

GRIEVANCES: MEMBER DIP SAMPLING OF COMPLETED CASE FILES

INTRODUCTION

1. The Police Authority, through this Committee, has an important role in the monitoring and oversight of grievances. To this end, the Chief Constable regularly submits a report to this Committee on grievances completed over the last six months.
2. To supplement the Chief Constable's report, at its meeting on 11 April 2006, the Personnel Committee approved a programme of Members' dip sampling completed case files for grievances (minute 62 refers). The programme of dip sampling has been developed to:
 - Test practice in the consideration of all grievances against the Force's policy and procedure
 - Gain appreciation of the processes and people involved in grievances
 - Identify any discrimination and/or dis-proportionality in the application of the process
3. This report sets out the key issues arising from the dip sampling visit in May and reviews this pilot exercise in advance of the establishment of further Member dip sampling of completed grievance cases.

THE PROCESS

4. This first dip sampling of grievances allowed two Members to look at four completed case files in some depth, giving them the opportunity to gain an appreciation of the processes and some of the people involved in the grievance process. The briefing, given by the Equalities and Diversity Advisor immediately prior to the dip sampling, added to this knowledge.
5. The forms completed by Members following the visit are held by the Secretariat.

ISSUES RAISED BY MEMBERS

6. The issues arising from the visit in May 2006 are set out below. Members of the committee may wish to note the issues in any future visits they undertake:
 - i. Although Members felt that the facilitator (the manager who considers the grievance at the initial stage) had carried out their role satisfactorily, it was ***queried whether the facilitator had sought the advice of the Equalities and Diversity Advisor (EDA)*** in view of the fact that, although the grievance did not relate directly to bullying, there was one reference to bullying in the case file (and grievances relating to interpersonal issues, e.g.

bullying, are submitted to the EDA in the first instance). In response, the EDA stated that the facilitator had first explored the situation and then contacted the EDA to discuss his findings and proposal for resolution.

- ii. With regard to the same grievance, Members also ***queried why, given that the issue covered by the grievance was fairly straightforward, did the procedure take over 5 months to complete.*** The EDA agreed that this did appear to be a rather extended timescale but noted that this grievance originated in Operations Branch at a time when that Branch's grievances rose considerably and that many of these grievances were dealt with by the two managers who facilitated this one.
- iii. After consideration of another case file, Members ***queried why the annual leave of the facilitator led, in part, to the timeframes being missed*** and, therefore, why another facilitator had not been chosen to speed up the process. In response, the EDA stated that the grievance involved the decision of a Superintendent. Therefore, the facilitator had to be Chief Superintendent or equivalent in order to have the necessary authority to overturn or confirm the decision. In this case, the facilitator also needed to be a police officer given the knowledge required to fully understand the issues. In addition, grievances are generally dealt with within the Division or Branch where they originate, unless they are particularly sensitive. For all of these reasons, and with the agreement of the aggrieved, it was decided to await the return from leave of the chosen facilitator.
- iv. Again relating to this same case file which had two distinct elements, the first as mentioned in 6ii above and the second involving two further managers, Members ***noted that it was not clear what action had been taken in relation to this second issue.*** The response of the EDA clarifies that no action was taken in this case, as the aggrieved's decision was to withdraw the grievance. However, the EDA goes on to state that had she been aware of any previous allegations against these individuals, she would have pursued further action. Indeed, she goes on to state that these details are now recorded and should any further complaints be made, any trends could start to be identified.

FORCE COMMENTS ON ISSUES RAISED BY MEMBERS

7. The Force has made the following comment in relation to the issues raise in paragraph 6 by Members:

"In relation to 6ii, and prior to the Members' scrutiny exercise, the EDA carried out a more detailed analysis of grievances raised in that area of the Force and, following discussions with members of the Senior Management Team, the numbers of formal grievances are now reducing. The EDA continues to carry out a review of all completed files in order to identify changes/actions necessary which will impact positively of the grievance resolution process."

REVIEW OF THE PILOT DIP SAMPLING

8. After the visit, the view was expressed that Members were not able to add much value to the grievance resolution process during this first dip sampling session. The

checks that they made against the files had largely already been carried out by the Equalities and Diversity Advisor as a matter of course.

9. However, it is hoped that over time, dip sampling of completed case files will allow Members to build up a picture of the Force's implementation of the grievance procedures. This will be an important component of the Police Authority's role in overseeing and scrutinising grievance procedures.
10. It is therefore proposed that arrangements are made for further dip sampling of completed grievance cases over the coming year. It was agreed at the last meeting of this Committee that this dip sampling would occur every six months so nominations are sought from two Members of this Committee to carry out further dip sampling in both November 2006 and the following May 2007 (each visit to last approximately 2 to 3 hours and dates to be arranged by the Secretariat in conjunction with the nominated Members).

RECOMMENDATIONS

11. It is recommended that the committee:
 - (i) Note the issues arising from the May dip sampling visit at paragraph 6 and take account of these issues in future dip sampling visits; and
 - (ii) Two Members of this Committee be nominated to carry out further dip sampling over the coming year and any issues arising be reported back to this Committee in conjunction with the Chief Constable's regular report on grievances.

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Background documents: Secretariat File 5.4.8