council's Disciplinary Policy and Procedure, which has been in place for ten years. An updated Disciplinary Procedure and separate guidance have been agreed and are presented for approval.

Disciplinary Procedure and Guidance

2. The documentation has been reformatted to have one procedure document and one guidance document. These replace a single policy and procedure document and three separate supporting documents on conducting investigations, disciplinary meetings and appeal meetings.
3. The new procedure details all of the core policy elements of the disciplinary procedure including constitutional requirements. The guidance is a comprehensive step by step guide on process to inform both employees and managers.
4. Feedback received from managers and trade union representatives has been taken into account in developing the new Disciplinary Procedure and separate guidance.
5. The new documentation is intended to be more user friendly and takes account of changes in working practices. It is also in line with ACAS (Arbitration, Conciliation and Advisory Service) guidance on disciplinary procedures.
6. The procedure has been simplified by enabling line managers to undertake investigations whenever appropriate, instead of having two separate roles of Commissioning Manager and Investigating Officer. The appeals process has also been simplified.
7. The informal process has been strengthened to encourage more use of early informal intervention to prevent unnecessary escalation of cases.
8. Trade Unions have agreed all of the proposed changes with the exception of elected member involvement in appeal hearings against dismissal.
9. The current documentation indicates that a Councillor must always be present to observe appeal hearings against dismissal, although the Constitution wording is that they may be invited to observe the meeting. Management wish to remove this requirement from the procedure and amend the Constitution to reflect. The reasons for this are that this is not an effective use of an elected member's time as this is non-participative role. Presence at the meeting could also create future obligations for the elected member as they may be required to attend an employment tribunal hearing as a witness. The Unions are, however, opposed to this change as they consider it provides impartiality and wish to retain the option for an elected member to observe meetings at the employee's request.
10. The proposed changes do not affect the constitutional rules in relation the disciplinary procedures for staff in certain senior officer roles.
11. Training on the new procedure will be provided to managers.
12. The Head of Business Improvement or their delegated deputy will only make changes to the Disciplinary Procedure if they are necessary to correct any clerical errors or to comply with changes in law. The approval of Council will be sought for any other changes, after consultation with Unions.
13. The Head of Business Improvement, or their delegated deputy may, however, make minor changes to the Guidance. Such changes will be to ensure that the

practical steps which underpin the Procedure continue to be fit for purpose as working practices evolve and change, including any changes to law. Unions will be consulted on changes as appropriate.

Financial implications

14. By having a legally compliant policy the risk of any financial compensation claims is minimised.

Legal issues

15. The Disciplinary Procedure forms part of the terms and conditions of employment for Council employees. By having legally compliant policies the risk of any legal challenge is minimised. Under employment legislation there is a requirement to provide employees with information about the disciplinary procedure.

Level of risk

16. A completed Risk Register is attached at appendix 3. The revised policy will ensure that the Council complies with its legal requirements and the supporting procedure/guidance will ensure consistency. The absence of the policy would increase the risk of legal action against the Council with associated financial and employee relations considerations.

Equalities impact

A completed Equalities Impact Assessment at Appendix 4.

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Background Papers: None

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People Team

Disciplinary Guidance

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How to use this guide

This guide has been written to accompany the Disciplinary Procedure, which sets out the process that employees and managers must follow.

This guide outlines the steps that should be taken to ensure that employees are treated fairly and consistently.

For any support regarding this process please reach out to the People Consultancy team at employeerelations@oxford.gov.uk.

1 What is Misconduct?

- 1.1 If an employee does something wrong that goes against Oxford City Council's policies or procedures, it could be considered to be misconduct. Some examples include:
 - Lateness
 - Refusing to do work
- 1.2 Some wrong doings could be considered so serious that they are considered to be 'gross misconduct'. Some examples include:
 - Dishonesty
 - Theft
 - Fraud
 - Physical violence

2 The Informal Process

- 2.1 If the act of misconduct is minor, the line manager should deal with this informally.

It is also possible to resolve cases informally where the manager is confident that the behaviour will improve straight away.

- 2.2 If handling informally, the line manager should have a conversation with the employee to:
 - Confirm that the conduct is unsatisfactory
 - Give them the opportunity to explain and discuss the reasons for what happened
 - Clarify the conduct expected
 - Explain that if their conduct doesn't improve the formal disciplinary procedure may be instigated
- 2.3 The line manager should then send the employee a written summary of the conversation and save a copy to their personal file.
- 2.4 A record of the informal conversation will be kept but will normally be disregarded after 6 months.

3 The Formal Process

Chief Executive, Directors, Chief Finance Officer (S151) or Monitoring Officer

- 3.1 If an investigation is into the actions of the Chief Executive, a Director, Chief Finance Officer or Monitoring Officer the procedure set out in the Constitution involving the Investigation and Discipline Committee must be followed as appropriate.

Suspension

- 3.2 Once it has been established that the formal process needs to be instigated, the first step is to determine whether or not suspension is appropriate.
- 3.3 It might be necessary to suspend an individual for all or part of the disciplinary investigation if:
- They are accused of gross misconduct where dismissal is a possible outcome
 - It is not suitable for them to continue working
 - The employee or others may be at risk
 - There is a risk that the employee may influence witnesses or interfere with the investigation
- 3.4 Any decision to suspend must be approved by the relevant Head of Service or more senior officer and the People Consultancy team notified.
- 3.5 If suspension goes ahead a meeting must be arranged with the employee to set out:
- The allegations raised
 - The decision to suspend
 - The reason(s) for suspension
 - Confirmation that pay will continue
 - Confirmation that suspension is not assumption of guilt in any way
 - The expected duration (suspension will normally be reviewed every 14 days and must last no longer than is necessary to investigate the allegations raised)
 - The need to be contactable and available to attend any meetings at short notice
 - That they must not visit their place of work or contact colleagues without the authority of their line manager
 - That computer access may be removed
 - Where annual leave has been pre-booked prior to suspension this may be taken
 - That confirmation of their suspension will be sent in writing
- 3.6 The meeting should be held by a manager more senior than the employee involved (most likely the employee's line manager).
- 3.7 The employee can have a witness present, but there is no right of representation. If the employee can't find a suitable witness, the suspension meeting can still go ahead.

3.8 A letter summarising the suspension discussion must be sent to the employee.

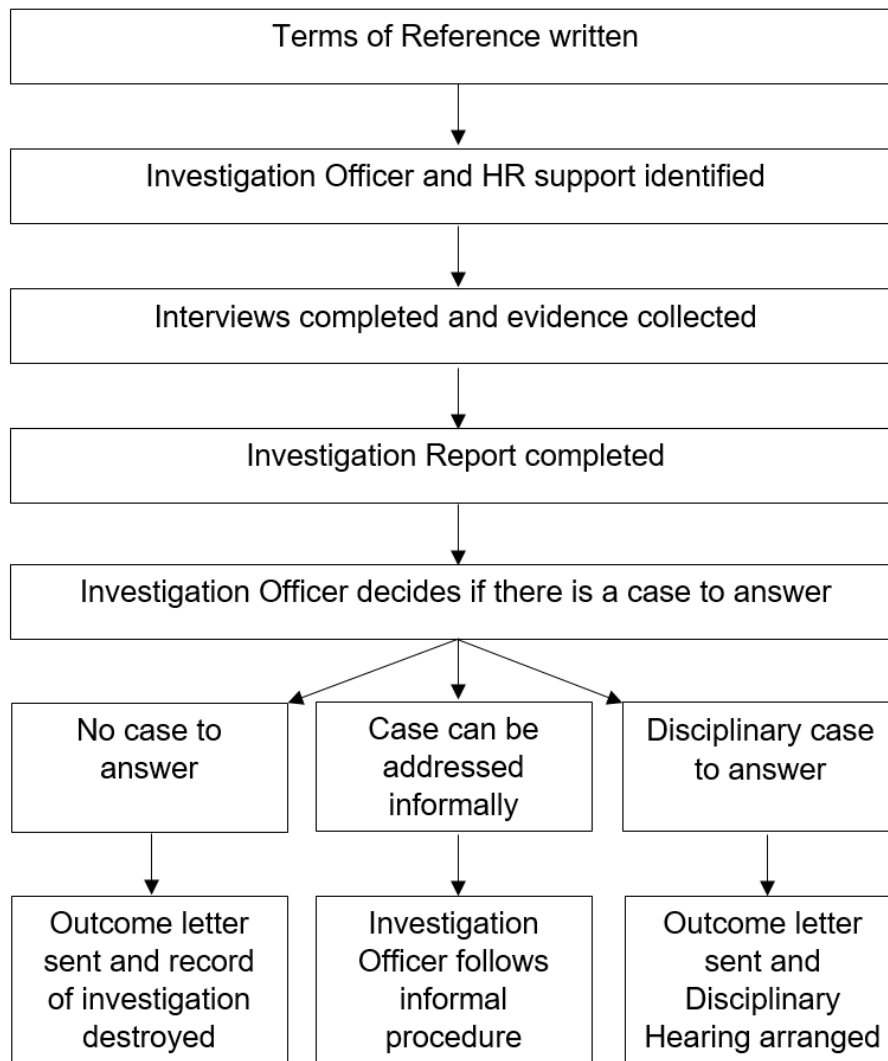
Disciplinary Investigation

3.9 If the alleged misconduct is more serious, or an informal or formal warning has not seen the improvement in behaviour required, it may be appropriate for a disciplinary investigation to be carried out. The aim of the investigation is to establish the facts about the alleged misconduct and determine whether there is a disciplinary case to answer.

3.10 The investigation process is solely for the purpose of fact finding but, if the Investigating Officer decides there is a disciplinary case to answer, it can lead to the formal process being instigated via a disciplinary hearing.

What is the investigation process?

3.11 This flowchart sets out the steps to be completed as part of the investigation process. More information on each step follows on.



What are the Terms of Reference?

- 3.12 This is a summary document which should be prepared by the Investigating Officer at the start of any investigation outlining:
- The allegations to be investigated
 - Any relevant information/ evidence already gathered related to the case
 - The facts that need to be established
 - Timescales

Who should be the Investigating Officer?

- 3.13 The Investigating Officer should be someone who:
- Has not been involved in the alleged misconduct
 - Is at least the same, if not more senior than the employee being investigated
 - Has received training on conducting investigations
- 3.14 Usually it is most appropriate for the employee's line manager to carry out the investigation, but there could be situations where this isn't appropriate – in which case someone else should be identified.

What is the role of the Investigating Officer?

- 3.15 The Investigating Officer has to gather the facts of the case by:
- Interviewing the employee about the alleged misconduct
 - Interviewing any witnesses
 - Obtaining any other relevant documentary evidence
 - Preparing a report that contains all the relevant factual information, copies of statements received and any other relevant documentary evidence

What is the role of the person being investigated?

- 3.16 If being investigated, employees are expected to:
- Cooperate fully with the investigation process
 - Provide names of relevant witnesses if asked
 - Disclose documents when requested
 - Attend meetings when required

Failure to do so could lead to further disciplinary action

What is the role of the People Consultancy Team?

- 3.17 A member of the People Consultancy Team can support the Investigating Officer throughout the disciplinary investigation.
- 3.18 They may attend any planned investigation interviews and keep the concerned employee updated on investigation progress.
- 3.19 They can help to ensure that the right process is followed in line with the Council's Disciplinary Procedure and the ACAS guidance on the Disciplinary Procedure.

- 3.20 If the Investigating Officer would like support from the People Consultancy team they should contact employeerelations@oxford.gov.uk.

What is the role of the Accompanying Person?

- 3.21 Any employee being interviewed as part of a disciplinary investigation has the right to be accompanied by a Trade Union representative or work colleague.
- 3.22 If the employee concerned is a Union Representative, they must be offered the opportunity to involve a full time Union official, and with the employee's agreement the Council may contact the Union directly.
- 3.23 The employee is responsible for notifying their accompanying person of the interview. If there is no accompanying person the Investigating Officer must confirm with the employee at the beginning of the interview that they have chosen not to be accompanied.
- 3.24 It is not appropriate for an accompanying person to be someone who may be interviewed as a witness as part of the investigation.
- 3.25 If an employee's chosen companion isn't available at the proposed meeting time, the Investigation Officer must postpone the meeting to a time proposed by the employee provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.
- 3.26 The accompanying person is allowed to:
- Set out the employee's case
 - Raise any points related to the case (they may not respond to questions on the employee's behalf)
 - Talk with the employee during the meeting
 - Take notes
 - Sum up the employee's case at the end of the meeting

What does the planning process look like?

- 3.27 It is really important to plan an investigation to make sure that the right people are involved and the necessary evidence is reviewed as quickly as possible.
- 3.28 When planning the investigation, the Investigating Officer should:
- Confirm which parts of the Code of Conduct or Council Policies may have been breached
 - Notify the employee concerned in writing of the allegations made against them and that an investigation will be carried out
 - Decide what information is needed and how it will be obtained
 - Identify initial witnesses to be interviewed and the order that the interviews should be carried out
- 3.29 The Investigating Officer only has to do as much of an investigation as is reasonable. It is necessary to keep a sense of proportion as exhaustive

detail is usually only needed where there is a particularly complex or major issue.

- 3.30 For more complex investigations, if necessary, the Investigating Officer should call for specialist help to clarify details. For example, an auditor or health and safety expert or a technical expert may be involved in any investigations that involve their specific knowledge base.

Written witness statements

- 3.31 Once the Investigation Officer has identified who they need to speak to as part of the investigation they need to decide whether to request a written statement or an interview (which could be held remotely or in person).
- 3.32 A written statement might suffice if:
- There are very specific questions or points to be clarified
 - The witness is not an employee (e.g. customer or client)
 - The witness is too ill to attend an interview
- 3.33 If requesting a written statement, the Investigating Officer should contact the employee via email:
- Confirming what they are investigating
 - Enclosing a list of questions
 - Requesting their written response to the attached questions
 - Reminding them of the need to keep what they share confidential (but agreeing to their reviewing of the questions with a work colleague or union rep for support)
 - Explaining what the statement will be used for
 - Giving a deadline to respond by

Investigation interviews

- 3.34 Where the Investigation Officer needs to interview employees they should email a meeting invitation that:
- Confirms what they are investigating
 - Provides meeting details (date, time, location and attendees)
 - Outlines what to expect from the meeting
 - Reminds them of the need to maintain confidentiality
 - Outlines their right to be accompanied by a Trade Union representative or work colleague
- 3.35 The Investigation Officer should consider the interviews as an opportunity to acquire information, not to interrogate or challenge employees.
- 3.36 Interviews should be conducted in a private setting, away from interruptions. There may be a need to make special provisions for witnesses whose first language is not English, or who have disabilities, learning difficulties or other needs that can be reasonably accommodated. The interviews can be held remotely, but if it is more appropriate for it to take place in person this should be arranged.

- 3.37 The individual being investigated should be told who is being interviewed as part of the investigation and be given the opportunity to suggest anyone else who it may be helpful to interview.

At the start of the interview the Investigating Officer needs to confirm:

- Who is present
- The role of the accompanying person, if present
- That the employee is happy to continue if no accompanying person is present
- The format for the interview
- That notes will be taken
- That the interviewee will receive a copy of the meeting notes and will have the opportunity to make any amendments before they are finalised
- That their evidence may form part of a Disciplinary Hearing
- That all discussions during the interview are confidential and must remain so (in this context, confidential means that whilst the interview is held in a confidential setting, the content of the subsequent statement may be used as part of the formal disciplinary process or in an employment tribunal)

During the interview the Investigating Officer should:

- Make the purpose of the interview clear (fact finding)
- Use open questions (questions that don't have a yes or no answer) to gain an overall picture of events
- Query and probe in order to clarify and obtain accurate information
- Use closed questions (questions that have a yes or no answer) to obtain specific facts
- Avoid asking questions that attempt to guide the interviewee's answer

At the end of the interview the Investigating Officer should:

- Ask the interviewee if there is anything else that they would like to add including any witnesses they believe should be spoken to
- Explain that there may be a need to meet again depending on the outcome of any other interviews
- Confirm that a copy of the meeting notes will be provided

Taking notes

- 3.38 The Investigation Officer may want to have a member of the People Consultancy team with them at any interviews to take notes.
- 3.39 The notes should capture:
- The date and place of the interview
 - Names of all people present
 - A record of the discussion had
 - Any refusal to answer a question
 - The start and finish times, and details of any adjournments

- 3.40 The notes do not need to record every word that is said but they should accurately capture the key points of any discussion.
- 3.41 In exceptional circumstances an audio recording of meetings can be taken with the agreement of the interviewee. However, this can sometimes complicate the matter. Knowing they are being taped may be intimidating to an interviewee, making them less able to talk openly about the matter. It can also be time consuming because a transcript of the recording will need to be typed up so that it can be used as a witness statement.
- 3.42 After any interview, a copy of the meeting notes need to be sent to the interviewee. The document should be saved with added protections so that only tracked changes can be added. To do this on Microsoft Word go to File>Protect Document>Restrict Editing. The interviewee should then review the notes and confirm via email that the notes reflect the discussion had, or attach the edited document.
- 3.43 If the interviewee does not agree to the contents of the notes, they should make amendments using Track Changes. If the changes that the interviewee makes do not match the notes of the interviewer/note taker, a separate version should be saved and referred to in the Investigation Report.

Searching employee e-mails and computers

- 3.44 It may be necessary to search and monitor an employee's work e-mails as part of a disciplinary investigation. Any search must be carried out in accordance with the Council's Employee Data Monitoring Policy, and investigators should be mindful that any method used to extract information about suspected breaches of the disciplinary procedure must be lawful e.g. not contravene data protection legislation.

Suspected criminal or fraudulent activity

- 3.45 The Council does not have the authority to undertake a search of personal belongings; or detain an employee against their wishes.
- 3.46 If the Investigating Officer believes a criminal offence has been committed, the Council may notify the police. Further advice from the Head of People or the Monitoring Officer may be obtained.
- 3.47 Depending on the nature of the offence, it may appropriate to carry out an independent internal investigation, even if the police are involved in a criminal investigation. If employees are unable to or have been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, the Council may make a disciplinary decision based on the available evidence.
- 3.48 In cases of alleged fraud, it is the responsibility of the Investigating Officer to notify the Section 151 Officer who will liaise with the Monitoring Officer and Head of People to determine whether the matter needs to be referred to the police.

Safeguarding allegations

- 3.49 Where there are any allegations of misconduct that may also be a safeguarding concern, the manager must refer to the Safeguarding Allegations Policy and Procedure and immediately notify the Head of Business Improvement.
- 3.50 The Head of Business Improvement will determine the most suitable course of action.

The Investigation Report

- 3.51 When all investigating has been done, the Investigating Officer will need to write up the findings in an Investigation Report. It should include the following:

Contents

- All pages should be numbered and the contents page should detail where each section of the report, including appendices, can be found.

Introduction and background

- Why the investigation was deemed necessary
- The terms of reference of the investigation
- Any other factors regarding the organisation or individuals which may be relevant at this stage for the reader to know
- Confirmation that the Investigating Officer was provided with a copy of the Disciplinary Procedure together with this document and that the process outlined in these documents was followed

Methodology

- A list of interviewees and their job titles
- A list of any other evidence reviewed

Investigation findings

- Interview findings – pulling out any things said in interviews relevant to the allegations
- Facts established – clarifying the facts against each allegations
- Summary of findings – outlining whether there is a disciplinary case to answer against each allegation and why

Conclusion & Recommendations

- State whether overall there is a disciplinary case to answer
- Highlight any mitigating factors identified
- Highlight any complexities or inconsistencies of the investigation

Appendices

Include the full versions of:

- Signed witness statements
- Finalised interview meeting notes
- Documents relevant to the investigation

Deciding whether there is a case to answer

- 3.52 When deciding where there is a disciplinary case to answer, the Investigating Officer should consider:
- Are there facts that prove the allegation(s) raised?
 - Is there mitigation to justify the actions taken by the employee in question?
 - What was the impact of the misconduct on other people and/or the organisation?

What happens next?

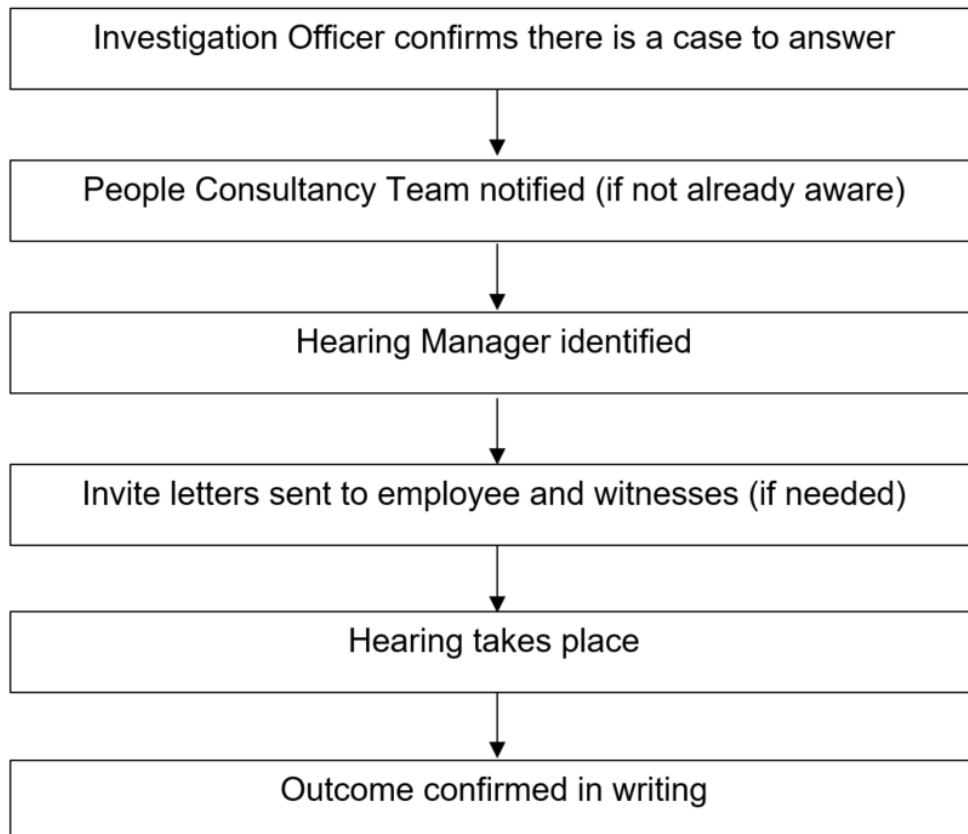
- 3.53 No case to answer:
- The employee should be notified in writing that no formal action will be taken and any recommendations highlighted to them
 - Any record of the investigation should be destroyed
- 3.54 Informal Resolution:
- Where there is evidence of misconduct, but the Investigating Officer determines it was minor, this can be addressed informally
 - The Investigating Officer should have an informal conversation with the employee and follow this up in writing (please refer to point 2.2)
 - Any record of the investigation should be destroyed
- 3.55 Disciplinary case to answer:
- The Investigation Officer must contact the People Consultancy team.
 - The employee must be notified in writing of the allegations being taken forward to a disciplinary hearing along with details of what to expect next

4 Disciplinary Hearing

- 4.1 If there is a case to answer, someone from the People Consultancy team will help to identify an appropriate Disciplinary Hearing Manager.

What is the hearing process?

- 4.2 This flowchart sets out the steps to be completed as part of the disciplinary



hearing process. More information on each step follows on.

Who should be the Hearing Manager?

- 4.3 The Hearing Manager should be someone more senior than the employee concerned. It could be the Investigating Officer's line manager, provided they have not been involved in the investigation process.
- 4.4 If dismissal is a potential outcome, the Hearing Manager must be a Head of Service or above.

What is the role of the Hearing Manager?

- 4.5 The Hearing Manager's role is to chair a disciplinary hearing and:
- Review all relevant information
 - Ask further questions of the employee concerned and any witnesses
 - Consider any mitigation the employee wants to raise

- 4.6 At the end of the hearing, the Hearing Manager will decide whether formal action should be taken.

Possible outcomes

- 4.7 The Hearing Manager can decide:
- a) To take no action
If the allegations are unfounded this might be appropriate.
 - b) First written warning
This is suitable if the conduct does not meet acceptable standards. This warning remains live for disciplinary purposes for 6 months.
 - c) Final written warning
If the misconduct is sufficiently serious, or if there is further misconduct prior to the expiry of a first written warning, a final written warning may be issued. This warning will remain live for disciplinary purposes for 12 months.
 - d) Dismissal
If there is further misconduct prior to the expiry of a final written warning, or if the misconduct constitutes gross misconduct, dismissal may be appropriate.
 - e) Other sanction
Other action short of dismissal can also be put in place if there is misconduct prior to the expiry of a final written warning for gross misconduct. This may include demotion, a financial penalty or transfer.

What is the role of the People Consultancy Team?

- 4.8 A member of the People Consultancy team will support the Hearing Manager through the process, advising on the planning process, the meeting itself and helping them when determining the most appropriate outcome.
- 4.9 The supporting People Consultant will prepare the disciplinary hearing pack.
- 4.10 They can help to ensure that the right process is followed in line with the Council's Disciplinary Procedure and the ACAS guidance on the disciplinary procedure.

What is the role of the Accompanying Person?

- 4.11 The employee has the right be accompanied to the hearing by a Trade Union representative or work colleague.
- 4.12 If the employee concerned is a Union Representative, they should be offered the opportunity to involve a full time Union official, and with the employee's agreement the Council may contact the Union directly.
- 4.13 The employee is responsible for notifying their accompanying person of the interview. If there is no accompanying person the Investigating Officer must

confirm with the employee at the beginning of the interview that they have chosen not to be accompanied.

- 4.14 It is not appropriate for an accompanying person to be someone who has been involved in the investigation as a witness.
- 4.15 If an employee's chosen companion isn't available at the proposed meeting time, the Hearing Manager must postpone the meeting to a time proposed by the employee provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.
- 4.16 The accompanying person is allowed to:
- Set out the employee's case
 - Raise any points related to the case (they may not respond to questions on the employee's behalf)
 - Talk with the employee during the meeting
 - Take notes
 - Sum up the employee's case at the end of the meeting

What does the planning process look like?

- 4.17 The People Consultant supporting the case will prepare a disciplinary hearing pack including:
- Investigation Report
 - Investigation Appendices (including witness statements)
- 4.18 The hearing pack should then be shared with the Hearing Manager to review and identify any witnesses they believe will need to attend the hearing (for example if clarification is needed or further questions need to be asked).
- 4.19 Meeting invitations should then be sent out. The invite letter for the employee concerned should include:
- Date, time and location (meeting should take place within 5 and 10 working days of the letter)
 - The right to be accompanied
 - Details of any witnesses to be called during the meeting
 - The deadline for submission of any additional documentation to be considered during the meeting (3 working days before the meeting)
 - Option for them to request witnesses to attend the hearing (must give names at least 3 days before the meeting)
 - An indication of potential outcomes
 - A copy of the disciplinary hearing pack
 - A copy of the Disciplinary Procedure

At the employee's request, a hard copy of the hearing pack can be posted to them.

- 4.20 The meeting invite for the witnesses should include:
- Date, time and location
 - Confirmation that they won't be required to stay for the full meeting

- Confirmation of the reason they have been asked to attend (e.g. to provide additional clarification or respond to additional questions)
- 4.21 When planning the location, the Hearing Manager should think about the best place to hold the meeting. It should be held as privately as possible, preferably away from the normal work location in a suitable room where there will be no interruptions. Hearings should be held in person, but by exception they can take place remotely.
- 4.22 Consideration needs to be given to any adjustments needed for anyone with underlying ill health or language difficulties.
- 4.23 The Hearing Manager should consider the structure of the meeting and make a list of points to be covered and questions to be asked.

What happens in the meeting?

At the start of the hearing the Hearing Manager needs to confirm:

- Who is present
- The format for the meeting
- That notes will be taken
- That the employee will receive a copy of the meeting notes and will have the opportunity to make any corrections before it is finalised
- The role of the accompanying person, if they are present
- That the employee is happy to continue, if they do not have an accompanying person
- The witnesses scheduled to attend the meeting

During the hearing the Hearing Manager should:

- Clarify the allegations being considered
- Outline the possible outcomes
- Ask any questions relevant to the case
- Give the employee the opportunity to set out their case, ask questions, present evidence and call relevant witnesses
- Offer breaks as needed
- Adjourn the meeting to consider all information and determine the appropriate outcome
- Release witnesses from the meeting when they are no longer required

- 4.24 Throughout the meeting, the Hearing Manager should seek to:
- Establish the facts
 - Establish whether the employee is prepared to accept that they may have done something wrong, then decide on the steps which should be taken to remedy the situation
- 4.25 If the employee submits late evidence or evidence on the day, it is up to the Hearing Manager to choose whether or not this is accepted as evidence during the meeting.
- 4.26 Witnesses attending a hearing are only there to respond to questions asked

by the Hearing Manager or to provide clarity on action taken.

- 4.27 It is possible that the hearing may not proceed smoothly – people may be upset or even angry. If the employee becomes upset or distressed it is important to allow time for them to regain composure before continuing. If the distress is too great to continue then the Hearing Manager should adjourn and reconvene at a later date.
- 4.28 During the meeting emotions may not be fully controlled, however abusive language or conduct should not be tolerated.
- 4.29 If an employee raises a grievance during the hearing, and it is related to the same case the Disciplinary Hearing Manager may need to adjourn the meeting in order that the grievance is dealt with first.

Taking notes

- 4.30 A member of the People Team will attend the hearing to take notes.
- 4.31 The notes should capture:
- The date and place of the hearing
 - Names of all people present
 - A record of the discussion had
 - Any refusal to answer a question
 - The start and finish times, and details of any adjournments
- 4.32 The notes do not need to record every word that is said but they should accurately capture the key points of any discussion.
- 4.33 An audio recording of the hearing can be taken with the agreement of the employees involved. However, this can sometimes complicate the matter. Knowing they are being taped may be intimidating to an employee, making them less able to talk openly about the matter. It can also be time consuming because a transcript of the recording will need to be typed up.
- 4.34 After the hearing, a copy of the meeting notes should be sent to the interviewee. The document should be saved with added protections so that only tracked changes can be added. To do this on Microsoft Word go to File>Protect Document>Restrict Editing. The employee should then review the notes and confirm via email that the notes reflect the discussion had, or attach the edited document.
- 4.35 If the employee does not agree to the contents of the notes, they should make amendments using Track Changes. If the changes that the employee makes do not match the notes of the interviewer/note taker, a separate version should be saved.

Failure to attend

- 4.36 If the employee is genuinely unable to attend the disciplinary hearing, e.g. because they are ill, they should be offered an alternative at a reasonable date and time.
- 4.37 If the accompanying person cannot make the hearing, the employee must propose another date and time which is no more than five working days after the day originally proposed.
- 4.38 If the employee fails to attend the rearranged meeting without good reason, a decision may be made on the available information but the Test of Reasonableness form must be completed with as much information as is available when coming to a decision. If this is the case, the employee must receive notification of the decision in writing and include confirmation that they have the right to appeal.
- 4.39 If the date of the meeting has to be changed for any reason other than the attendance of the employee or their representative, the employee must be offered a reasonable alternative date and time. It is important that the employee is notified as soon as possible of any delays.

Making the decision

- 4.40 The Hearing Manager needs to decide 'on the balance of probabilities' whether the employee carried out the alleged misconduct. This should be evidence based.
- a) Not enough evidence
If there isn't enough evidence to come to a judgement about whether the allegation took place the case would be dismissed and all relevant paperwork destroyed.
- b) Sufficient evidence
If the Hearing Manager concludes that on the balance of probabilities the alleged misconduct did take place they then need to consider the appropriate sanction to apply.
- 4.41 They need to think about:
- The seriousness of the misconduct
 - Any mitigating circumstances raised
 - The employee's previous unspent disciplinary record
 - Treating all employees fairly and consistently. The penalty imposed in any previous case of a similar nature should usually be taken into consideration, although it should not be treated as a precedent. (The People Consultant supporting the case can help with this.)
- 4.42 At this stage, the Hearing Manager should complete the Test of Reasonableness Form.

Sharing the decision

- 4.43 When the Hearing Manager has determined the outcome, they must communicate this to the employee.
- 4.44 They must reconvene the meeting and confirm:
- What they considered when making their decision
 - Whether they believe on the balance of probabilities that the alleged misconduct took place
 - What their decision is
 - The employee's right to appeal the decision (if outcome is a formal warning, dismissal or sanction short of dismissal)
- 4.45 Written confirmation of the decision must be given within 5 working days of the meeting, including confirmation of the employee's right to appeal.

The outcome letter

- 4.46 The outcome letter needs to outline the decision taken, and any points considered when coming to the final decision.
- 4.47 For no action taken it must also cover:
- Confirmation that all papers relating to the meeting will be destroyed
 - Any recommendations or actions to be taken, with the owner and deadline for completion
- 4.48 For a first written warning it must also cover:
- The nature of the misconduct
 - The change in behaviour required
 - That a final written warning may be considered if there is no sustained satisfactory improvement or change
 - That a record of the warning will be kept but normally be disregarded for disciplinary purposes after 6 months
 - The right to appeal
- 4.49 For a final written warning it must also cover:
- The nature of the misconduct
 - The change in behaviour required
 - That failure to improve may lead to dismissal
 - That a record of the warning will normally be kept but disregarded for disciplinary purposes after 12 months
 - The right to appeal
- 4.50 For procedural dismissal it must also cover:
- The nature of misconduct
 - The reasons for dismissal
 - The date that employment will end
 - The notice that the employee is required to work, or if dismissal is effective immediately confirmation that they will be paid in lieu of their contractual notice

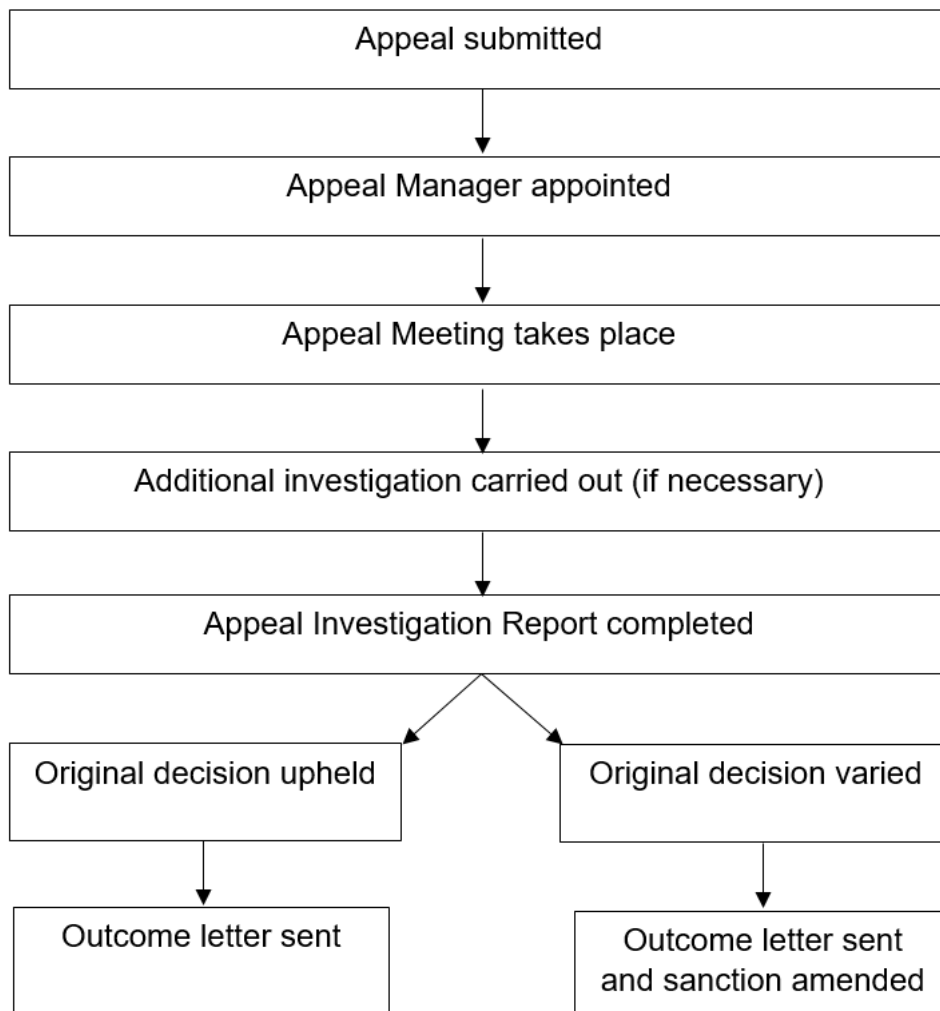
- Confirmation that any outstanding contractual entitlements such as holiday pay will be made to the employee
 - The right of appeal
- 4.51 For summary dismissal it must also cover:
- The nature of misconduct
 - The reasons for dismissal
 - Confirmation that the dismissal is effective immediately and without notice
 - Confirmation that any outstanding contractual entitlements such as outstanding holiday pay will be made to the employee
 - The right of appeal
- 4.52 For other sanctions short of dismissal (demotion, financial penalty etc.) it must also cover:
- The nature of the misconduct
 - That failure to improve may result in dismissal
 - That a record of the sanction will be kept but normally be disregarded for disciplinary purposes after 12 months
 - The right of appeal

5 Appeal Process

- 5.1 Employees have the right to appeal a disciplinary outcome if they consider:
- The outcome is too severe
 - Any part of the procedure was wrong or unfair
 - They have new evidence to show
- 5.2 When an appeal is raised, the Council is required to review the case to see if:
- The procedure was followed in a fair way
 - The outcome was fair

What is the Appeals Process?

- 5.3 The following flowchart sets out the steps to be completed as part of the appeals process. More information on each step follows on.



- 5.4 In some exceptional instances the Appeal Manager may determine that a re-hearing of the case is necessary to fairly determine the appeal outcome. In such situations the employee will be informed of the reasons for this and a meeting will be arranged following the steps outlined for a disciplinary hearing. The outcome of this meeting will be final and there is no further right of appeal.

Submitting an appeal

- 5.5 An appeal must be submitted to the People Consultancy Team within 7 calendar days of the disciplinary hearing outcome letter being received.
- 5.6 When submitting an appeal, the employee must state what their grounds are (as set out in point 5.1).
- 5.7 If the employee is appealing against a dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. If the appeal is successful, they will be reinstated with no loss of continuity or pay.
- 5.8 At the point of submitting their appeal, the employee can request for an Elected Member to attend their appeal meeting. If attending, the Elected Member can observe proceedings, but cannot participate in the decision.

Who should hear the appeal?

- 5.9 The appeal will be heard by someone more senior than the Disciplinary Hearing Manager, and who has not been involved in the case previously. This is usually coordinated by the People Consultancy team.

What is the role of the Appeal Manager?

- 5.10 The Appeal Manager's role is to:
- Meet with the employee to understand more about the appeal raised and ask any relevant questions
 - Carry out any additional investigation if required
 - If additional investigation is needed, prepare a report that contains all the relevant factual information, copies of statements received and any other relevant documentary evidence
- 5.11 They will then need to decide whether:
- The original outcome was fair
 - They need to change the original outcome, if it's clear it was not right

Possible outcomes

- 5.12 The Appeal Manager can decide:
- a) To uphold the original decision
If they believe the original outcome was fair.
 - b) To vary the original decision
 - c) The Appeal Manager may revoke the original decision or substitute a different penalty. They cannot increase the severity of the original disciplinary outcome.

What is the role of the People Consultancy Team?

- 5.13 A member of the People Consultancy team will support the Appeal Manager through the appeal process.
- 5.14 They will attend any investigation interviews and keep the employee updated on investigation progress.
- 5.15 They can help to ensure that the right process is followed in line with the Council's Disciplinary Procedure and the ACAS guidance on the Disciplinary Procedure.

What is the role of the Accompanying Person?

- 5.16 Any employee has the right to be accompanied by a Trade Union representative or work colleague.
- 5.17 If the employee concerned is a Union Representative, they should be offered the opportunity to involve a full time Union official, and with the employee's agreement the Council may contact the Union directly.
- 5.18 The employee is responsible for notifying their accompanying person of the meeting. If there is no accompanying person the Appeal Manager should confirm with the employee at the start of the meeting that they have chosen not to be accompanied.
- 5.19 If an employee's chosen companion isn't available at the date and time proposed, the Appeal Manager must postpone the meeting to a time proposed by the employee provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.
- 5.20 The accompanying person can:
 - Set out the employee's case
 - Raise any points related to the case (they cannot respond to questions on the employee's behalf)
 - Talk with the employee during the meeting
 - Take notes
 - Sum up the employee's case at the end of the meeting

Planning Process

- 5.23 Before meeting with the employee, the Appeal Manager should review the disciplinary hearing pack, the disciplinary hearing meeting notes and the hearing outcome letter alongside the appeal submission.
- 5.24 It will be helpful to identify any questions or points of clarity that the Appeal Manager wants to raise with the employee.
- 5.25 The Appeal Manager must then send an invite letter to the employee, to include:

- Date, time and location (meeting should take place within 2 weeks of the appeal submission wherever possible)
- The right to be accompanied
- The deadline for submission of any additional documentation to be considered during the meeting (3 working days before the meeting)
- An indication of potential outcomes

5.26 When planning the location, the Appeal Manager needs to think about the best place to hold the meeting. It should be held as privately as possible, preferably away from the normal work location in a suitable room where there will be no interruptions. The meeting can be held remotely, but if it is more appropriate for it to take place in person this should be arranged.

5.27 Consideration should be given to any adjustments needed for anyone with a disability, underlying ill health or language difficulties.

What happens in the meeting?

At the start of the meeting the Appeal Manager should confirm:

- Who is present
- The format for the meeting
- That notes will be taken
- That the employee will receive a copy of the meeting notes and will have the opportunity to make any corrections before it is finalised
- The role of the accompanying person, if they are present
- That the employee is happy to continue, if they do not have an accompanying person

During the meeting the Appeal Manager should:

- Clarify the points of appeal
- Outline the possible outcomes
- Ask any relevant questions
- Give the employee the opportunity to raise any points
- Offer breaks as needed
- End the meeting to consider all information and decide whether further investigation is required
- Explain to the employee that they will receive an outcome letter, and that the People Consultant will keep them updated on progress.

Taking notes

5.28 A member of the People team will attend the hearing to take notes.

5.29 The notes should capture:

- The date and place of the hearing
- Names of all people present
- A record of the discussion had
- Any refusal to answer a question
- The start and finish times, and details of any adjournments

- 5.30 The notes do not need to record every word that is said but they should accurately capture the key points of any discussion.
- 5.31 An audio recording of meetings can be taken with the agreement of the employees involved. This can, however, complicate the matter. Knowing they are being recorded may be intimidating to an employee, making them less able to talk openly about the matter. It can also be time consuming because a transcript of the recording will need to be typed up.
- 5.32 After the meeting, a copy of the meeting notes should be sent to the employee. The document should be saved with added protections so that only tracked changes can be added. To do this on Microsoft Word go to File>Protect Document>Restrict Editing. The employee should then review the notes and confirm via email that the notes reflect the discussion had, or attach the edited document.
- 5.33 If the employee does not agree to the contents of the notes, they should make amendments using Track Changes. If the changes that the employee makes do not match the notes of the interviewer/note taker, a separate version should be saved.

Failure to attend

- 5.34 If the employee is genuinely unable to attend the appeal meeting, e.g. because they are ill, they will be offered an alternative at a reasonable date and time.
- 5.35 If the accompanying person cannot make the meeting, the employee must propose another date and time which is no more than five working days after the day originally proposed.
- 5.36 If the employee fails to attend the rearranged meeting, a decision may be made on the available information but in any case the Test of Reasonableness form may be completed with as much information as is available when coming to a decision. If this is the case, the employee must receive notification of the decision in writing.
- 5.37 If the date of the meeting has to be changed for any reason other than the attendance of the employee or their representative, the employee will be offered a reasonable alternative date and time. It is important that the employee is notified as soon as possible of any delays.

If further investigation is needed:

- 5.38 After meeting with the employee, the Appeal Manager might decide they need to carry out further investigation steps if they need to:
- Find or look at new evidence raised
 - Re-check evidence already used
 - Talk to the same witnesses again
 - Find and talk to new witnesses

- 5.39 If this is the case, the Appeal Manager will need to follow the steps in the investigation stage (see point 3.11).
- 5.40 The Appeal Manager will then compile a written investigation report setting out the findings, before determining the outcome.

Making the decision

- 5.41 When deciding the appropriate outcome, the Appeal Manager will consider:
- Has a thorough and sufficient investigation been conducted?
 - Was the Hearing Manager's decision to take disciplinary action reasonable based on the evidence relating to the case?
 - Was the disciplinary action decided upon reasonable, given the circumstances of the case?
 - Is the treatment of the employee consistent with the Council's general approach to similar cases?
 - Has the matter been handled fairly and appropriately and is it consistent with the Disciplinary Procedure?

The outcome letter

- 5.42 When the Appeal Manager has determined the outcome, they must communicate this to the employee in writing, where possible within two weeks of the appeal meeting.
- 5.43 The outcome letter needs to outline the decision taken and detail any points considered when coming to the final decision.
- 5.44 The letter also needs to confirm that the decision is final and there is no further right of appeal.

People Team

Disciplinary Procedure

1 Introduction

- 1.1 The purpose of the Disciplinary Procedure is to help and encourage all employees to achieve and maintain satisfactory standards of conduct and ensure employees are treated in a manner that is fair, sensitive, and consistent with Council values, employment law, and good management practice.
- 1.2 The policy should be read in conjunction with the Disciplinary Guide, which provides clear guidance on the steps that should be followed to ensure that allegations of misconduct are investigated in a timely and appropriate manner.
- 1.3 This policy is not contractual and may be amended.

2 Who this Policy Covers

- 2.1 The policy applies to all employees and workers. It does not apply to contractors, consultants, agency workers or any self-employed individuals working for the organisation. The Council's constitutional rules will be applied for senior officers where appropriate.

3 What this Policy Covers

- 3.1 This policy covers allegations of misconduct. It will not apply where other policies and procedures exist such as probation, performance or attendance and are more relevant. It may also be necessary to move between policies and procedures if it becomes apparent that is more appropriate to address the concerns under a different procedure. Both the Dignity at Work Policy and Safeguarding Allegations Policy operate in conjunction with this Policy.
- 3.2 Any complaints or grievance about any matters related to the disciplinary procedure will usually be addressed as part of the disciplinary process.

4 Informal Action

- 4.1 Cases of minor misconduct will be dealt with informally wherever possible. Informal warnings will be confirmed in writing.

5 Formal Action

- 5.1 The formal procedure will be applied if either the informal procedure has not resolved the misconduct issue or it is considered to be too serious to be dealt with informally.
- 5.2 It may be necessary to alter or restrict duties, or to suspend employees from work with pay during a disciplinary investigation. These measures are to protect the Council or ensure the smooth running of the disciplinary procedure and are in no way intended to indicate guilt on the part of the employee.

- 5.3 Allegations of misconduct will be investigated by an appropriate person in a way that is fair and proportionate to their seriousness and complexity. This will normally be the line manager, unless it is deemed inappropriate, in which case another investigator will be identified. Employees will be informed of the nature of the allegation(s) of misconduct and will have the opportunity to respond. The investigator will complete the investigation and then determine whether to take, no further action, to issue an informal warning or determine that a disciplinary hearing is required.
- 5.4 Any conduct issues must be managed within a reasonable timeframe. The individual will be kept informed of progress and anticipated timescales.
- 5.5 Where cases relate to alleged criminal activity and are subject to external investigation (e.g. police, safeguarding teams) the disciplinary investigation may run concurrently. Where appropriate we may share investigation findings with external bodies e.g. police, safeguarding boards and the Independent Safeguarding Authority.
- 5.6 Employees will be informed of their statutory right to be accompanied at formal hearings by a Trade Union Representative or work colleague. Trade Union Representatives have the right to be represented by their District or Regional Officer.
- 5.7 A non-exhaustive list of examples of acts of misconduct and gross misconduct is attached at Appendix 1.
- 5.8 There are a number of sanctions that may be given. These will normally be either to take no action; issue an informal warning, give a first warning or a final warning; dismissal with notice; summary dismissal (without notice) Other actions may be recommended or sanctions applied, if considered appropriate.
- 5.9 Employees cannot be dismissed for a first instance of misconduct except in the case of gross misconduct, where the penalty may be dismissal without notice.
- 5.10 Where dismissal may be an outcome the disciplinary hearing will be chaired by a Head of Service or more senior officer.
- 5.11 Employees may appeal the disciplinary decision within seven calendar days of receiving the outcome letter. They will be advised of this right and will be required to explain the reason for their appeal.
- 5.12 At the employee's request, an Elected Member may attend an appeal meeting to observe proceedings but not participate in the decision.
- 5.13 The appeal hearing decision is final.

6 Confidentiality

- 6.1 All parties involved in the disciplinary procedure must ensure that they maintain confidentiality and any breach of this will be treated as potential misconduct.

7 The Role of the People Team

- 7.1 The People Team is responsible for advising on the fair, consistent application of the Disciplinary Procedure Policy. Managers must contact the People Team before starting the formal disciplinary procedure.

8 Monitoring and Review

- 8.1 This policy will be regularly reviewed in consultation with trade unions.
- 8.2 The policy will be monitored to ensure it continues to meet the requirement to treat all employees equally, fairly and without discrimination.

Appendix 1 – Examples of Misconduct

Examples of misconduct and gross misconduct for which disciplinary action is appropriate include (but are not limited to):

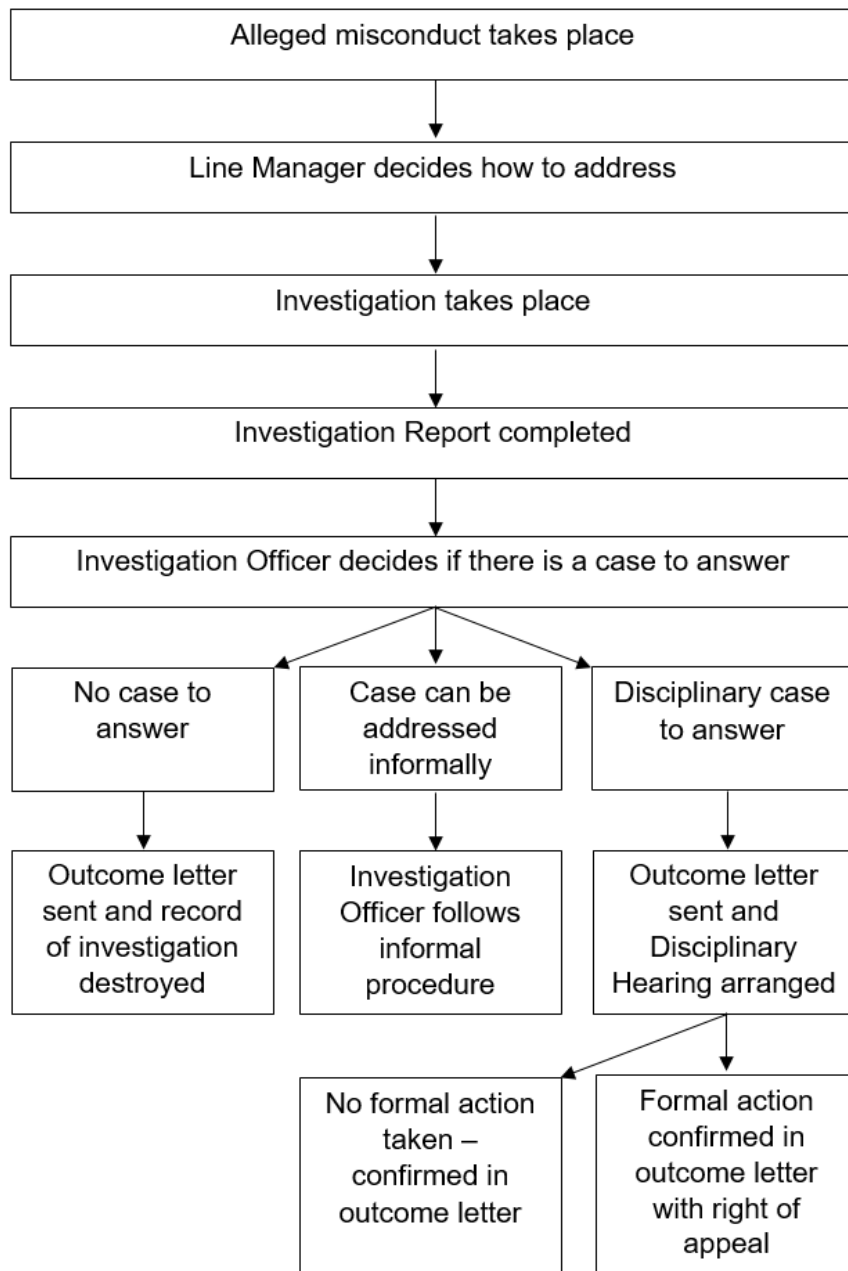
Misconduct

- Failure to follow a reasonable management request
- Lateness and poor timekeeping
- Breach of absence reporting procedures
- Insulting or offensive behaviour towards colleagues or customers
- A breach of Council policies including the Employee Code of Conduct
- Depending on the seriousness of the allegation the above actions may be considered to be gross misconduct

Gross Misconduct

- Theft, fraud or falsification of documents
- Physical violence or bullying
- Wilful damage to property
- Serious breach of health and safety rules
- Bringing the Council into disrepute
- Serious misuse of computer, email or internet facilities
- Unlawful discrimination or harassment

Appendix 2 – Overview of Disciplinary Procedure



Appendix 2

Employment Policies and Procedures: Disciplinary Procedure - Risk Register

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Employment Policies and Procedures	Failure to provide a suite of policies that comply with employment legislation and that are fit for purposes of improving performance and managing risk	T	Managers not equipped with revised policies and procedures	Effective employment policies not implemented consistently and fairly applied	01.07.22	Helen Bishop	3	3	3	2	2	2	Reviewing and maintaining current employment policies is a continual process	Reviewing and maintaining current employment policies is a continual process	ongoing	open	80	Helen Bishop
Employment Policies and Procedures	Loss of opportunity to have a suite of policies that implement good practice	O	Manages not equipped with revised policies and procedures	Effective employment policies not implemented consistently and fairly applied	01.07.22	Helen Bishop	3	3	3	2	2	2	Reviewing and maintaining current employment policies is a continual process	Reviewing and maintaining current employment policies is a continual process	onging	open	80	Helen Bishop
Employment Policies and Procedures	Damage to Council's reputation	T	Failure to comply with legislative requirements	Effective employment policies not implemented consistently and fairly applied in line with legislation	01.07.22	Helen Bishop	3	3	3	2	2	2	Reviewing and maintaining current employment policies is a continual process	Reviewing and maintaining current employment policies is a continual process	ongoing	open	80	Helen Bishop

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Initial Equalities Impact Assessment screening form

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the 9 protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) To seek to ensure equality of treatment towards service users and employees;*
- (b) To identify the potential impact of the proposal or decision upon them.*

The Council will also ask that officers specifically consider whether:

- (A) The policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults*
- (B) The proposed policy / service is likely to have any significant impact on mental wellbeing / community resilience (staff or residents)*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **The decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **The duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. The decision maker must be **aware** of the needs of the duty.*
- 4. The **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?*
 - a. **Collection and consideration of data and information;***
 - b. **Ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **Proper appreciation of the extent, nature and duration of the proposal or decision.***

7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).
 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider <http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>
1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

This is an assessment of the revised Disciplinary Procedure, which will replace the existing policy which was introduced in 2012. There are no anticipated adverse effects for groups with protected characteristics.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The principal changes relate to clearly separating the policy from the guidance and having two clear documents instead of four previous documents. Changes have been made to simplify the process including removing the role of commissioning manager, other than by exception to enable line managers to carry out investigation and simplifying the appeals process. The informal process has also been strengthened to encourage early intervention and resolution and avoid unnecessary escalations. Changes have been made to reflect current working practices such as use of email communications and remote meetings. Reference has also been made to taking into account any disabilities and adjustments staff may during the process.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

Some line managers, the Council's Corporate Management team, Law & Governance team, Unite and Unison leads and members of the People Team, were invited to comment on the proposed policy. The Policy will go before Council on 28th November 2022 for approval.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

There are no adverse impacts envisaged upon those with protected characteristics

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

Employment policies are subject to regular reviews of any changes made to legislation/ directives by central government. Any challenges to the policy that result in gaps or irregularities being found will be amended following further review, agreement between the employer and the local trade unions, and subsequent sign off from Council (if required).

All managers will receive training on this policy and regular meetings with respective service area Business Partners.

The effectiveness of the policy will be monitored through the number of disciplinary investigations, hearings and appeals that take place.

Lead officer responsible for signing off the EqIA: Gail Malkin

Role: Head of People

Date: xxxxx

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies
- Specific impact tests (e.g. statutory equality duties, social, regeneration and sustainability)
- Consultation
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources (attach hyperlinks including Government impact assessments or Oxfordshire data observatory information where relevant)

To: Cabinet
Date: 14 December 2022
Report of: Scrutiny Committee
Title of Report: Thriving Communities Strategy 2023-2027

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	No
Scrutiny Lead Member:	Councillor Dr Christopher Snowton, Scrutiny Committee Chair
Cabinet Member:	Cllr Shaista Aziz, Cabinet Member for Inclusive Communities and Culture; Cllr Chewe Munkonge, Cabinet Member for Leisure and Parks; Cllr Louise Upton, Cabinet Member for Health and Transport
Corporate Priority:	All
Policy Framework:	Council Strategy 2020-24
Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.	

Appendices	
Appendix A	Draft Cabinet response to recommendations of the Scrutiny Committee

Introduction and overview

1. The Scrutiny Committee met on 05 December 2022 to consider a report on the Thriving Communities Strategy. The report, which is due for Cabinet consideration on 14 December 2022, recommends that Cabinet resolves to recommend to Council the adoption of the Thriving Communities Strategy 2023-27 as part of the Council's budget and policy framework, including that Council agree and adopt the Thriving Communities principles and to encourage partners to do the same; explore opportunities to improve the inclusivity and sustainability of community facilities and to review opportunities as they arise; continue to integrate Council services and seek out opportunities to better align work with partner agencies. The report also recommends that Cabinet resolves to agree

that an annual progress update should be produced for Cabinet and that the action plan should be regularly reviewed.

Summary and recommendations

2. The Committee was grateful to Cllr Shaista Aziz, Cabinet Member for Inclusive Communities and Culture, to Cllr Chewe Munkonge, Cabinet Member for Leisure and Parks, to Ian Brooke, Head of Community Services, and to Lucy Cherry, Leisure and Performance Manager, for attending to speak to the item and to answer the Committee’s questions.
3. Cllr Aziz and Cllr Munkonge introduced the report and emphasised to the Committee that the Council understood that many in the City were struggling to survive let alone to thrive in the second most unequal city in the UK. The Committee’s attention was drawn to the Thriving Communities principles including doing things with people rather than to them.
4. The Committee commended the ambition and wide-ranging nature of the strategy and recognised the flexibility of the work being proposed. The Committee recognised that, whilst there were new ways of working proposed, there would also be continuities. The Committee considered that consideration should be given to highlighting what changes the Council was planning to implement more clearly so that people were more readily able to appreciate developments.

Recommendation 1: That the Council states explicitly in the Executive Summary where changes have been made to our principles or ways of working, by contrast with those existing principles or ways of working that we intend to reaffirm or restate.

5. The Committee recognised the intention to work more closely with partners across the City in order to provide better services for residents. However, whilst recognising the high-level nature of the strategy, the Committee considered that it would be beneficial to provide some more detail on that partnership working.

Recommendation 2: That the Council provides greater clarity around partnership working and distribution of work in the strategy by explaining clearly which partners are involved in particular projects and what the nature and level of that collaboration is.

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Appendix A

Draft Cabinet response to recommendations of the Scrutiny Committee

The document sets out the draft response of the Cabinet Member to recommendations made by the Scrutiny Committee on 05 December 2022 concerning the Thriving Communities Strategy 2023-2027. The Cabinet is asked to amend and agree a formal response as appropriate.

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Recommendation	Agree?	Comment
1) That the Council states explicitly in the Executive Summary where changes have been made to our principles or ways of working, by contrast with those existing principles or ways of working that we intend to reaffirm or restate.	YES	<p>The strategy is due to be adopted by Cabinet in December 2023 and then by Council so we can only say what changes have been made after it has been formally agreed.</p> <p>If the principles of the Strategy are agreed, as part of the annual report to Cabinet we will demonstrate the changes that have been made through meaningful measures such as: -</p> <ul style="list-style-type: none"> • Case Studies • Story Telling • Quality assurance • Quantitative data insight.
2) That the Council provides greater clarity around partnership working and distribution of work in the strategy by explaining clearly which partners are involved in particular projects and what the nature and level of that collaboration is.	YES	<p>The Council works with hundreds of partners and community groups, which is why we provided headlines in the draft strategy.</p> <p>Good examples are shown the through the links in the draft strategy document, such as the Community Impact Zone, and Active Lifestyles Commissioning Group for Oxford's leisure future work. The latter includes partners such as: -</p>

		<ul style="list-style-type: none">• The Integrated Care Board• Public Health,• General Practitioners• Hospitals• Active Oxfordshire <p>We will review the draft strategy document and make some of these partnerships more explicit in a final revision of the strategy before it is desk top published.</p>
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To: Cabinet
Date: 14 December 2022
Report of: Scrutiny Committee
Title of Report: Grant Allocations to Community & Voluntary Organisations

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	No
Scrutiny Lead Member:	Councillor Dr Christopher Snowton, Scrutiny Committee Chair
Cabinet Member:	Cllr Shaista Aziz, Cabinet Member for Inclusive Communities and Culture;
Corporate Priority:	All
Policy Framework:	Council Strategy 2020-24
Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.	

Appendices	
Appendix A	Draft Cabinet response to recommendations of the Scrutiny Committee

Introduction and overview

1. The Scrutiny Committee met on 05 December 2022 to consider a report on the Grant Allocations to Community & Voluntary Organisations. The report, which is due for Cabinet consideration on 14 December 2022, recommends that Cabinet resolves to note the implementation of the Oxford Community Impact Fund agreed by Cabinet on 15 December 2021 as part of the strategic grants review. The report further recommends that Cabinet resolves to recommend that applicants are requested to provide information regarding the demographics of their respective teams voluntarily as part of project monitoring for 2022/23 and obligatorily for grants awarded in 2023/24.

Summary and recommendations

2. The Committee was grateful to Cllr Shaista Aziz, Cabinet Member for Inclusive Communities and Culture, to Ian Brooke, Head of Community Services, and to Paula Redway, Culture and Community Development Manager, for attending to speak to the item and to answer the Committee's questions.
3. Cllr Aziz introduced the report and explained that it sought approval of the criteria and weighting for assessing the 2023/24 grant allocations and gave an interim update showing examples of the Community Impact Fund grants to date. The Council was proud of the difference such grants made in the community.
4. The Committee had questions answered around how applications were approved and how residents and members could provide feedback on particular grants made. The Committee was pleased to hear of support and advice given to organisations that wished to apply for grants but might not yet have been ready to do so.
5. The Committee recognised that Appendix 1 provided a long list of organisations that had received grants and that the names of some of the organisations made it immediately apparent what the nature of the organisation was likely to be. However, the Committee considered that it would be beneficial if it were easier to understand the nature of organisations and so suggested that a very brief summary be provided to aid transparency.

Recommendation 1: That the Council includes a very brief summary of the nature and purpose of individual organisations in receipt of Community Impact Fund grants at Appendix 1 of the report.

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Appendix A

Draft Cabinet response to recommendations of the Scrutiny Committee

The document sets out the draft response of the Cabinet Member to recommendations made by the Scrutiny Committee on 05 December 2022 concerning the Grant Allocations to Community and Voluntary Organisations. The Cabinet is asked to amend and agree a formal response as appropriate.

Recommendation	Agree?	Comment
1) That the Council includes a very brief summary of the nature and purpose of individual organisations in receipt of Community Impact Fund grants at Appendix 1 of the report.	Yes but on the website rather than Appendix 1	The information will be given but updated on the website not on Appendix 1 owing to insufficient capacity to do this by the publication date

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To: Cabinet
Date: 14 December 2022
Report of: Scrutiny Committee
Title of Report: Authority Monitoring Report and Infrastructure Funding Statement 2021/22

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	No
Scrutiny Lead Member:	Councillor Dr Christopher Snowton, Scrutiny Committee Chair
Cabinet Member:	Cllr Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery
Corporate Priority:	All
Policy Framework:	Council Strategy 2020-24
Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.	

Appendices	
Appendix A	Draft Cabinet response to recommendations of the Scrutiny Committee

Introduction and overview

1. The Scrutiny Committee met on 05 December 2022 to consider a report presenting the Authority Monitoring Report (AMR) and Infrastructure Funding Statement (IFS). The report, which is due for Cabinet consideration on 14 December 2022, recommends that Cabinet resolves to approve the AMR and IFS for publication and to authorise the Acting Head of Planning Services (Planning Policy) to make any necessary minor, non-material corrections prior to publication.

Summary and recommendations

2. The Committee was grateful to Cllr Alex Hollingsworth, to Rachel Nixon, Principal Planner, to Lan Nguyen, Senior Data Analyst, and to Christian

Cameron, Data Analyst, for attending to speak to the item and to answer the Committee's questions.

3. Cllr Hollingsworth introduced the report and explained that the AMR was a statutory report that effectively functioned as a series of performance indicators and that the IFS was, as its name indicated, a statement recording infrastructure funding. The Committee established that details of the key IFS headlines summarised in paragraph 22 of the report were broken down in Appendix 2.
4. During its questioning, the Committee raised the issue of where houses were coming from and established that approximately 10% of new housing came from windfall applications with approximately 80% being a result of site allocation policies. The Committee established that there had not, to date, been a site by site summary setting this out but considered that it would be a useful detail in subsequent AMRs.

Recommendation 1: That the Council reports in subsequent Annual Monitoring Reports on the amount of housing delivered as a result of site allocation policies and the degree to which those policies have been realised.

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Appendix A

Draft Cabinet response to recommendations of the Scrutiny Committee

The document sets out the draft response of the Cabinet Member to recommendations made by the Scrutiny Committee on 05 December 2022 concerning the Authority Monitoring Report and Infrastructure Funding Statement 2021/22. The Cabinet is asked to amend and agree a formal response as appropriate.

<i>Recommendation</i>	<i>Agree?</i>	<i>Comment</i>
1) That the Council reports in subsequent Annual Monitoring Reports on the amount of housing delivered as a result of site allocation policies and the degree to which those policies have been realised.	Yes.	<p>We will report the amount of housing delivered as a result of site allocation policies, and the degree to which those policies have been realised, in future Authority Monitoring Reports.</p> <p>We are also considering how to present this information to make it more informative and useful.</p>

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To: Cabinet
Date: 14 December 2022
Report of: Scrutiny Committee
Title of Report: Equalities Update

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	No
Scrutiny Lead Member:	Councillor Dr Christopher Snowton, Scrutiny Committee Chair
Cabinet Member:	Cllr Nigel Chapman, Cabinet Member for Citizen Focused Services
Corporate Priority:	All
Policy Framework:	Council Strategy 2020-24
Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.	

Appendices	
Appendix A	Draft Cabinet response to recommendations of the Scrutiny Committee

Introduction and overview

1. The Scrutiny Committee met on 05 December 2022 to consider a report providing an Equalities Update. The report, which is due for Cabinet consideration on 14 December 2022, recommends that Cabinet resolves to: approve the Workforce Equality Report 2022; authorises the Head of Business Improvement to make any necessary corrections and minor amendments; approves the Gender Pay Gap, Ethnicity Pay Gap, and Disability Pay Gap reports; and authorises the Head of Business Improvement to publish the Gender Pay Gap table, the Ethnicity Pay Gap table, and the Disability Pay Gap table on the Council's website.

Summary and recommendations

2. The Committee was grateful to Cllr Nigel Chapman, Cabinet Member for Citizen Focused Services, to Helen Bishop, Head of Business Improvement, and to Gail Malkin, Head of People, for attending to speak to the item and to answer the Committee's questions.
3. Cllr Chapman introduced the report and explained that the Council was obliged to publish data regarding workplace equalities on the Gender Pay Gap but was not required to publish such data on the Disability Pay Gap and the Ethnicity Pay Gap. It did so because it was committed to working to narrow that gap and believed transparency was important.
4. The Committee explored various topics and was pleased to hear that there was a specialist recruiter now working in HR who was able to provide support when it came to recruiting a more diverse staff.
5. The Committee recognised that work was being done on narrowing the Disability Pay Gap but considered it would be helpful if the Council were to set out explicitly what its target in that area was.

Recommendation 1: That the Council sets out explicitly its target in relation to the Disability Pay Gap.

6. The Panel regretted the absence of any particular reference to trans or non-binary gender identities in the report and expressed concern that job application forms allow applicants to self-identify as male or female or, instead, not to answer rather than it being possible to self-identify as non-binary or as trans. The Committee recognised that it might be difficult to report on given potentially low numbers but considered that it would be appropriate for the Council to explore this further.

Recommendation 2: That the Council provides an opportunity in its application forms and monitoring for people to provide their gender identity, including if they identify as trans or non-binary.

Recommendation 3: That the Council reports on work surrounding its trans and non-binary policies.

7. The Committee recognised that sexual orientation data had been identified as an area requiring improvement and suggested that appropriate consideration should be given to whether it would be useful to monitor and report on work regarding the LGBT Pay Gap.

Recommendation 4: That the Council assesses whether it would be beneficial to monitor and report on work being undertaken around the LGBT Pay Gap.

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Appendix A

Draft Cabinet response to recommendations of the Scrutiny Committee

The document sets out the draft response of the Cabinet Member to recommendations made by the Scrutiny Committee on 05 December 2022 concerning the Equalities Update. The Cabinet is asked to amend and agree a formal response as appropriate.

<i>Recommendation</i>	<i>Agree?</i>	<i>Comment</i>
1) That the Council sets out explicitly its target in relation to the Disability Pay Gap.	Yes	Our aim is to have no pay gap for all groups across the whole organisation.
2) That the Council provides an opportunity in its application forms and monitoring for people to provide their gender identity, including if they identify as trans or non-binary.	Yes	However, we need to safeguard anonymity and protect individual, sensitive data before taking any action.
3) That the Council reports on work surrounding its trans and non-binary policies.	Yes	We will review whether current policy needs to be updated or new policy developed and work to build an inclusive culture where everyone feels a sense of belonging.
4) That the Council assesses whether it would be beneficial to monitor and report on work being undertaken around the LGBT Pay Gap.	Yes	We can calculate a pay gap report for next year's Equalities Report. This will determine whether there is a pay gap and then assess whether there is any specific action required.

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