

<b>Unis Classification</b> Open	<b>Item No.</b>
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<b>Meeting:</b>	Employment Panel
<b>Meeting date:</b>	12 <sup>th</sup> November 2024
<b>Title of report:</b>	Workforce Policy Review (Phase 7)
<b>Report by:</b>	Cllr. Tahir Rafiq, Cabinet Member for HR & Corporate Affairs
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	All

**Executive Summary:**

A key component of the Council’s HR improvement and modernisation programme is the review of core HR systems, processes and policies to ensure they are fit for purpose, reflective of modern HR practice and align with the organisational culture described by the LET’S values. As part of this work, Employment Panel has agreed revisions to 34 employment policies during 2023 and 2024.

This report sets out a further policy change, to the Grievance Procedure. Trade Union colleagues have been fully engaged in this work.

**Reccomendation(s)**

That the Employment Panel agrees the changes to the Grievance Procedure.

Subject to Employment Panel’s approval, the revised procedure will go forward for endorsement via the Council’s Corporate Joint Consultative Committee before being published on the Council’s intranet pages and communicated to staff with the intention to come into force from 2 December 2024.

**KEY CONSIDERATIONS**

**Background**

The Council’s Grievance Procedure was revised by Employment Panel in June of this year. As with any new policy its initial period of operation provides an opportunity to identify areas for clarification and improvement. Furthermore, in October of this year, a new duty to take reasonable steps to prevent the sexual harassment of workers came into force and there is a need to strengthen the Grievance Procedure to address this.

## Policy Headlines

Key changes to the policy from the version agreed previously include:

- A clearer delineation between standard 'grievances' and 'dignity at work' related matters (including sexual harassment) and clarity on expectations and processes around how these matters will be addressed.
- Removal of the requirement for a formal 'hearing' stage in keeping with best practice in the management of grievances and legal and ACAS guidance. – A more straightforward and less adversarial process is set out which retains the key formal elements and same right of appeal
- Clarity on the expectations and arrangements for communication with the parties a grievance is raised against (where relevant)
- Clarity that the policy can apply to both individual and collective grievances
- Clarity on the expectations and arrangements in relation to note taking.

The Grievance Procedure will apply to all Council services staff including former employees Six Town Housing.

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## Community impact/links with Community Strategy

A modern and effective employee policy framework is essential to ensuring the effective operation of the organisation and, in turn the delivery of our commitment to the Community Strategy.

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## Equality Impact and considerations:

*Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

*The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we*

are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

<b>Equality Analysis</b>	Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.
No negative impact identified.	

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**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
Trade Union objection to policy changes	Prior discussions have taken place with Unison

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**Consultation:**

All of the above proposed changes have been shared with the Trade Unions, and where appropriate there have been consultations with HR colleagues, managers, the EDI Manager and the Legal Team.

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**Legal Implications:**

The revised policy has been reviewed by legal services and legal advice provided on the revised policy. The current timescales for Appeal hearing are longer than the ideal timeline envisaged by ASAC guidance, as a large and complex organisation it is not unusual for the Authority to provide a longer timeline for hearing. This has been discussed with the Director of People and Inclusion and he has committed to review appeal timeline across all relevant policies and report back to the employment panel.

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**Financial Implications:**

None. The policy changes update and simplify the current procedure and bring it in line with best practice. There are no direct financial impacts.

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**Background papers:**

Report to Employment Panel June 2024: Workforce Policy Review

Appendix 1: Grievance Procedure

Appendix 2: EqIA for the Grievance Procedure