

PERSONNEL COMMITTEE – 31ST JANUARY 2017

Report of the Head of Strategic Support

Part A

ITEM 9 BEHAVIOUR AND DIGNITY AT WORK TIMESCALES

Purpose of Report

To gain Personnel Committee approval on the proposed revision to the Behaviour and Dignity at Work Policy.

Recommendation

That Personnel Committee agree the proposed amendments to the Behaviour and Dignity at Work Policy.

Reason

To provide managers with additional clarity in relation to Behaviour and Dignity at Work Timescales.

Policy Justification and Previous Decisions

The current Dignity at Work Policy was agreed at Personnel Committee on 20th September 2016 as part of the Committee's consideration of the Appeal Policy.

Implementation Timetable including Future Decisions

The revised Dignity and Behaviour at Work Policy will be uploaded to the intranet following the agreement of Personnel Committee.

Report Implications

The following implications have been identified for this report

Financial Implications

There are no immediate financial implications arising from this decision.

Risk Management

There are no specific risks associated with this decision.

Background Papers: None

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Part B

Background

1. It has been requested that consideration be given to timescales in relation to Dignity at Work complaints. In particular, at what point should full details of the allegations be made available to the employee who has had allegations made against them.
2. As part of the Behaviour and Dignity at Work Policy employees are asked to set out, comprehensively, the full details of the complaint as part of the formal procedure. Prior to that they are asked to informally attempt to resolve the matter with the person they feel is subjecting them to behaviour they find unacceptable. This can be through a variety of means, depending on the situation.
3. At the SMT meeting on 5th October 2016 SMT determined an amendment to the informal section of the current policy is necessary, with the proposed amendments and wording outlined below.

Proposal

4.1 Counter Complaints Section

- 4.1.1 It is proposed to change:

The manager's manager will meet with the complainant to discuss their concerns.

To

a manager who has had no prior involvement with the instigation of these procedures will meet with the complainant to discuss their concerns.

4.2 Informal Section of Dignity at Work Policy

- 4.2.1 The following wording is proposed to be added to the informal section of the Dignity and Behaviour at Work Policy:
- It is expected that Dignity at Work cases are dealt with in a reasonable timescale. If there are delays in the process, consideration should be given to the reason for this.
 - Complainants should outline full details of the allegations within 3 months of raising the initial complaint informally. Further advice must be sought from HR Services where there are circumstances that may cause delays in the process (e.g. illness, complaints covered by protected characteristics).
 - Where all necessary steps have been taken to ensure that the complaint is not unnecessarily delayed, and/or where the complainant is unable to participate or provide further information, an Independent Manager will be asked to review the evidence provided and meet with the complainant to

discuss their concerns where possible. The complaint will only be investigated further under this policy if evidence is provided which demonstrates that the employee complained about has acted inappropriately or the concern raised is not a consequence of the instigation of Council procedures, as outlined above in the Counter Complaints section. Further advice should be sought from HR Services in these circumstances.

- Furthermore, an Independent Manager may consider the complaint withdrawn and take no further action if the complainant is not engaging in the process or providing further information to support the allegations. Further advice should be sought from HR Services in these circumstances.
- Dignity at Work complaints would normally relate to current issues. Should the complaint raised relate to historical issues, the reason for raising it after the event should be outlined as part of the complaint.

Consultation

The proposed amendments were agreed at the SMT meeting on 5th October 2016 and JMTUM on 1st December 2016.

Appendices

None