

**REPORT FOR: EMPLOYEES'
CONSULTATIVE FORUM**

Date of Meeting: 31 January 2013

Subject: **INFORMATION REPORT –
Dignity at Work Appeal
Hearings Case Review**

Key Decision N/A

Responsible Officer: Jon Turner – Divisional Director Human
Resources and Development and
Shared Services

Exempt: No

**Decision Subject to
call-in** N/A

Enclosures: None

Section 1 – Summary

This report sets out the outcomes and conclusions reached by a Working Group which reviewed previous Dignity at Work Appeal Hearing cases.

FOR INFORMATION

Section 2 – Report

Introduction

1. At its meeting on 4 July 2012, the Employees' Consultative Forum agreed to establish a working group to review previous Dignity at Work Appeal Hearing cases.
2. Trade Union representatives of the Forum nominated the specific cases which they wished for the Working Group to consider.
3. The Working Group comprised of Councillors Currie, Henson, Lammiman and Osborn. In October 2012, the Working Group was sent all of the agenda, reports and decision letters which were submitted as part of the Dignity at Work Appeal Hearings for the nominated cases.
4. The Working Group met on 12 November 2012 to discuss and agree their conclusions.

Conclusions

5. The working group discussed each case nominated and made the following conclusions:
 - The Working Group agreed with the outcomes reached in each individual case nominated. It was believed that the outcomes reached were correct and reasonable;
 - The Working Group noted that the nominated cases put to them only related to cases which had not been upheld. There were no cases nominated where the complaint had been partially upheld;
 - The Working Group had concerns over the timescales in relation to Dignity at Work cases being resolved. The Working Group believed greater emphasis had to be placed on 'speeding up' the process with only exceptional cases being delayed. The Working Group believed that it would be helpful if there were 'signposts' linked with the Dignity at Work Policy which ensured that employees and managers were aware of relevant timescales in which actions were required to be completed. If managers failed to regularly adhere to timescales without good reason, then this should be considered as a conduct issue. If employees failed to regularly adhere to timescales without good reason, then consideration should be given to dismissing the case;
 - The Working Group believed that the Dignity at Work process should not be used by employees in instances where there

were issues relating to change management and restructures. The Working Group believed that a separate process was required to resolve such issues so that it was not dealt with under the Dignity at Work Procedure and to provide better focus on the issues being raised by the employee. It would therefore be wise to ensure that there is clarity on the Dignity at Work Procedure and the Protocol for Managing Organisational Change;

- More clarity was required on the ownership of actions arising from recommendations made at the conclusion of Dignity at Work Appeal Hearings;
 - Better information, clarity and more regular reporting to all Portfolio Holders was required on Dignity at Work cases which fell within their specific portfolio.
6. Individual Members of the Working Group also had a number of other observations which included the following:
- The paperwork submitted for Dignity at Work Appeal Hearings was sometimes presented in a complex and confusing order. The Working Group believed that it would be helpful if paperwork submitted by both the appellant and management was in a chronological order to ensure that it was easier to follow;
 - The initial letter sent to employees when commencing an investigation under the Conduct Procedure should be more tactful in terms of the presentations of the allegations against them. However it was recognised that in order to adhere to principles of natural justice, it was important that employees were fully aware of all allegations against them that were being investigated.

Section 3 – Further Information

7. None.

Section 4 – Financial Implications

8. There are no financial implications relating to this specific report. Any costs involved with implementing the Dignity at Work Policy are contained within existing budgets.

Section 5 - Equalities implications

9. An Equalities Impact Assessment was not required for this report as it simply reports on the conclusions reached by the Working Group in reviewing Dignity at Work Appeal Hearing cases. There are therefore no equalities implications associated with this report.

Section 6 – Corporate Priorities

10. This report demonstrates transparency and accountability in relation to the conclusions reached by the Working Group. This contributes to the CREATE values and the Council's Corporate Priority of 'United and Involved Communities: a Council that Listens and Leads' by demonstrating the review into Dignity at Work cases conducted by the Working Group.

On behalf of the Chief Financial Officer	
Name: Steve Tingle	<input checked="" type="checkbox"/>
Date: 18 December 2012	

Section 7 - Contact Details and Background Papers

Contact: Jon Turner, Divisional Director Human Resources and Development and Shared Services, 020 8424 1225

Vishal Seegoolam, Senior Democratic Services Officer, 020 8424 1883

Background Papers: Minutes of the Employees' Consultative Forum – 4 July 2012.