

BRISTOL CITY COUNCIL

HUMAN RESOURCES COMMITTEE

For Information

10th November 2011

Report of: Strategic Director: Corporate Services

Title: Update on the implementation of the Grievance Policy

Ward: City Wide

Officer Presenting Report: Helen Sinclair-Ross - Workforce Strategy
Manager

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RECOMMENDATION

The Committee is asked to note the interim results relating to the introduction of the new Grievance Policy. A full report will be presented to committee in January 2012.

The significant issues in the report are:

We are monitoring and evaluating the introduction of new procedures in April 2011 to ensure they are effective and fit for purpose.

As set out in paragraph 3.1.

1. Policy

- 1.1 The key differences between the old policy, and the revised versions, are as summarised in paragraph 1.2 below.

1.2 The Grievance Procedure was revised on the agreement of the Committee. The changes were:

i) to make it easier to understand and operate. This involved the introduction of a distinct informal stage and it would seem that the expectation that high numbers of grievances would be resolved informally before progressing to the formal stage, is being achieved.

ii) to discontinue elected Member involvement in grievance appeals. This change in the appeals mechanism accords with the approach taken by other councils and with the Council's appeal arrangements under the Work-life Balance Policy and the Job Evaluation Scheme.

iii) to help address the disproportionate representation of some equalities groups in grievance cases. Equalities data will be reviewed to assess the impact of the revised Procedure.

2. Consultation

2.1 Internal

The development of the new procedure has taken place in conjunction with managers, HR practitioners, Legal Services and representatives from the Equalities and Community Cohesion Team.

Trade Union consultations took place on 19th November 2010 and 3rd December 2010, 17th December 2010 and 10th January 2011.

Consultation has also taken place with the Self Organised Groups informally and with a formal meeting on 22nd November 2010. The groups strongly support the shift in emphasis towards the informal resolution of grievances and positive feedback was received on the introduction of the Management and Employee Guidance.

The HR Committee was in agreement with the proposals.

2.2 External

Whilst there was no external consultation a review was undertaken of the practices of other comparable authorities.

3. Context

- 3.1 There was good evidence from HR, managers and employees that indicated the previous Grievance Procedure required simplification. There was also evidence that grievances increasingly progressed straight to the formal stage including the commissioning of a formal investigation. This lengthened the process, had an adverse effect on working relationships and was costly to the Authority.

The information in Appendix A reveals that since the introduction of the Grievance Policy in April 2011:

a) There were 20 informal grievances raised. Informal resolution was a key feature of the new policy.

b) In the previous year 23 formal grievances were raised whereas 9 formal grievances have been raised since the introduction of the new policy.

c) There was only one grievance from a BME employee . (There had been a disproportionate number of grievances raised by BME employees in the previous year).

d) There is only 1 grievance awaiting resolution through the new Appeals process which replaced the former Member Appeals Panel. (The new Appeals Process came into effect on October 1st 2011).

3.2 Conclusion

The Committee note the apparent success of the new Grievance Policy and procedures and the subsequent reduction in the formal number of grievances raised. The new policy is expedient and has been well received.

- 3.3 A more detailed report will be presented to Committee in January 2012.

4. Risk Assessment

- 4.1 The risk assessment presented when HRC agreed to the changes on 20th January 2011, stated that though there may have been some opposition to the proposed changes from the trade unions, the proposals would simplify the grievance process and reduce the disproportionate impact of the procedure on under represented groups.

4.2 Furthermore, the officer only level process will be monitored and reviewed with a further report to this Committee at that stage. This report is therefore an interim report.

5. Equalities Impact Assessment

5.1 Provided in Appendix F of the original report.

Legal and Resource Implications

Legal

This Report details changes to the Employee Grievance Procedure. The amendments to the Policy have been undertaken in accordance with legal advice. The Procedure reflects the requirements of the ACAS Code of Practice on Discipline and Grievance.

(Advice from Husinara Jones for Head of Legal Services)

Financial

(a) Revenue:

There are no direct financial implications arising from this report, the purpose of which is to replace the existing Grievance Procedure with a new simpler version.

(Advice from Stephen Skinner, Finance Business Partner Corporate Services and Deputy Chief Executive's Directorates)

(b) Capital:

Not applicable.

Land

Not applicable.

Personnel

As set out in the original report any grievance which was lodged in the period up to 31 March 2011 has been considered in accordance with the previous arrangements. This would include an Appeal right to the Employee Appeal Committee.

Appendices

Appendix A - Summary of the number of Grievances raised both informally and formally since the introduction of the new Policy, also data indicating BME breakdown. The summary also includes the number of Appeals.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 Background Papers:

None.

A Summary of the Number of Grievances Raised in BCC

6 Month 'Snap-shot' indicating the number of Grievances raised *before* and *after* the introduction of the Informal Grievance Resolution process

New Policy introduced	New Policy introduced	Period prior to Introduction of new policy
Number of <i>Formal</i> Grievances raised April 2011 - October 2011	Number of <i>Informal</i> Grievances raised April 2011 - October 2011	Number of <i>Formal</i> Grievances raised - October 2010 - March 2011
9	20	23

Comparison of number of Formal Grievances Raised before and after the introduction of the Grievance Policy

Number of Formal Grievances raised October 2010 – March 2011	Number of Formal Grievances raised April 2011– October 2011
Before introduction of new policy	After introduction of new policy
23	9

A Summary of the Number of Grievances raised by Ethnicity

Number of Grievances BME Employees April 2011 - October 2011		Number of Grievances Non - BME Employees April 2011 - October 2011		Number of Grievances Unknown ethnicity April 2011 - October 2011	
Informal	Formal	Informal	Formal	Informal	Formal
1	0	13	8	6	1

A summary of the Number of Grievances Reaching Appeal Stage in BCC

Number of Grievances Reaching Appeal Stage April 2011 - October 2011	Number of Grievances Reaching Appeal Stage October 2010 - April 2011	Number of Grievances Reaching Appeal Stage with new ¹Joint Appeals Process - October 2011
3	7	1

¹ The new Joint Appeals Process will Consist of a Manager, HR Advisor and a TU Representative