

**COMMITTEE:** HUMAN RESOURCES                      Ref No: HR/08/24  
**DATE:** 10 SEPTEMBER 2008  
**SUBJECT:** REVISED GRIEVANCE POLICY AND GUIDELINES  
**REPORT AUTHOR:** JOHN WATERS  
**DIRECTOR:** JONATHAN OWEN

***Short description of report content and the decision requested:***

This report sets out a revised Council's Grievance Policy, which aims to ensure an effective process is available across the organisation to resolve individual and collective disputes.

The revised Policy establishes clear and easy to manage guidelines in order for managers to effect quick resolution to disputes with employees as they arise. This will assist to maintain positive employee relations at all levels.

The revised Policy follows the ACAS code of best practice on grievance handling.

The report requests that members of the HR Committee adopt the revised Policy.

*This report has been prepared by (Gail Driver HR Adviser in consultation with John Waters HR Operations Manager), Tel:01473 433404 - [gail.driver@ipswich.gov.uk](mailto:gail.driver@ipswich.gov.uk)*  
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***This report was prepared after consultation with:***

Director Team  
Legal Services  
Recognised Trade Unions  
HR Portfolio Holder  
Chair of HR Committee

***The following policies form a context to this report:***

Transforming Ipswich  
The current Grievance policy

This report [is / is not] a key decision included in the Forward Plan

**LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW**

*(papers relied on to write the report but which are not published and do not contain exempt information –*

- 1.
- 2.
- 3.

**OTHER HELPFUL PAPERS**

*(papers which the report author considers might be helpful – this might include published material)*

1. The ACAS revised Grievance Procedure and Guidelines
- 2.
- 3.

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## 1. Introduction

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- 1.1 The IBC revised Grievance Policy aims to deliver a consistent, sensitive and easy to manage process of resolving grievances across the Council. It sets a practical and logical process for managers to follow when confronted with employee disputes.
- 1.2 The revised procedure, whilst representing the specific needs of Ipswich Borough Council has been based upon the ACAS code of best practice when dealing with grievances.

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## 2. Background

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- 2.1 HR Committee formally approved the existing Grievance Policy on 5<sup>th</sup> April 2005.
- 2.2 Although the procedure is legally compliant there are problems when applying the procedure in the practical form in that the current policy does not provide sufficient guidance for managers.
- 2.3 Therefore there is a need to review the Grievance Policy to ensure that managers are able to deal with disputes quickly and efficiently as they arise.
- 2.4 Comments from Unison are attached as **Appendix A**. These have been discussed with Unison and have been incorporated into the policy if appropriate.
- 2.5 Comments from other consultees have also been incorporated as appropriate.

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## 3. Policy Context

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- 3.1 To ensure that the Council is protected against Employment Tribunal Claims the organisation must have a Grievance Policy for employees to resolve disputes.
- 3.2 The Grievance policy is mandatory training for managers covered by the Council's Capable Managers programme.

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## 4. Performance Monitoring

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- 4.1 Not appropriate to this report

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## 5. Risk Management

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- 5.1 A failure to implement the revised Grievance Policy across the organisation may potentially compromise the Council's position should a challenge be made under the existing procedure.

<b>Risk</b>	<b>Impact of risk, if it occurred* (Scale of 1-4) 1 – Catastrophic 4 - Negligible</b>	<b>Probability of risk occurring* (Scale A-F) A- Very likely F - almost impossible</b>	<b>What is the council doing (or what has it done) to avoid the risk or reduce its effect?</b>
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Employee Employment Tribunal Claim	2	C	Ensure our procedure is compliant with the ACAS code of best practice and the policy/guidance is followed by managers
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## **6. Environmental Impact Assessment**

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6.1 There is no environmental impact in implementing this policy.

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## **7. Equalities and Diversity Implications**

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7.1 Equality Impact Assessments are part of the legal duties set out in the Race Relations Amendment Act and are also included under the new Disability Equality Duty and Gender Equality Duty. An impact Assessment is a pro-active step to ensure wherever possible preventative measures are taken to avoid discrimination or unfairness on any grounds before it occurs.

7.2 Apart from the threat of Employment Tribunal claims, the implication of not having robust Disciplinary Policy and Procedures is that the conduct and performance of employees may fall below acceptable levels, which in turn may result in equality and diversity issues. By having the revised Disciplinary Policy and Procedures in place the Council will be able to easily identify and deal with any equality and diversity issues.

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## **8. Financial Considerations**

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8.1 There are no direct financial implications.

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## **9. Conclusions**

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9.1 Inevitably there will always be conflicts at work especially when organisations are facing financial challenges and restructuring etc. Such conflict can be extremely damaging to the organisation if there are no effective means for employees to seek redress.

9.2 The revised policy will assist managers and the organisation to resolve conflict and ensure positive employee relations are maintained.

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## **10. Recommendations:-**

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**10.1 That the revised policy be adopted.**



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6<sup>th</sup> August 2008

Mr J Waters  
H/R Operations Manager  
5<sup>th</sup> Floor  
Grafton House  
Russell Road  
Ipswich

Dear John  
Re: Consultation of Grievance Policy and Procedure

I write with reference to the above consultation.  
Unison have the following comments:

1. In section 1.1, it implies breakdown of relationships is between managers and employees, our experience would suggest that this can be between staffs at all levels.
2. Section 3.5(e), if an employee is aggrieved by the conduct of a member of the public it is accepted this is difficult to resolve using this procedure, however if on raising it with their manager appropriate action is not taken, this could form a grievance against that manager.
3. Section 3.5(f), if an employee is aggrieved by the actions of a Councillor, they should be able to register the grievance under this Policy. Appropriate action may be taken under the Councillor code of conduct, but the grievance should still be registered.
4. Section 4.2, allowing only one spokesperson for a collective grievance may not give all employees the assurance their views are being effectively presented. It is assumed all those affected could be called as witnesses.
5. Section 6.8, it should not be assumed disagreement is between a manager and employee.
6. Section 7.2, it should be added that the 10 working days commences from when the employee becomes aware of the incident not when it occurred.

7. Section 7.6.1, Unison would request a copy of the management guidelines and where possible these should be agreed.
8. Section 8, Unison would request consideration be given to introducing an appeal to elected members.
9. The form GR1 should include reference to assistance on offer to complete the form. This is particularly important to ensure those unable to read or write are given full access to the policy.

I am more than happy to meet to discuss these comments and would be grateful if you would present them in full to the HR Committee.

Yours sincerely

David Rowe  
Terms & Conditions Secretary