

**Notes of the Joint Consultative Panel**

**10th November, 2014**  
**at the Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present: Members of the Authority**

Councillor Clinton (Chair);  
Councillors Collingswood, Douglas-Maul and  
Shackleton.

**Employees Side**

**Fire Brigades Union (FBU)**

S Price-Hunt.

**Unison**

V Mallabar.

**Fire Officers' Association (FOA)**

A Tranter - Conference Call.

**Officers**

Claire Kelly.  
W Browning-Sampson.  
Helen Sherlock.  
Sarah Warnes.

**Observer: Councillor Tranter.**

4/14

**Notes**

The notes of the meetings held on 23rd September, 2013 and 22nd September, 2014, were received.

**Joint Consultative Panel**  
**10th November, 2014**

5/14

**Dispute Resolution**

Further to Note No. 3/14 (22nd September, 2014), the Panel received a verbal update from officers on the discussions and progress which had been continuing since the last meeting on the issues around the disciplinary and grievance process and, in particular, around the high number of gross misconduct cases.

Human Resources had identified that training development was required for managers and that a more proactive approach with early intervention, wherever possible, was required for the disciplinary and grievance process. It was noted that Human Resources was now operating more as a business partner to personnel and not as a service. It had put in place a feedback process for all parties. In particular it had more recently advised that dates for debriefs with the Trades Unions on such cases were organised at the start of the process in order to capture any learning outcomes. These issues would then be reported to the Joint Consultative Panel.

Human Resources captured a lot of information and would look at specific managers and areas and share this with the Panel and the Trades Unions. It had suggested that mentoring be introduced for managers to assist disciplinary resolution and that this should be done through “role play” and other initiatives and not through a “live” situation.

The Chair and the Trades Unions representatives expressed their acceptance of this approach. The FBU re-iterated its concerns from the last meeting of the Panel about the appeals process. In response to the Chair’s request for information to how the process had been carried out historically, officers advised that a number of years ago the process of Members hearing appeals was removed, in agreement with the Authority. More recently the FBU had asked for this process to be reinstated and following consideration by Members this request was rejected. The Panel at the time agreed that it was better and more progressive in developing the appeals process to have more scrutiny about cases; and this was achieved through the dispute resolution reports.

**Joint Consultative Panel**  
**10th November, 2014**

A robust performance management network had been established to monitor all aspects of grievances and how they were handled. It was felt that to be proportionate it was necessary to go back to basics in such circumstances and that the relationship between individuals and line managers was the most important thing to be considered.

The Chair noted that all Authority Members of the Panel had questions on the process and that many had not been appointed to the Panel before. She therefore thought it was timely to look at the past and present processes and review the outcomes and that training for all persons involved should be arranged at the earliest opportunity.

In response to members' enquiries, the Strategic Enabler for People – Support Services reported that a review of Human Resources (People Support) would be undertaken to support line managers and ensure that they were aware of their responsibilities.

Members of the Panel were supportive of the Chair's proposal to review the outcomes of the disciplinary and grievance process and were concerned about the length of time that disciplinary proceedings took. It was also felt that, if appropriate, the Scrutiny Committee might be asked to investigate the matter.

The FBU and the FOA, whose representative contributed at the meeting by conference call, supported the review which the Chair had indicated and felt that it would ensure that disciplinary and grievance cases were handled fairly and in a shorter amount of time, which would be less stressful on all concerned. It was also felt that early intervention and engagement by managers to try and address cases informally in the first instance would assist the process.

The Chair asked officers to arrange appropriate training on the WMFS Disciplinary and Grievance Procedures for all members and Trades Unions representatives and for this to be initiated before Christmas. If there were still concerns about the process following such training then the Panel might wish to refer the matter for investigation by the Scrutiny Committee.

**Joint Consultative Panel**  
**10th November, 2014**

(Proceedings ended at 1.45 pm)

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