

GRIEVANCE RESOLUTION PROCEDURE: UPDATE

INTRODUCTION

1. This Report updates Members on the redevelopment of the Grievance Resolution Process and Members' role within it.

CURRENT POSITION

2. The Grievance Resolution Procedure is applicable to Police Officers, Police Staff, including PCSO's, the Special Constabulary and Cadets. It consists of 2 stages, an initial stage and an appeals stage. In addition there is currently a 3rd stage for Police Staff only which allows an appeal to the Humberside Police Authority. The practice has been that the Appeals Committee comprises of three Members. In the case of police officers, the appeal stage is conducted by the Chief Constable.
3. The Grievance Resolution Procedure enables open communication between staff and their managers in order to explore issues of concern related to their employment. It concerns 'resolution' and should not be adversarial. In practice this means that in some cases compromises are made by either or both the manager and member of staff.
4. Most grievances concern management decisions and policy issues, the majority of which are resolved i.e. of those currently completed in 05/06, 67% were resolved at the initial stage, 12.5% at stage 2, 8% were unresolved and 12.5% withdrawn. In the last 10 years only 2 grievances have been considered by the Police Authority on appeal with one currently pending.
5. Implications for Police Authority Members of having an appellate function include the following:
 - i. the need for training of Members of the Police Authority in respect of the appellate function;
 - ii. the pressures placed on the Police Authority's limited resources in organising the appellate function; and
 - iii. the need for clarity over the decisions which the Police Authority is able to make.

ROLE OF THE POLICE AUTHORITY

6. The Police Authority has a clear role and responsibility which is set out in the supplement to the Association of Police Authorities (APA) guidance document 'People Matters': Tackling Discrimination – Police Authority oversight and scrutiny of grievance procedures and employment tribunals' (January 2004): In relation to grievance the role is to:
 - i. adhere to its statutory obligations under employment legislation e.g. Disability and Sex Discrimination Acts, Employment Act 2002 and ensure that staff do not suffer detriment, discrimination, harassment or victimisation because of them being a member of a minority group; and
 - ii. under the Race Relations (Amendment) Act 2000 monitor grievance procedures.
7. The guidance document is detailed and outlines information that authorities should receive on a regular basis in order to monitor and scrutinise grievance procedures. In addition it suggests the 'dip sampling' of completed grievance cases in order to ensure that they are dealt with 'rigorously and fairly in line with established force policies and procedures'.
8. To enable the monitoring role the Personnel Committee now receives reports from the Chief Constable on a six-monthly basis detailing grievance data by gender, ethnicity and staff group, location, subject area, analysis of relevant trends and points of action.
9. In April 2006 the Personnel Committee developed a dip sampling process. In preparation for this a workshop was held for Members on 6 December 2005, delivered jointly by Personnel Branch Staff and the Police Authority Secretariat, which focussed on the Grievance Resolution Procedure and the process of dip sampling. Dip-sampling was then 'piloted' in May 2006, the results of which are reported elsewhere on this agenda.

AUDIT OF INTERNAL REPORTING MECHANISMS

10. Following feedback from the Gender Agenda Conference (November 2005) the Deputy Chief Constable sponsored an audit of internal reporting mechanisms which included the Grievance Resolution Process. The terms of reference covered frequency of use, user satisfaction and whether current mechanisms were fit for purpose.
11. An important development workshop is to be held on 12 July 2006 to present the findings of the audit to all stakeholders, further explore the issues raised and consider a way forward. Unison representatives will be attending as will Police Authority Members, Chief Officers, Divisional Commanders/Branch Managers, Federation representatives, First Contact Advisors and Members of the Forum. The aim of the workshop is to achieve a very significant step towards developing the grievance process so that key stakeholders will have confidence in it. All Members of the Personnel Committee would find it valuable to attend if they are able.

CONCLUSIONS

12. The APA guidance 'People Matters: Tackling Discrimination' clearly sets out the intended role of Police Authorities which requires engagement in effective monitoring and scrutiny.
13. The workshop on the 12th July will be a key event in reconsidering the Grievance Resolution Procedure and I would invite as many Police Authority Members to attend as possible.

RECOMMENDATION

14. It is recommended that;
 - i) Members be invited to attend the workshop on the 12th July; and
 - ii) there be a full report to the next Personnel Committee regarding any recommendations to change the current procedure.

TIM S HOLLIS
Chief Constable

Police Headquarters, Priory Road, Hull

Ref: PERS/MSU/SM/WS

Background Papers: People Matters, Tackling Discrimination: Police Authority Oversight and Scrutiny of Grievance Procedures and Employment Tribunals.