

# **WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

## **SCRUTINY COMMITTEE**

**4 SEPTEMBER 2017**

### **1. DISPUTE RESOLUTION REPORT**

Report of the Chief Fire Officer

RECOMMENDED

- 1.1 THAT the contents of the dispute resolution report for the period 1 January 2017 to 30 June 2017 are noted.
- 1.2 THAT the contents of the Dispute Resolution report is submitted to the Joint Consultative Panel.

### **2. PURPOSE OF REPORT**

To inform the Scrutiny Committee regarding the number, type and outcomes of discipline and grievance hearings and other dispute resolution including Employment Tribunal activity that have occurred during the period of 1 January 2017 to 30 June 2017.

### **3. BACKGROUND**

- 3.1 This report provides a summary of the number, type and outcomes of disciplinary, grievance, debriefs, collective grievances and any reported failure to agree or failure to consult.
- 3.2 Within this report we will identify any lessons learned. This considers feedback and regular discussions with Trade Unions/Representative Bodies and other employees within the Service. Feedback is also noted after case debriefs which we hold once a case has come to an end. Discussions frequently take place at Joint Consultative Committee and monthly Joint Working Party meetings.

#### 4. **SUMMARY OF CASES**

##### 4.1 **Grievances:**

- Two grievances were received. The first grievance was resolved and no appeal was lodged. The second grievance was a collective grievance which was heard by an independent manager and not upheld. No employment tribunal claims have been submitted. This is the lowest number of grievances recorded since March 2011.
- Both individual and collective grievances lodged were from male Grey Book employees. There has been no impact on any particular group. Appendix 1 provides the information for dispute resolution for the period of 1<sup>st</sup> January – 30<sup>th</sup> June 2017.
- Business Partners work closely with line managers to identify any concerns at the earlier stages which helps resolve issues informally.
- Monthly breakdown on all grievance cases are considered at the Joint Working Party which is attended by Trade Unions and the relevant managers.

##### 4.2 **Disciplinary:**

There were 13 cases detailed as follows:

- A single incident from 1 station which resulted in 10 disciplinary investigations; these were fully investigated and resulted in no formal action.
- Two hearings resulted in a 6-month written warning and did not go to an appeal.
- The third resulted in no formal action.
- All but 1 disciplinary case involved male employees with a difference of ages, race and religion. There has not been any impact on any particular group. Please refer to Appendix 1 which has the detail.
- People Support Services work very closely with the managers and trade unions and resolve issues at the very early stages. New managers are buddied up when dealing with any

disciplinary investigations which supports their development.

- Monthly breakdown on all disciplinary cases are given at the Joint Working Party which is attended by Trade Unions and the relevant managers.
- People Support Service's Business Partners have regular meetings, discussions and dialogues with Trade Unions to keep them informed on any issues and to help resolve at an early stage which will stop developing into disciplinary or grievances.

## 5. **POLICIES & PROCEDURES**

- 5.1 Disciplinary Standing Order is currently under formal consultation with Joint Consultative Committee members. Trade Unions and staff have been fully involved when making any changes to this Standing Order.
- 5.2 Grievance Standing Order has been reviewed and consulted on. Trade Unions have been fully involved whilst being under review and consultation.

## 6. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The Service's Policies that are applied in all case management have been subject to full Equality Impact Assessments.

## 7. **LEGAL IMPLICATIONS**

There are no direct legal implications arising from this report.

## 8. **FINANCIAL IMPLICATIONS**

There are no financial implications to this report.

## 9. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications to this report.

## 10. **TRADE UNION CONSULTATION**

All cases are shared and discussed on a monthly basis at the Joint Working Party meeting.

**BACKGROUND PAPERS**

Disciplinary Standing Order 2/1, Grievance Standing Order 2/2  
Previous JCP reports '01' to '10'

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CHIEF FIRE OFFICER