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To: Personnel Committee

Date: 29 January 2014

Subject: Grievance Activity

Classification: **Unrestricted**

SUMMARY: This report updates Personnel Committee on grievance case work activity for the period 2012-13 and associated timescales for the resolution of disputes.

1. INTRODUCTION

- 1.1 On 28 November 2013 Personnel Committee received a report on discipline and grievance activity which provided an overview of the distribution of cases.
- 1.2 The figures that were provided were set in the context of there being increasingly less HR resource and a greater focus on KCC managers leading performance management successfully. The case team part of the HR Advisory Team has taken a lead in working with managers to raise standards and their confidence in managing employee relations.
- 1.3 Following consideration of the paper Personnel Committee asked that a subsequent report be presented which analyses the time taken to complete grievances.

2. CASE ANALYSIS

- 2.1 Whilst the Council's grievance procedure provides a framework for formally managing disputes it also encourages, and positively supports, managers and employees resolving matters informally. Due to the local management of such disputes there are no figures available to demonstrate the level of this activity. However, it is expected that the Kent Manager has the skills to resolve matters as swiftly and as near to the point of dispute as possible.
- 2.2 The figures presented are, therefore, for cases that could not be resolved at team level or were escalated up the steps in the procedure due the case's significance or due to the parties involved. These are cases where HR advise on the process.
- 2.3 The analysis also does not include whistle blowing cases as they are dealt with through a separate policy to ensure speedy identification and investigation of the issues raised.

- 2.4 The timescales shown in the following table should be considered in the context that there is no set timescale for employees to move a grievance to the next step of the procedure if they are unhappy with the decision made at the previous stage. The figures will also include grievances that require investigation into the matters raised which can have an impact on the length of time it takes to conclude the procedure.

April 2012 – March 2013

**Grievances – resolution timescale
Total = 59 Cases**

Under 1 month	1 to 2 months	2 to 4 months	Over 4 months	Pending
26	18	7	4	4

April 2013 – October 2013

**Grievances – resolution timescale
Total = 39 Cases**

Under 1 month	1 to 2 months	2 to 4 months	Over 4 months	Pending
19	8	9	0	3

The number of cases and the chosen time periods correspond to those in the report of the 28 November 2013.

The pending column is cases that were opened but not resolved in the period for the table. The outcomes for the cases pending at the end of March 2013 are included in the April 2013 table.

- 2.5 These tables show that for April 2012 to March 2013 just under 50% of cases were resolved in less than a month and 75% in less than two months. A very similar percentage can be seen for the period April 2013 to October 2013. The calculations do not include the pending cases as they have no close date.
- 2.6 Every effort is made to close grievances quickly and it can be seen that in the period from April 2013, whilst not a full year's figures, there had been no cases remaining unresolved after four months.
- 2.7 The analysis of the 4 cases that took over four months in the period April 2012 to March 2013 shows that 2 of them were linked to disciplinary cases and had to be managed in the context of the investigations involved. Of the other two one required an investigation before an outcome was given and the other saw difficulties in the availability of the parties involved.
- 2.8 Of the other cases that took over 2 months a variety of issues resulted in these timescales including investigations required, ill health and maternity leave.

2.9 The current grievance procedure does give scope for employee's grievances to be resolved in a timely fashion. There are many factors that can influence timescales not least continued escalation through the process by the employee. Personnel Committee agreed on the 28 November 2013 to embark on changing the Council's approach to resolving grievances through the introduction of a dispute resolution procedure. The emphasis of this type of procedure is to resolve disputes without reference to more formal processes and in finding mutually acceptable outcomes. This should have a positive impact on the speed of resolution.

3. RECOMMENDATIONS

- a) Personnel Committee notes the report of the timescales to resolve disputes raised under Kent County Council's grievance procedure.

Ian Allwright
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