



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **PERSONNEL BOARD** will be held in
David Hicks 1 - Civic Offices, Shute End, Wokingham RG40
1BN on **TUESDAY 22 NOVEMBER 2022 AT 7.00 PM**

A handwritten signature in black ink, appearing to read 'Susan Parsonage', with a long, sweeping tail stroke.

Susan Parsonage
Chief Executive

Published on 14 November 2022

Note: Non-Committee Members and members of the public are welcome to attend the meeting or participate in the meeting virtually, in line with the Council's Constitution. If you wish to participate either in person or virtually via Microsoft Teams please contact Democratic Services. The meeting can also be watched live using the following link: <https://youtu.be/35NkwuCM2A0>

Our Vision
<i>A great place to live, learn, work and grow and a great place to do business</i>
Enriching Lives
<ul style="list-style-type: none"> • Champion excellent education and enable our children and young people to achieve their full potential, regardless of their background. • Support our residents to lead happy, healthy lives and provide access to good leisure facilities to enable healthy choices for everyone. • Engage and empower our communities through arts and culture and create a sense of identity for the Borough which people feel part of. • Support growth in our local economy and help to build business.
Providing Safe and Strong Communities
<ul style="list-style-type: none"> • Protect and safeguard our children, young and vulnerable people. • Offer quality care and support, at the right time, to reduce the need for long term care. • Nurture our communities: enabling them to thrive and families to flourish. • Ensure our Borough and communities remain safe for all.
Enjoying a Clean and Green Borough
<ul style="list-style-type: none"> • Play as full a role as possible to achieve a carbon neutral Borough, sustainable for the future. • Protect our Borough, keep it clean and enhance our green areas for people to enjoy. • Reduce our waste, promote re-use, increase recycling and improve biodiversity. • Connect our parks and open spaces with green cycleways.
Delivering the Right Homes in the Right Places
<ul style="list-style-type: none"> • Offer quality, affordable, sustainable homes fit for the future. • Ensure the right infrastructure is in place, early, to support and enable our Borough to grow. • Protect our unique places and preserve our natural environment. • Help with your housing needs and support people, where it is needed most, to live independently in their own homes.
Keeping the Borough Moving
<ul style="list-style-type: none"> • Maintain and improve our roads, footpaths and cycleways. • Tackle traffic congestion and minimise delays and disruptions. • Enable safe and sustainable travel around the Borough with good transport infrastructure. • Promote healthy alternative travel options and support our partners in offering affordable, accessible public transport with good transport links.
Changing the Way We Work for You
<ul style="list-style-type: none"> • Be relentlessly customer focussed. • Work with our partners to provide efficient, effective, joined up services which are focussed around our customers. • Communicate better with customers, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough. • Drive innovative, digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.
Be the Best We Can Be
<ul style="list-style-type: none"> • Be an organisation that values and invests in all our colleagues and is seen as an employer of choice. • Embed a culture that supports ambition, promotes empowerment and develops new ways of working. • Use our governance and scrutiny structures to support a learning and continuous improvement approach to the way we do business. • Be a commercial council that is innovative, whilst being inclusive, in its approach with a clear focus on being financially resilient. • Maximise opportunities to secure funding and investment for the Borough. • Establish a renewed vision for the Borough with clear aspirations.

MEMBERSHIP OF THE PERSONNEL BOARD

Councillors

Rachel Bishop-Firth (Chair)
Stephen Conway
Stuart Munro

Clive Jones (Vice-Chair)
Pauline Helliard-Symons

Prue Bray
Pauline Jorgensen

ITEM NO.	WARD	SUBJECT	PAGE NO.
34.		APOLOGIES To receive any apologies for absence	
35.	None Specific	MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 4 October 2022.	5 - 6
36.		DECLARATION OF INTEREST To receive any declarations of interest	
37.		PUBLIC QUESTION TIME To answer any public questions A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of this committee. Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions	
38.		MEMBER QUESTION TIME To answer any member questions	
39.	None Specific	DIRECTOR OF PLACE & GROWTH & ASSISTANT DIRECTOR OF HOUSING PERMANENT RECRUITMENT PROCESS PROPOSAL To receive a report regarding the Director of Place & Growth & Assistant Director of Housing Permanent Recruitment Process Proposal.	7 - 12
40.	None Specific	REVISED GRIEVANCE POLICY To consider the revised Grievance Policy.	13 - 26
41.		EXCLUSION OF THE PUBLIC That under Section 100A(4) of the Local Government	

Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

42. None Specific

AGENCY WORKER USAGE Q2 2022/2023

27 - 34

To consider the Agency Worker Usage Q2 2022/2023 report. (*Appendices to follow*)

Any other items which the Chairman decides are urgent

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

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MINUTES OF A MEETING OF THE PERSONNEL BOARD HELD ON 4 OCTOBER 2022 FROM 7.30 PM TO 8.55 PM

Committee Members Present

Councillors: Rachel Bishop-Firth (Chairman), Clive Jones (Vice-Chairman), Prue Bray, Stephen Conway, Pauline Jorgensen and Stuart Munro

Officers Present

Madeleine Shopland, Democratic and Electoral Services Specialist
Joelle Cooper, HR
Susan Parsonage, Chief Executive
Matt Pope, Director Adult Services
Sally Watkins, Assistant Director Digital and Design (item 31 and 33 on agenda)

32. APOLOGIES

An apology for absence was submitted from Councillor Pauline Helliard Symons.

33. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 4 July 2022 and the Minutes of the extraordinary meetings held on 12 July and 27 July 2022 were confirmed as a correct record and signed by the Chair, subject to the amendment below.

4 July 2022 – Members felt that it should be made clearer that the Board had requested an investigation into the Real Living Wage be made, and the implications of adopting it, be brought back to the Board.

The Board agreed that the following wording, *Members requested that the Council adopting the Real Living Wage for its direct employees should be investigated, and the implications of this to be reported back to the Council. This should cover the possible implications for the pay of school staff, contractors, and parts of the organisation such as Optalis, replace -Councillor Bishop Firth questioned whether the Real Living Wage scheme could be considered and brought to a future meeting.*

It was confirmed that this piece of work would not commit the Council to undertaking the Real Living Wage. Matt Pope, Director Adult Services, stated that the Real Living Wage for Adult Social Care had, had approximately a 10% increase, which would indicate an additional cost of around £4.5million to the Council to achieve that. Pauline Jorgensen asked about adult social care pay rates and was informed that there were multiple suppliers that paid different rates. Not all shared their rates, but many would be below the Real Living Wage.

Councillor Bishop Firth questioned when answers to questions put at the July meeting would be received. Sally Watkins, Assistant Director Digital and Design, indicated that the action list would be circulated to Members.

34. DECLARATION OF INTEREST

There were no declarations of interest made.

35. PUBLIC QUESTION TIME

There were no public questions.

36. MEMBER QUESTION TIME

There were no Member questions.

37. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

38. SALARIES COMPARED TO THE MARKET

Pauline Jorgensen questioned whether this item needed to have been fully in private session.

The Board considered a report regarding salaries compared to the market.

RESOLVED: That

- 1) Recommendations 1 to 3 within the report be agreed;
- 2) Recommendation 4 not be agreed;
- 3) An additional recommendation as discussed within the meeting, be agreed.

39. SENIOR OFFICER ROLES

The Board considered a report regarding Senior Officer roles.

RESOLVED: That the recommendations contained within the report be agreed.

40. Q1 AGENCY REPORT - AUGUST 2022

The Board considered the Q1 Agency report – August 2022.

RESOLVED: That the recommendations within the report be agreed.

TITLE	Director of Place & Growth & Assistant Director of Housing Permanent Recruitment Process Proposal
FOR CONSIDERATION BY	Personnel Board – November 2022
WARD	None Specific
DIRECTOR	Susan Parsonage, Chief Executive

RECOMMENDATION

That Personnel Board:

- 1) Approves the proposed recruitment process for the appointment of a permanent Director of Place & Growth;
- 2) Approves the proposed recruitment process for the appointment of a permanent Assistant Director of Housing.

SUMMARY OF REPORT

Background

The Director of Place & Growth post has been covered by an interim appointment since May 2021, which was a necessary appointment given market conditions at that time and the need to ensure the successful delivery of an ambitious corporate agenda. This appointment has provided clarity and insight into shaping the future strategic direction for Place and Growth and it is now the appropriate time to secure a permanent appointment to this post.

Alongside this search, the permanent appointment of an Assistant Director for Housing must be secured. This post has been covered by an interim since August 2021. Again, this was necessary given market conditions at that time, but we would now like to prioritise permanent appointment.

Proposal

It is proposed to run both recruitment processes in parallel, seeking the support of a recruitment agency (Gatenby Sanderson) to facilitate the search & appointment process for the Director of Place & Growth whilst managing the Assistant Director for Housing process ourselves (advertising externally in appropriate forums).

Recruitment Process

It is proposed that the recruitment process outlined below will be followed for both the Director and Assistant Director appointments. A Recruitment Agency will lead & facilitate the search for the Director position, and Steve Moore with Human Resources will lead on the Assistant Director search.

Appointment of Recruitment Agency to Support Director of Place & Growth Recruitment

The procurement process was followed to appoint an appropriate recruitment agency to support our search for a permanent Director of Place & Growth. A tender specification document was drawn up and Recruitment Agencies invited to respond. Gatenby Sanderson was selected based on price and ability to meet the brief within the required timescales.

Person & Role Specification Briefing

A briefing call has been undertaken with Steve Moore (Interim Director for Place & Growth) to gather key person and role specification requirements.

Additional briefing calls will be undertaken with the Chief Executive and Lead Member for the Director search to develop an appropriate advertising campaign to maximise the potential of running a successful campaign and securing a strong pool of potential candidates.

Advertising Stage

The adverts will both be placed in the MJ, Jobs Go Public and on the Council website. In addition, the Director search will also be supported by a creative campaign, editorial interview, and microsite via the Recruitment Agency.

Initial Evaluation & Long Listing Stage

An initial evaluation to assess candidates written submissions against the person specification and agreed competencies will be undertaken by Gatenby Sanderson for the Director search and by Steve Moore & HR for the Assistant Director search.

A full report of all applicants will be prepared which will sort candidates into three categories:

- A: recommended applicants
- B: applicants that merit further consideration/discussion
- C: applicants not recommended

A virtual long-list meeting will take place with designated CLT Officers to agree which candidates to take forward.

Technical Interview Stage

Selected candidates will undergo a technical interview with Steve Moore. These interviews will probe candidates' technical ability to undertake the role as well as their wider strategic understanding.

Short Listing Stage

Based on the above interviews, a full report will be prepared which will sort candidates into three categories:

- Recommended
- For Further Consideration and
- Not Recommended.

It is proposed that a shortlist meeting takes place with Personnel Board w/c 30th January to decide which candidates to take forward.

Final Assessment Stage

Following approval, shortlisted candidates will be invited to an assessment centre (proposed w/c 6th Feb) and then through to interview, which will include:

- A panel interview with CLT
- Meeting/interview with key stakeholders
- Interview with Personnel Board

Appointment Stage

Once final decisions are made, all candidates whether successful or otherwise will be notified with the appropriate feedback.

Timescales

Director of Place & Growth

<ul style="list-style-type: none"> • GS briefings organised with the Leader/Cabinet Portfolio holder and CEO • Agree creative advertising (to be agreed earlier if possible) • Leader and CEO to meet with the MJ for editorial interview 	w/c 24 th October 2022 to 11 th November
Final sign off: Advert, interview with MJ, microsite, all GS briefings completed.	w/c 14 th November 2022
Go live: Search and advertising	w/c 14 th November 2022
Closing date	w/c 19 th December 2022
Sift report complete and shared with WBC	w/c 2 nd January 2022
Longlist meeting	w/c 9 th January 2022
Preliminary interviews by GS (Technical Interview with Steve Moore)	w/c Monday 16 th January 2022
Shortlist Meeting with Personnel Board	w/c Monday 30 th January 2022
Panel interview with CLT, meeting/interview with key stakeholders and interview with Personnel Board	w/c Monday 13 th February 2022

Assistant Director for Housing:

<ul style="list-style-type: none"> Briefing with Director of Place & Growth and review of role & person specification Final Advert sign off, MJ contacted & PO raised 	w/c 24 th October 2022
Final sign off: Advert, interview with MJ, microsite, all GS briefings completed.	w/c 14 th November 2022
Go live: Search and advertising	w/c 14 th November 2022
Closing date	w/c 15 th December 2022
Sift report complete	w/c 12 th December 2022
Longlist meeting	w/c 19 th December 2022
Technical Interview with Steve Moore	w/c 2 nd January 2023
Shortlist Meeting with Personnel Board	w/c 16 th January 2023
Panel interview with CLT, meeting/interview with key stakeholders and interview with Personnel Board.	w/c 30 th January 2023

Benefits

Whilst there has been a legitimate reason to engage interim support for both these roles, it is timely that the benefit that a permanent appointment to these leadership roles will bring in terms of cost reduction as well as supporting the future strategic direction and delivery of both our short- and longer-term corporate objectives is recognised.

Personnel Board will be engaged in our search to identify the most appropriate candidates for the roles and thank the Board in advance for their time and commitment to this recruitment process.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1) <i>Ongoing annually</i>	£12,500 (one off payment)	Yes	
Next Financial Year (Year 2)	£0	£0	

Following Financial Year (Year 3)	£0	£0	
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Other financial information relevant to the Recommendation/Decision

Cross-Council Implications

These leadership roles will network across the Corporate Leadership Team (CLT) and Extended Leadership Team (ECLT) which includes all Chief Officers in the organisation. Both Leadership Teams have an important function to work collaboratively with one another and be cross cutting in its approach to ensure all implications for the workforce are highlighted and considered.

Reasons for considering the report in Part 2

List of Background Papers

N/A

Contact Susan Parsonage	Service Chief Executive Office
Telephone No	Email Susan.Parsonage@wokingham.gov.uk

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TITLE	Revised Grievance Policy
FOR CONSIDERATION BY	Personnel Board on 22 November 2022
WARD	None Specific;
LEAD OFFICER	Louise Livingston, Assistant Director HR & OD

OUTCOME / BENEFITS TO THE COMMUNITY

Improved efficiency in managing grievances resulting in lower costs to the council, improved morale and reputation as an employer in the local community.

RECOMMENDATION

Personnel Board is asked to approve the revised policy to enable implementation.

SUMMARY OF REPORT

The attached Grievance Resolution Policy has been revised following feedback and focus groups held to discuss concerns with the current version and the proposed changes. A summary of the changes was presented to CLT in early November 2022 and is summarised below.

Final changes have now been made following feedback from Unions and employee focus groups.

Background

The Council has seen a rise in the number of Grievances being raised and increasing time to conclude these issues which have then resulted in complaints about the Grievance Policy and procedure itself.

Specific feedback on the current policy focuses on the time taken to resolve grievances, along with a variety of other concerns, which include:

- Issues which lead to grievances are not being addressed at an early stage.
- Grievances are often raised relating to actions taken under another policy / procedure – e.g., disciplinary or capability.
- Lack of support both to those who have raised a complaint and those a complaint is raised against.
- Lack of clarity of expectations on the detail individuals expect to see following a grievance.
- The 5-day turnaround with grievance or appeal outcome decisions is often missed due to managers BAU commitments.

What improvements have we made:

- Re-branded and re-written the policy for improved clarity and simplicity.
- New process flow to show more clearly the ordering and owner for each stage and action.
- Focus on early resolution at the informal stages.
- New responsibilities section, to outline duties and expectations of Employees, Managers, HR and companions.
- Removed the right for Agency workers to raise a grievance using the WBC process - they must raise this direct with their Agency as their employer.
- Bullying & Harassment complaints – the current policy states this will go straight to investigation. The new policy recommends an initial meeting with the aim to resolve informally where possible, in line with the ACAS code of Conduct.
- Reference that an external investigator or mediator may be appointed.
- Where the policy provides for the scheduling of a grievance meeting or appeal hearing, or to provide a outcome within 5 working days, we have added a reminder to ensure contact is made during this time frame where this is delayed.
- Removed contradictory guidance on recording meetings. No audio recording is allowed.
- Improved clarity around not re-hearing grievances on the same points and facts, whether via the Grievance Policy or where they are already being heard under a separate process.
- Included a section on implications for any vexatious grievances / misuse of the policy.

Analysis of Issues

The issues in relation to our current policy are summarised above. To implement the revised policy will bring major time savings to the managers involved in grievance issues, in addition to the Human Resources Team, as well as providing better clarity of process for those involved.

The new policy will also encourage early resolution of concerns being raised, so that we can avoid lengthy grievance investigations and a poor employee relations situation, and we can focus on the positive aspects of building better working relationships.

Further work will be completed whilst we implement the revised policy, which includes redeveloping guidance documents for all parties involved in a grievance process.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

Other financial information relevant to the Recommendation/Decision

N/A

Cross-Council Implications

N/A

Public Sector Equality Duty

Please confirm that due regard to the Public Sector Equality Duty has been taken and if an equalities assessment has been completed or explain why an equalities assessment is not required.

Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030

N/A

Reasons for considering the report in Part 2

N/A

List of Background Papers

Grievance Policy

Contact Louise Livingston

Service Human Resources

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Grievance Resolution Policy

Grievance Resolution Policy - Version 8

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Purpose of the Policy

Wokingham Borough Council believes that all colleagues should be treated fairly, with respect and dignity.

We encourage all colleagues to work closely with their line management on all matters of concern at the earliest opportunity, to drive early resolutions for continued good working relations. In situations where matters cannot be resolved this way, formal grievances may be raised; these will be treated seriously and will be managed promptly, efficiently, and fairly.



Grievance Resolution Policy

Introduction

Wokingham Borough Council fosters a culture in which you can raise any workplace problems, complaints, or concerns in a supportive framework, and we will ensure that all genuine grievances are dealt with quickly and fairly.

Most grievances can be resolved informally. However, if an informal approach does not resolve matters, or is not appropriate, you may choose to raise a formal grievance.

This policy outlines the informal approach to resolving concerns, the formal grievance process, the roles of those involved and support that is available.

Scope

This policy applies to employees. It does not apply to:

- The Chief Executive, S151 Officer & Monitoring Officer. These officers may raise a grievance to be managed in accordance with the Chief Executive Disciplinary, Capability and Grievance policy and procedure in place at that time.
- Agency workers. If you are an agency worker, you should contact your agency direct to discuss the appropriate procedure.
- Schools based colleagues for whom separate policies and procedures may apply.
- Contractors, consultants, or any self-employed individuals working for the Council, who should speak to their main point of contact in the council if they have any concerns.

Matters that are the subject of collective negotiation with trade unions will not be considered under the Grievance Resolution Policy.

This Policy is not intended to add another layer to decision making or to challenge decisions or actions taken under other Council Policies. To clarify further this policy will not apply where there is an alternative route, such as reviews or appeals, for concerns to be addressed. These include but are not limited to:

- Job Evaluation
- Recruitment Decisions
- Disciplinary, Sickness and Capability process outcomes
- Application of pension scheme rules
- Probation
- Redundancy following structure change consultation

If you raise a grievance during other proceedings that is unrelated to those proceedings, such as disciplinary proceedings, then that and the grievance procedure will normally run independently.

Concerns which are directly related to ongoing proceedings should be made as part of those proceedings.



Grievance Resolution Policy

Mediation

Depending on the nature of any concern you wish to resolve, we may suggest mediation as a means of trying to resolve it at any stage, e.g., before it is raised as a formal concern, or as a proposed resolution once a grievance process has been completed.

Mediation involves the appointment of a fully trained mediator or other party who could be internal to WBC, or independent from the council. The appointed mediator will work with you, and other parties involved, to find a way to work towards a positive outcome.

We will use mediation only where all parties involved agree to do so.

Fairness and respect

We recognise that a grievance procedure can be stressful and upsetting. Everyone involved in the process is entitled to be treated calmly and with respect.

We will not tolerate abusive or insulting behaviour from anyone taking part in a grievance procedure and will treat any such behaviour as misconduct under our Disciplinary Policy & Procedure.

Remote proceedings

We will conduct the process either in face-to-face meetings or remotely. We will ensure that you and your representative have access to the necessary technology for participating. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

Adjustments to proceedings

If any aspect of the grievance procedure causes you difficulty because of a disability, or if you need assistance because English is not your first language, you should raise this with the manager handling the grievance and copy in Human Resources, for adjustments to be considered and reasonable adjustments made.

Recording of meetings

A written record of all meetings conducted under this procedure will be made, either by the person holding the meeting or by an additional person arranged by the Council to take notes.

You, or any person acting on your behalf, are not permitted to record electronically any meeting that we hold under the grievance procedure. This is to encourage openness and full participation. Any breach of this provision may lead to disciplinary action, which could include dismissal.

Raising an informal grievance

In the first instance, you should raise any grievance with your line manager. If your grievance is about your line manager, you should raise this with your line manager's manager.

The relevant manager will meet with you to give you the opportunity to explain your grievance and seek to identify whether the issue can be resolved informally.



Grievance Resolution Policy

Raising a formal grievance

Where your grievance has not been resolved informally, you may wish to raise the matter formally in writing.

It is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking. If your grievance is unclear, the Council may ask you to clarify your complaint before further steps are taken.

Your complaint should be headed "Formal grievance" and sent to your line manager, completing, and attaching our **Formal Grievance Form**. If your complaint relates to your line manager, you should send your written grievance to your line manager's manager instead.

If you don't wish to put your formal grievance in writing, you should arrange a discussion with the appropriate manager, who will need to make a written record of the details of your concern.

Upon receipt of your grievance, the relevant manager may discuss with you the options for resolution moving forward, which may include going through the formal grievance process, or suggesting a different approach for you to consider, with a view to finding an early resolution, if this hasn't been discussed at an earlier informal stage.

If the matter is to proceed to a formal grievance process, the council will appoint the most relevant manager to hear it. Ordinarily this will be your line manager. This person is the grievance hearing manager (the hearing manager).

Investigation

Your grievance will be kept confidential as far as possible.

However, either before or after a grievance meeting, the hearing manager will decide whether we need to carry out an investigation. This will usually be conducted by the hearing manager. The hearing manager may consider an alternative manager or external investigator, where it is deemed necessary. The hearing manager will write to you confirming that an investigation is being conducted and the timescale for completion.

The time an investigation will take will vary, depending on the nature of your grievance.

You may be given a copy of evidence collated during the investigation. However, in some cases, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, we will provide you with an appropriate summary of the evidence.

Hearing your grievance

The Grievance Meeting

A grievance meeting date will be arranged as soon as possible after receiving your written complaint. You will be informed within 5 days of submitting your grievance the timescale within which the grievance meeting will be convened and whether any investigation is needed in advance of the meeting.

You will be entitled to be accompanied at a grievance meeting by a fellow employee or a trade union official. Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting can be rescheduled for an alternative time so that it takes place within five working days of the original scheduled date. The Council will rearrange the meeting only once and will not unreasonably refuse an alternative date.



Grievance Resolution Policy

The grievance meeting will be conducted by the hearing manager.

The purpose of the meeting is for you to explain the nature of your complaint and what action you feel should be taken to resolve the matter. If more information comes to light, it may be necessary to conduct an investigation (or a further investigation) into the matter and where necessary, a further grievance meeting might be set up.

If you are unable to attend the grievance meeting because of circumstances beyond your control, you should inform the hearing manager as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient effort to attend, the grievance meeting may take place in your absence, based on the information available at the time.

The Outcome

Following the grievance meeting (or such timescale as advised), the hearing manager will inform you in writing, usually within five working days after the meeting, or longer in exceptional circumstances, of the outcome and any recommended action that will be taken as a result of your complaint. Outcomes can include:

- That your grievance is not upheld
- That your grievance is partially upheld, or
- That your grievance is fully upheld

The hearing manager may also decide if a grievance has been made vexatiously.

The hearing manager will confirm any recommended action, regardless of the outcome. Such action can include (but isn't limited to):

- That formal mediation is arranged between you and other parties involved in the matter
- That a disciplinary process is initiated involving other parties
- That other management action is considered which could resolve your concerns

It is important to note that where disciplinary action is proposed in relation to an employee involved in the matter, you do not have the right to find out the result of that action.

The hearing manager can make recommendations, even where the grievance is not upheld. The hearing manager is responsible for ensuring that the relevant parties involved in the grievance and their line manager receive confirmation of the outcome and any recommendations.

Appeal

Appealing against the outcome

If you are not satisfied with the outcome of your grievance, you may submit a formal appeal.

You must appeal in writing to the grievance hearing manager within five working days of receipt of the grievance outcome letter.

You must clearly state the grounds of your appeal, i.e., the basis on which you consider that your grievance has not been satisfactorily resolved. The appeal will not consider any additional or further evidence other than that presented at the original grievance hearing.



Grievance Resolution Policy

The Appeal Meeting

Within five working days of receiving your appeal, the Council will notify you of the date of the appeal meeting and the name of the appeal manager. Where this is not possible you will be notified of any delay.

You are entitled to be accompanied at the Appeal Meeting by a fellow employee or a trade union official. Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting can be rescheduled for an alternative time within five working days of the original date. The Council will rearrange the meeting only once and will not unreasonably refuse an alternative date.

The appeal meeting will normally be conducted by a more senior manager than the manager who conducted the original grievance meeting, who will consider the grounds that you have put forward and review the conclusion reached in the original grievance meeting. A member of the HR department may also be present.

If you are unable to attend the appeal meeting, you should inform the appeal manager conducting the meeting as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the meeting may take place in your absence, based on the information available at the time.

The appeal manager may make further enquiries or investigations as a result of the matters raised at the appeal hearing.

The Appeal Outcome

Following the appeal meeting, the appeal manager will inform you in writing, usually within five working days, of the outcome. If the outcome cannot be confirmed within five working days, you will be notified of the delay and given an estimated time when you can expect to receive the outcome. The outcome of the appeal is final.

When a grievance is raised against you

If a grievance is raised against you, you will be notified of this, and your line manager will discuss any adjustments to work arrangements necessary while a resolution is sought. We understand that this can be a stressful and upsetting time. Your line manager will support you, keep you updated and will ask you to treat the allegation confidentiality. Your line manager will also provide you with information about other sources of support.

You may be asked to take part in informal resolutions, mediation or attend an investigation meeting to answer the allegations made against you. You will be given sufficient information to respond.

If you are invited to attend an investigation meeting as part of these proceedings, you will be given notice of this and will be advised of your right to be accompanied by either a workplace colleague or Trade Union Representative.

If a grievance against you is upheld or partially upheld, then your line manager will discuss with you how this will be handled. This may include initiating Disciplinary or Capability proceedings.

Vexatious Grievances

The ability to raise and manage a genuine grievance through an informal and formal grievance process is important, to both protect and support all employees to work in an environment where they can expect to be treated fairly with dignity and respect. Wokingham Borough Council will not tolerate misuse of this policy.



Grievance Resolution Policy

Where a grievance is raised and, after investigation, is found to have been made maliciously, or to deflect from other management processes, then this conduct may be followed up via the Disciplinary Policy and Procedure. This could result in action taken against the person making the false complaint, with possible sanctions up to and including dismissal. It is the Council's sole decision whether to pursue this or not.

Ex- Employees

We encourage all employees to attempt to resolve any concerns during their employment. Where this has not been possible, former employees of the council may raise a grievance where this is lodged within four weeks of their final date of employment.

Roles & Responsibilities

Employees:

- Will focus on trying to resolve the grievance informally directly with the individual(s) concerned, unless there is a good reason not to.
- Wherever possible will work with the manager to genuinely seek early resolution.
- Will raise the matter without unreasonable delay.
- Co-operate at all stages of the formal grievance procedure.
- Provide evidence - keep records of the events leading up to the matter to resolve, this may include diary of events, what steps have been taken to mitigate the issue (i.e. – conversations, mediation).
- Act in good faith, not instigating any grievance for personal gain or malicious intent.
- Ensure confidentiality guidance within this policy is always complied with.

Managers:

- Apply the policies and procedures in a fair, consistent, sensitive manner. Handling all grievances seriously, objectively and thoroughly to reach a successful resolution.
- Work in partnership with Human Resources to seek required advice on process and consistency
- Pro-actively work with and support employees, to resolve potential matters before they even arise.
- Seek to resolve matters informally, before they escalate to become formal grievances.
- Address all formal grievances promptly and within the given policy timescales. Ensuring strong communication around changes to timelines.
- Be responsive and support with regular well-being meetings for all employees involved in the process. Keeping both the employee raising the grievance and those facing allegations up-to-date regularly and frequently on progression and ensuring support is in place as appropriate.
- Support employees to ensure they do not suffer a detriment as a result of raising concerns under this policy.
- Where and as appropriate consider all reasonable adjustments that may be required throughout the process, working in partnership with Human Resources.
- Ensure confidentiality guidance within this policy is complied with at all times.
- To promote the benefits of the Employee Assistance Programme where appropriate



Grievance Resolution Policy

Human Resources:

- Coach management, providing impartial advice on the process, precedent and consistency of application.
- Ensure the HR Hub is up-to-date with Policies, by way of guidance for all employees on policy and process.
- Store copies of all letters and materials provided by management on employee files as appropriate.
- Attend Grievance Appeal Hearings where appropriate, in an advisory capacity.

Trade Union / Employee Representative:

- Work with managers and employees to facilitate a quick and satisfactory resolution.
- Support employees who have raised the grievance and employees for whom the grievance concerns, advising them on possible remedies, as well as helping them to express the facts of their case.
- If the employee is not a union member, this role may be carried out by another colleague

Colleague Support

All employees should expect to be supported by their line manager, or another manager where necessary, and have access to the Councils Employee Assistance Programme (EAP), this is an independent and confidential support service for colleagues across the Council, where support can be provided for a wide range of situations. Further details on support available for employees available on the intranet.

Data protection

We process personal data collected during informal complaints and the formal grievance procedure in accordance with our data protection obligations. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure.

Process Flow

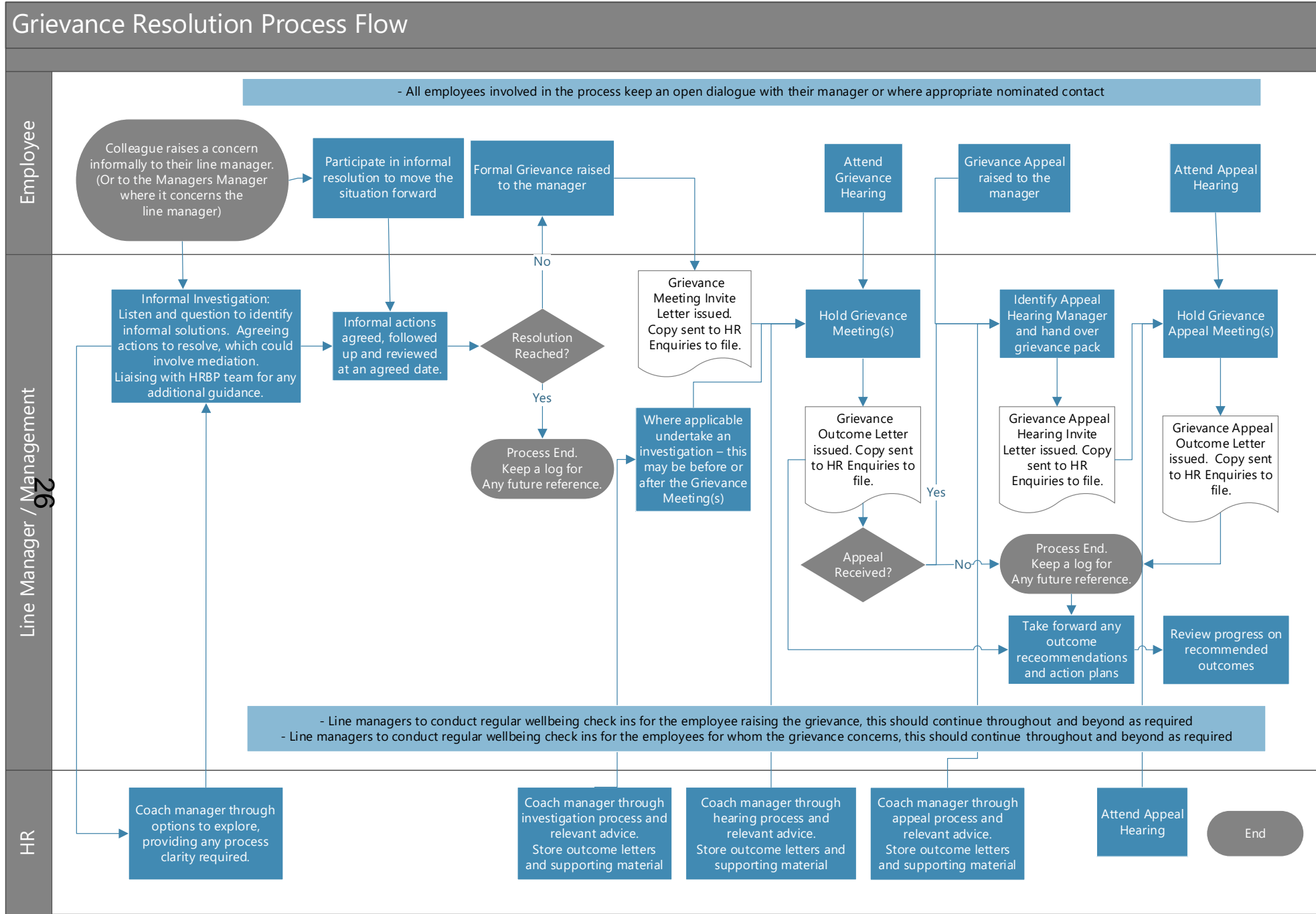
Please see the appendix for the process flow diagram



Grievance Resolution Policy

Version Control

Version	Date	Description
1	14/11/07	New combined Grievance, bullying and harassment policy and guidance.
2	02/07/08	Amended to incorporate Delegated Powers related to Staffing Matters
3	28/10/09	Amended to reflect new legislation
4	26/03/12	Amended to include the appeals process and further employee guidance.
5	01/03/16	Amended to provide additional templates & managers guide, include mediation, separate out Bullying & Harassment policy renamed Dignity at Work Policy and amend format to be clearer to understand
6	21/03/17	Amended to include HR Representation at Appeal only
6.1	30/04/18	Reflect changes in DPA legislation through GDPR
7	07/12/18	Clarification of process for bullying and harassment grievances
7.1	27/12/18	Removed Chief Exec, S151 & Monitoring Officer from these procedures
7.2	31/10/2020	Clarity on how leavers (former employees) may engage with the grievance process, and usage of virtual meetings
8	TBC 2022	<p>New policy wording, template, and title to include 'Resolution'.</p> <p>Clarified who the policy applies to, separate agency worker route.</p> <p>Process simplified, focus on early resolution and informal action.</p> <p>Clarity on investigations - who conducts and when.</p> <p>Clarified contact is to be made in the 5-day timeframes for outcomes and arranging meetings.</p> <p>Clarified external investigators can be considered.</p> <p>Clarified recording of meetings is via notes only, audio not permitted.</p> <p>Clarified internal or external mediators may be used.</p> <p>New responsibility section added.</p> <p>Revised process flow.</p> <p>New section on miss-use of the policy added.</p> <p>New section added 'Where a Grievance is raised against you'.</p>
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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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