

Agenda item:	10
Report title:	HR Update
Report by:	Andrew Bratt , Assistant Director - HR Andrew.bratt@gmc-uk.org , 0161 923 6215
Considered by:	
Action:	To note

Executive summary

This paper provides an update on the main HR issues that the Board need consider. The 2016 HR report data is not currently available, but will be produced by the end of January and circulated to the Board. It will be reported to Council in February. An overview of the main HR data and trends is at Annex A.

The second substantive item is the review of the staff forum constitution. The forum provides the mechanism for us to meet our statutory employee consultation requirements. Reps have also asked about additional opportunities to engage with SMT and attend PRB. This request is covered in the report.

Recommendations:

The Performance and Resources Board is asked to:

- a** Note the latest overview of HR data for 2016 ahead of the final report being circulated to the board and reported to Council
- b** Endorse the latest draft Staff Forum constitution
- c** Note the request for Reps to have additional access to senior management meetings

HR Report 2016

- 1 The 2016 HR report will be available later in January and will be reported to Council in February. The full report will be issued to the Performance and Resources Board (PRB) on circulation as soon as it is available.
- 2 The 2016 report will cover a period of significant change in our staffing arrangements as a result of the relocation programme. Our recruitment activity effectively doubled in 2016 and much of our HR programme was focused on supporting the redundancy programme, knowledge transfer and induction processes.
- 3 We provided a detailed report at the mid-year stage and have subsequently updated the Board on our recruitment trends. While we await a final definitive report on 2016 our monthly monitoring identifies a number of key trends:
 - Our underlying voluntary turnover (excluding redundancies) remains stable at around 10.5%
 - Our absence rates remain below sector and UK averages at approximately 2.56% but has shown a slight increase over the year
- 4 On recruitment we have previously identified two trends within our process.
 - a While the number of BME candidates being offered roles is around 10% this is well below the overall percentage of BME applicants (around 25%). We took a detailed analysis of this to Council in 2016 and, as the trend has continued, it would be appropriate to commission further expert advice to help us further understand this trend.
 - b We have also seen the increased representation of female candidates within our recruitment process continue in 2016.
- 5 A summary of the main HR data from 2016 is at Annex A.

Staff Forum

- 6 The Staff Forum provides a formal mechanism for us to engage with our staff on the main issues that affect the GMC. It helps us meet our statutory employee engagement obligations and is therefore a formal part of our management processes.
- 7 In 2016 an expanded Forum played an important role in the relocation process. It provided a formal mechanism to review and consider issues and helped us meet the very specific obligations we have when a redundancy programme takes place.

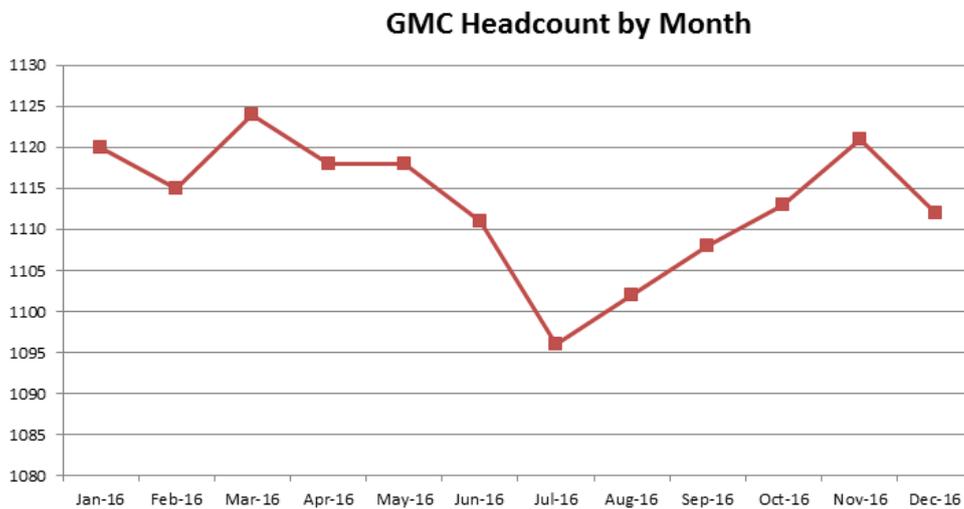
- 8** Historically the Forum has a low profile and feedback via the Staff Survey has reflected this. Over the last two years its role, the level of participation and its wider impact has grown. Attendance has been good and the Forum has moved to more strategic issues, in line with best practice.
- 9** To capitalise on this, and lead by Reps, we have undertaken a review of the constitution. The main changes are summarised in Annex B.
- 10** The aim is to help consolidate the good practice we have developed, The Board is asked to endorse the proposed constitution (Annex C) and agree that a final version is agreed by The Chief Operating Officer, Assistant Director HR and Reps before the March Forum meeting.
- 11** We do not anticipate significant changes, but we are continuing to discuss the most effective number of reps.
- 12** Reps have also asked if it would be possible to have some direct access to SMT from time to time and whether they could have an observer at PRB. This latter arrangement applied during the change programme and was well received.
- 13** It is suggested that the Board agrees in principle to facilitate a process where lad reps can meet with Directors/SMT of key issues and that the issue of attendance at PRB is considered as part of any wider Governance review.

10 – HR Update

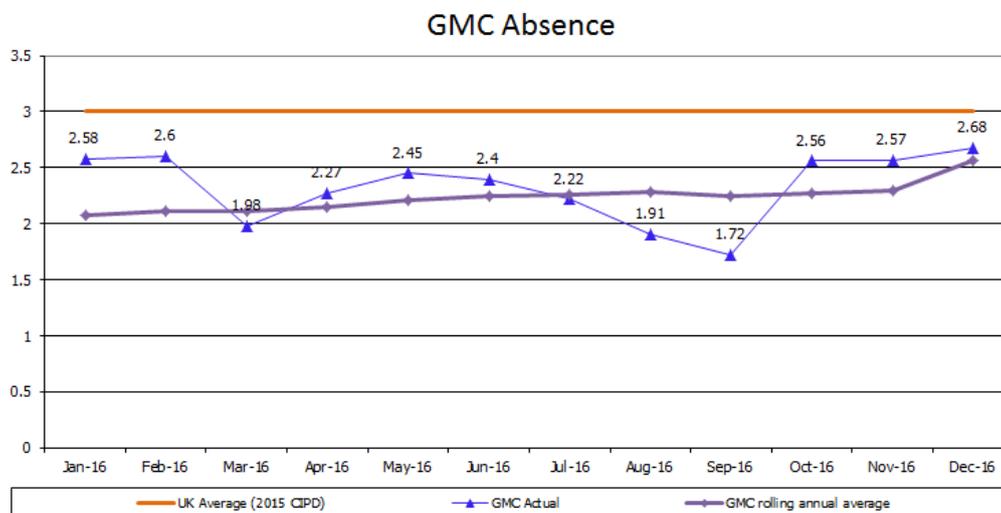
10 – Annex A

Key trends from 2016

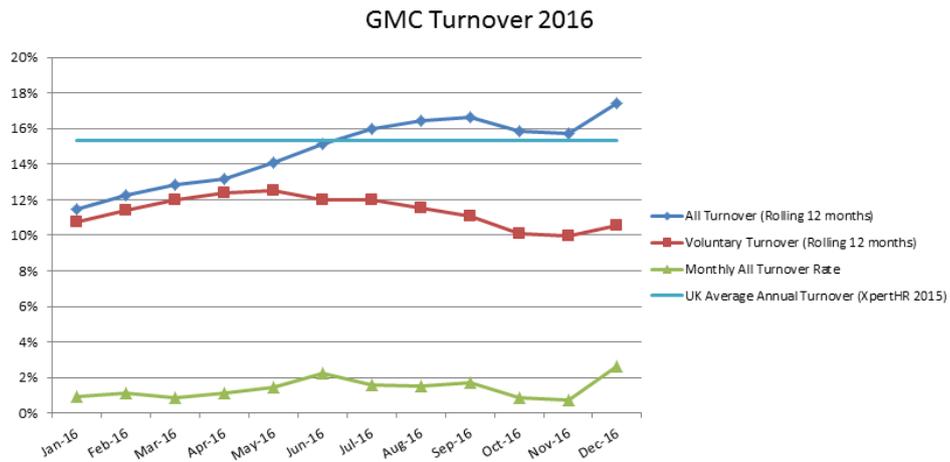
1 GMC headcount by month



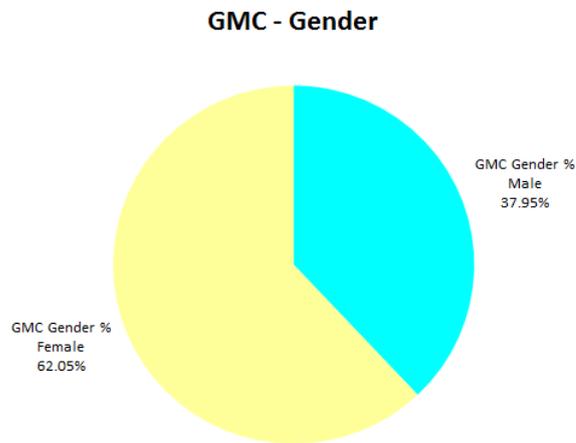
2 GMC absence by month, and with rolling 12 months



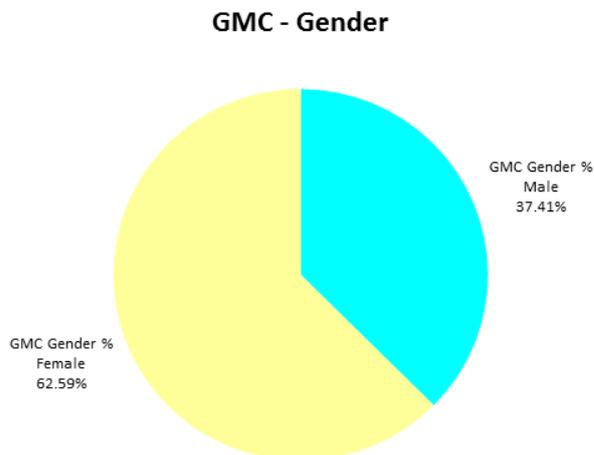
3 GMC Turnover by month, and with rolling 12 months



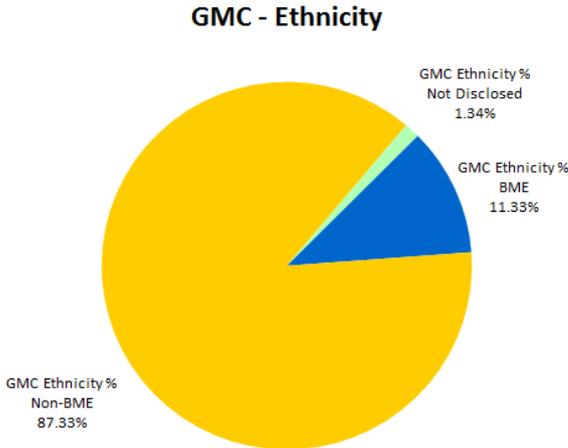
4 GMC Gender as at 31 December 2016



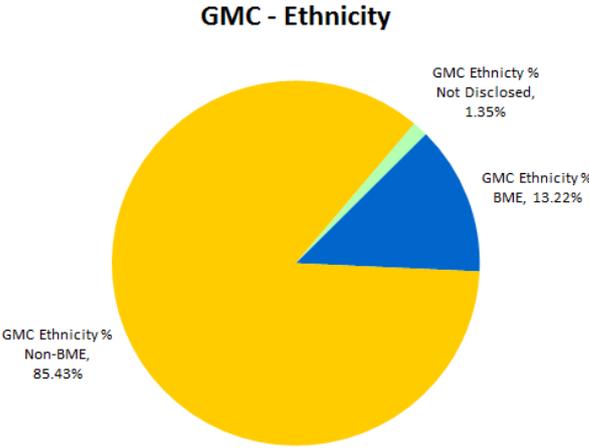
GMC Gender as at 31 December 2015



5 Ethnicity as at 31 December 2016



Ethnicity as at 31 December 2015



10 – HR Update

10 – Annex B

Staff forum constitution review

Summary of key changes

Introduction

- 1 New section briefly introducing the constitution and confirming that it covers all employees. This confirms that the staff forum applies to both GMC and MPTS staff; and any reference to GMC also includes MPTS.

Purpose and objective of the Forum

- 2 More clarification on both the purpose and objective of the forum, and clarification that Organisational information is currently and will continue to be disseminated to staff through HR policies, GMC People, Cascade, Inside Info, emails, individual letters and departmental meetings.

Subjects for discussion

- 3 To include feedback on and proposals for organisational development as matters to be raised by elected representatives

Size and composition of the Forum

- 4 To include an increase in elected representatives from 12 to 19 as set out below:

Directorate/constituency	Elected Representatives
Strategy and communication	2 (including one London rep)
Education and standards	2 (including one London rep)
OCCE and OCCO	1

MPTS	2
Resources and Quality Assurance	2
Registration and Revalidation	3
Fitness to Practise	5
Devolved Countries	1
Remote workers	1
Total	19

Eligibility of staff members to become representatives

5 No change

Election and tenure of representatives

6 To include:

- Elected representative tenure as three years; and only able to serve two terms consecutively
- Elections to be held annually on a rolling basis with aim of electing one third of reps each year
- That established methods of communication are used to highlight forthcoming rep elections, including promotion by senior staff
- The process for deciding to replace representatives leaving the forum
- The in house election process

GMC view of Forum

7 To enhance the role of managers in relation to the staff forum as follows:

Managers are expected to:

- Positively promote the role of the Staff Forum

- Actively encourage engagement with Forum representatives
- Support Forum representatives to undertake their roles effectively

8 Both managers and representatives must co-operate and work through any issues relating to representative duties.

Roles

Role of the Assistant Director – HR

9 This has been enhanced to include:

- To ensure representatives have access to appropriate technical training prior to the Forum considering complex issues such as pensions change proposals
- To ensure the senior leadership team have access to and are encouraged to engage with training opportunities relating to the Staff Forum e.g. IPA training

Role of representatives

10 This has been enhanced to include that outside of Forum meetings, representatives are expected to be proactive in engaging with their constituents. Examples include:

- Contributing to local senior management team meetings / directorate wide meetings to improve the strategic knowledge of all GMC staff.
- Holding staff forum surgeries for staff to meet with their representative on a 1:1 basis to discuss issues they may want to raise.
- Helping staff to understand the process of change and the way decisions are made

Specialist representatives

11 New proposal to provide capacity for the forum to nominate a 'specialist reps' to lead on particular areas such as Equality and Diversity and Facilities and Accommodation. Also, with the agreement of SMT, to nominate one rep to attend PRB and other executive meetings that are relevant to the work of the forum.

Training of the representatives

12 This section has been enhanced to ensure that new reps are briefed by forum colleagues on appointment, and bi annual one day training from IPA and annual bitesize refreshers for all reps.

Time off for forum duties

- 13** To remove the reference to forum duties taking place over lunch time where viable to minimise impact on roles.

Dismissal of representative

- 14** To specify that the forum has the right to suspend or remove from the membership, reps that fail to attend 50% of meetings without good reason

Meetings

- 15** To specify that:

- Main meetings will take place in Manchester
- Main forum meetings will include a director, where possible
- 40% of reps along with AD HR and Forum chair need to be present for meeting to go ahead
- Mid forum meetings can take place by VC, first hour for reps and second hour to include AD HR
- Extraordinary meetings can be held in exceptional circumstances with approval of AD HR

Agenda, minutes and communication mechanism

- 16** To specify that:

- The agenda finalised a week before meetings
 - Relevant supporting information to be provided with agenda
 - Summary as to why agenda item being submitted with exception of standing items
 - Three tier framework applied to the agenda as follows:
 - i Strategic level** - This should include standing agenda updates and actions from key GMC meetings relevant to the forum, e.g. Council, Performance and Resources Board, Strategy and Policy Board, Audit and Risk Committee, SMT, leadership group.
 - ii Tactical** – views from reps and their constituents on significant cross cutting matters affecting GMC staff, e.g the change programme, accommodation project, pensions, future discussions on pay.
-

- iii **Local** – matters that staff have tried to resolve locally but have not been able to or consider that they should be brought to the attention of the forum. The expectation is that those involved must be made aware of the proposal to raise the matter at the forum in advance of the forum meeting.

Minutes and actions

17 To specify that:

- Produced within 7 days of forum meetings
- Concise and action focused
- Each action to be recorded with an action owner and deadline
- Minutes reviewed at each meeting
- Action owner to provide update on their action
- Inside info article published to promote forum minutes

Confidentiality

18 New section to highlight duty of confidentiality that exists (where necessary) within the forum

Amendment and review

19 No change

[Agenda item number] – [Document name]

10 – Annex C

Staff Forum Constitution

Introduction

- 1 GMC recognises the importance of an informed representative employee voice. The Staff Forum ('the Forum') is a key mechanism for discussion and consultation with staff representatives.
- 2 This document sets out the constitution of the Forum, which covers all employees of GMC including those working for the Medical Practitioners Tribunal Service (MPTS) until the termination of this agreement or the Forum.
- 3 Any reference to GMC within this document should be read to include MPTS.

Purpose and objective of the Forum

- 4 The purpose of the Forum is to:
 - a Promote effective communication between GMC and its employees
 - b Enable GMC to inform employees and seek their informed views through their representatives on strategic matters
 - c Increase mutual goodwill between GMC and its staff
 - d Support the continuous improvement of the working environment for staff
- 5 The objectives of the Forum are to:
 - a Enable staff views, interests and feedback to be expressed more effectively through their elected representatives
 - b Share information and seek the views of staff through consultation with their elected representatives

- c** Promote open and timely communication with all staff
 - d** Ensure that there is a commitment to equality of opportunity and that the Forum operates in a fair and consistent manner within its terms of reference under this constitution.
- 6** Matters that affect individuals will not be discussed. The Forum will not be a decision-making body nor a negotiating or collective bargaining tool. Its role will be to enhance and not substitute existing communication channels within the GMC.
- 7** Organisational information is currently and will continue to be disseminated to staff through HR policies, GMC People, Cascade, Inside Info, emails, individual letters and departmental meetings. These channels of communication will continue to be used as and when appropriate alongside the Forum.

Subjects for discussion

- 8** Matters which the Forum will be informed of and their views sought include the following:
 - a** proposals for and the implementation of organisational change which affects all staff
 - b** reforms within the GMC
 - c** matters where consultation and/or agreement with representatives of the workforce is required by law
 - d** new working practices
 - e** overview of the GMC's strategic goals aims at directorate level and above.
- 9** Matters which elected representatives will raise for the discussion include the following:
 - a** Staff feedback on organizational development
 - b** Staff proposals for organizational development
- 10** The lists at paragraphs 7 and 8 are not exhaustive and GMC will consider the discussion of any agenda item that falls within the request for information or consultation on an issue. It reserves the right to refuse a request and in the unlikely event that this is the case an explanation will be given by the Assistant Director - HR, who will be secretary to the Forum.

Size and composition of the Forum

- 11** The Forum will comprise 19 elected members from across GMC as set out below.

Directorate/constituency	Elected Representatives
Strategy and communication	2 ¹
Education and standards	2 ²
OCCE and OCCO	1
MPTS	2
Resources and Quality Assurance	2
Registration and Revalidation	3
Fitness to Practise	5
Devolved Countries	1
Remote workers	1
Total	19

- 12** The Chief Operating Officer and Deputy Chief Executive will be the Chair and the Assistant Director - HR will also be a member and will serve as the secretary to the Forum. A senior member of the HR team will deputise for the Assistant Director where necessary.
- 13** Other staff members or external speakers may be invited to attend for specific agenda items or functions by agreement.
- 14** Although the representatives are segregated into directorates any representative can work with staff from any directorate.
- 15** Should any re-organisation take place across the GMC, the number of representatives and constituencies may be subject to change. Any amendment will follow the requirements stated under paragraph 56 below.

Eligibility of staff members to become representatives

¹ One representative to be elected from the London office

² One representative to be elected from the London office

- 16** All permanent staff members will be encouraged to stand as a representative within their own constituency. Each representative will be nominated and elected by the staff of that directorate/constituency. In order to stand for election candidates must complete a nomination form and be nominated by two other members of the constituency.

Election and tenure of representatives

- 17** Representatives will be elected for a period of three years and may only serve two terms consecutively.
- 18** Elections to the Forum will take place annually and on a rolling basis with the aim of electing approximately one third of representatives each year.
- 19** Announcement of forthcoming elections will be via the established methods of communication set out at paragraph 6 and should include positive action statements to encourage a diverse range of candidates to consider putting their names forward. Directors, Assistant Directors and Heads of Section will also promote Forum vacancies across their business areas.
- 20** Once all nominations are received the election will be conducted by secret ballot in accordance with the in-house election process (Annex A).
- 21** Should a representative leave the Forum due to an internal transfer or departure from the organisation then the remaining Forum members will decide whether or not the vacancy should be filled on a temporary basis or if a by-election ought to be held. Where the Forum decides that a vacancy should be filled on a temporary basis, this will usually involve a representative from one of the larger directorates being co-opted to represent the vacant constituency until the next scheduled election.
- 22** The Forum reserves the right to amend paragraphs 16-21 to ensure that it properly reflects the GMC workforce.

GMC view of Forum

- 23** The Chief Operating Officer and Deputy Chief Executive, directors' group and Members are committed to the efficient and effective functioning of the Forum. All managers will be aware of the role of representatives and offer their support and assistance to help them carry out their duties.
- 24** Managers are expected to:
- a** Positively promote the role of the Staff Forum
 - b** Actively encourage engagement with Forum representatives

- c Support Forum representatives to undertake their roles effectively

25 Both managers and representatives must co-operate and work through any issues relating to representative duties.

Roles

Role of the Assistant Director - HR

26 The role of the Assistant Director - HR will be to ensure that:

- a the agenda is prepared and agreed at least one week before each meeting
- b administrative support including minute taking is available
- c on the Forum's behalf all issues are communicated back to members and all staff
- d representatives have access to appropriate technical training prior to the Forum considering complex issues such as pensions change proposals
- e the senior leadership team have access to and are encouraged to engage with training opportunities relating to the Staff Forum e.g. IPA training

Role of representatives

27 At Forum meetings, representatives are expected to discuss agenda items of strategic importance to the GMC.

28 Outside of Forum meetings, representatives are expected to be proactive in engaging with their constituents. Examples include:

- a Contributing to local senior management team meetings / directorate wide meetings to improve the strategic knowledge of all GMC staff.
- b Holding staff forum surgeries for staff to meet with their representative on a 1:1 basis to discuss issues they may want to raise.
- c Helping staff to understand the process of change and the way decisions are made.

Specialist representatives

29 Where the Forum identifies a theme arising out of agenda items, or other matters raised by their constituents, it may choose to nominate a 'specialist representative.' The specialist representative will act as a lead in that area, building up expertise and being responsible for building and maintaining relationships with relevant parties to assist in resolving matters arising. Examples could include:

- a Equality and diversity
- b Facilities and accommodation

- 30** Subject to the area of work, specialist roles may be required on an ongoing basis or for only a short period of time. This will be reviewed regularly by the Forum and at least every 6 months.
- 31** With the agreement of the Senior Management Team, the Forum will be invited to nominate one representative to attend meetings of the Policy and Resources Board and other Executive meetings that are relevant to the work of the Forum.

Training of the representatives

- 32** The GMC will ensure that all representatives are provided with the following training in order to carry out their role effectively:
- a A briefing session on appointment setting out the role and responsibilities of Staff Forum representatives – to be delivered by existing members
 - b An annual bitesize refresher for all Forum representatives – delivery?
 - c One day session delivered to all Forum representatives by IPA every other year

Time off for Forum duties

- 33** All representatives will be entitled to time away from their core role to attend all Forum meetings, obtain formal training and for any related preparation.
- 34** The preparation will include seeking views from the staff in their constituency and advising them of progress and outcomes of the meetings (only in exceptional circumstances will the time allocated for this be more than three hours a month)..
- 35** Any work that is to be carried out by the representatives should cause the least disruption to the work and service delivery of the GMC.

Dismissal of representative

- 36** The Forum will have the right to suspend or remove from the membership of the Forum, a representative who fails without good reason to attend at least 50% of meetings (over a 12 month rolling period), fails to represent the views of their constituency or behaves in a manner that is contrary to the aim and purpose of the Forum. All decisions will be made by a majority vote of the Forum. Any representatives removed will be replaced on a temporary basis and the position will be included for re-election at the next scheduled election.

Meetings

- 37 There will be 8 Forum meetings per year. Main Forum meetings will take place every quarter (taking approximately three hours) with a mid-Forum meetings taking place in-between.
- 38 All main forum meetings will take place in Manchester and representatives will be given the opportunity for a pre-meeting to discuss agenda items. Main forum meetings will also be attended, where possible, by a Director who will help facilitate direct communication between the Forum and the Senior Management Team.
- 39 A main Forum meeting shall not take place unless 40% of elected representatives, the Assistant Director - HR and the Chair are present. Any representative who is not able to attend the meeting will be briefed by another representative.
- 40 The mid-Forum meetings will last approximately two hours and can take place via VC. The first hour will be for representatives only and the second hour will include the Assistant Director – HR. The mid-Forum meetings provide an opportunity to update on actions arising from the main meeting and to raise any urgent issues that have arisen in the interim.
- 41 Extraordinary meetings may be held in exceptional circumstances with the approval of the Assistant Director - HR.
- 42 The Chair will ensure the terms of reference of the constitution are adhered to at all times.

Agenda, minutes and communication mechanism

- 43 The Assistant Director - HR will provide support for the production and circulation of the agenda, any papers and minutes of the meeting.
- 44 The agenda should be finalised and circulated at least one week before the forum meeting is scheduled to take place. This is to enable representatives to have sufficient time for meaningful discussions and preparation for the forum meeting.
- 45 Relevant supporting information for agenda items (where applicable) should also be provided at the time the agenda is circulated.
- 46 A summary as to why an agenda item is being raised should also be provided, with the exception of standing items (unless there is something specific from those agenda items to discuss).
- 47 A three tier framework should be applied to the setting of the agenda as follows:

- i Strategic level** - This should include standing agenda updates and actions from key GMC meetings relevant to the forum, e.g. Council, Performance and Resources Board, Strategy and Policy Board, Audit and Risk Committee, SMT, leadership group.
- ii Tactical** – views from reps and their constituents on significant cross cutting matters affecting GMC staff, e.g the change programme, accommodation project, pensions, future discussions on pay.
- iii Local** – matters that staff have tried to resolve locally but have not been able to or consider that they should be brought to the attention of the forum. The expectation is that those involved must be made aware of the proposal to raise the matter at the forum in advance of the forum meeting.

48 Any items that arise after the agenda is published will be covered under 'Any other business'.

Minutes and actions

49 Minutes will be produced within 7 working days of each meeting. They will be concise and action focused; each action will be recorded in the minutes as follows:

- a** Action owner
- b** Deadline for completion

50 The minutes of the previous meeting should be reviewed at the beginning of each forum meeting.

51 Action owners should provide an update on their action as part of previous minute review.

52 An Inside Info news article will promote the published minutes after each main Forum meeting. Any additional mechanism to communicate the work and developments of the Forum can be agreed by the Forum. All communication work will be co-ordinated by the Internal Communications Manager.

53 Representatives will also circulate the minutes of each meeting to their constituents within 2 working days of their production by the Assistant Director – HR (or their nominated representative).

Confidentiality

54 A core aim of the Forum is to have open communication with all employees, but there may be issues raised and discussed which will need to be embargoed for further

communication for a period of time determined by GMC. All members of the Forum will be expected to respect the need for such confidentiality.

- 55** All information provided to representatives must be treated responsibly and used only for the purposes of the Forum.
- 56** GMC may provide information confidentially to representatives, in which case the GMC will include a clear statement that the information is confidential and the reasons why. All representatives have a duty to keep such information confidential.
- 57** GMC shall not be required to inform or consult representatives about any matter that GMC considers itself under a duty to keep confidential or that is in GMC's view so commercially sensitive that its disclosure would be likely to prejudice or cause serious harm to the GMC's business.

Amendment and review

- 58** The constitution may vary from time to time and this will only be by agreement of the Forum. Any amendment to the constitution will be circulated to all members and will be subject to approval from the Chief Operating Officer and Deputy Chief Executive.

Appendix A

Staff Forum in house election process

Election principles

- 1** The following four principles need to be met when running an in house election process:
 - i** The ballot is fair;
 - ii** Everyone within the relevant directorate is able to vote in the ballot;
 - iii** Votes are cast in secret;
-

- iv Votes are counted and recorded accurately.

Election process

- 2 To ensure that these principles are met a postal ballot will be carried out. The postal ballot process will be as follows:
 - All staff within the relevant directorate to be sent a numbered ballot paper.
 - The numbered ballot paper along with other election material (e.g. submissions from nominees) to be sent through internal post.
 - Checks to be made on staff that may be out of the office for any period of time - e.g. home workers, and those on annual leave, maternity leave and sick absence – to ensure that they are sent ballot papers and given an opportunity to vote in the ballot.
 - Address labels to be applied to envelopes randomly once they have been sealed; this is to ensure that it is not possible to tell which member of staff has received which numbered ballot paper.
 - The ballot will usually run for two weeks.
 - Completed ballot papers to be returned to HR in an envelope marked 'Confidential, Ballot Return, HR, London/Manchester'.
 - Returned ballot envelopes will be placed in a secure ballot box until the closing date of the election.
 - Following the closing date of the ballot, the secure ballot box and returned ballot envelopes will be opened at a specified set time and date.
 - Prior to the ballot count, the returned ballot papers will be cross referenced against the list of ballot numbers sent out.
 - Ballot papers will then be counted and the result recorded; this process will be carried out twice to ensure accuracy.
 - The ballot outcome will be determined a majority vote, i.e. the nominee with the most votes will be elected as the relevant directorate representative on the staff forum
 - In the event of a tie the ballot result will be determined by drawing a name out of a hat.
- 3 We will not be able to identify individuals from the ballot papers that are returned as the numbered papers will not be allocated to any member of staff. The ballot papers

are numbered for cross referencing purposes only once the ballot has closed to ensure that duplicate ballot papers have not been submitted.

The ballot count

- 4** An existing staff forum representative will oversee the following as part of the ballot count process:
 - The opening of the secure ballot box.
 - The opening of the returned ballot envelopes.
 - The cross checking of numbered ballot papers against HR schedule of ones issued.
 - The counting of ballot papers (to be carried out twice to ensure accuracy).
 - The recording of the ballot result.

Confirming the result

- 5** The result of the ballot cannot be confirmed until the staff forum representative is satisfied with the ballot process. If the staff forum representative is dissatisfied with any part of the election process these will be reported to the Assistant Director Human Resources who will decide on appropriate action. This could include a re-run of the election if this is deemed necessary.
- 6** Once the staff forum representative has confirmed and recorded that they are satisfied with the election process the results will be communicated to the nominees and the relevant directorate.