

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 (see item on this agenda).
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 disproportionality in the application of the process
3. This report sets out the key issues arising from the dip sampling visit in December.

THE PROCESS

4. This dip sampling of grievances allowed two Members (Mr Shipley and Councillor Uzzell) 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, along with forms from previous visits.

ISSUES RAISED BY MEMBERS

6. The issues arising from the visit in December 2006 are set out below. Members of the Committee may wish to note the issues in any future visits they undertake:
 - (i) One Member noted that the Equalities & Diversity Adviser had identified, upon review of completed grievances file, a number of mistakes in the procedure

followed in that grievance. As a consequence the Equalities & Diversity Adviser identified correcting actions most of which had been completed. However, one remained outstanding. The Equalities & Diversity Adviser confirmed that she would shortly review this file again to ensure that the outstanding action was complete.

- (ii) The Member also queried how the Force was ensuring that such mistakes are not made again. In response, the Equalities & Diversity Adviser advised that those who had made mistakes in the above grievance (both locally in the Division and centrally in Personnel Branch) had been given advice by the Equalities & Diversity Adviser on the correct process to be followed in future cases.
- (iii) Two of the files reviewed involve family leave policy issues and the apparent inconsistent application of the policy (Members should note that the family leave policy as currently worded allows managers some discretion in deciding the award of family leave, albeit within the guidelines set out in the policy). After considering the file, the Member concerned queried what was being done to ensure that the lessons learnt from this grievance were spread across the Force. It is understood that Personnel Branch is currently reviewing the Practice Direction to reduce the scope for its inconsistent application. Members of this Committee may feel it appropriate to request a further report from the Chief Constable on the revisions to the Practice Direction and the consistency of its application across the Force at a later date.
- (iv) One Member queried why a grievance was given to a certain facilitator (the relevant Divisional Commander) when he was about to go on leave. The Equalities & Diversity Adviser clarified that the Force aim to have grievances dealt with as locally as possible and only passes a grievance on to another Branch or Division for particularly sensitive issues, this being the 'exception' rather than the 'norm'. The Equalities & Diversity Adviser clarified that in this case the facilitator did offer to progress the grievance whilst he was on leave, thus avoiding undue delays.

FUTURE DIP SAMPLING OF GRIEVANCE FILES

- 7. The checks that Members made against the files had largely already been carried out by the Equalities and Diversity Advisor as a matter of course.
- 8. 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, especially as the Force reviews its grievance procedure (see agenda item on this review elsewhere on agenda).
- 9. Arrangements will therefore be made for further dip sampling of completed grievance cases over the coming year, with the next visit being due in May 2007.

RECOMMENDATIONS

10. It is recommended that:

- (i) The Committee discuss the issues arising from the December dip sampling visit at paragraph 6 and take account of these issues in future dip sampling visits; and
- (ii) Arrangements be made for 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