

**REPORT FOR: EMPLOYEE  
CONSULTATIVE FORUM**

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**Date of Meeting:** 10 OCTOBER 2011

**Subject:** **INFORMATION REPORT –**  
Policies and Procedures Application

**Responsible Officer:** Jon Turner, Divisional Director, Human  
Resources & Development and Shared  
Services

**Exempt:** No

**Enclosures:** Appendix A – Outcomes of Employment  
Procedures

## **Section 1 – Summary**

This report sets out the performance and outcomes of the application of employment procedures across the Council, as requested by the Forum at its meeting on 6 July 2011 (item 55).

**FOR INFORMATION**

## **Section 2 – Report**

1. At the 6 July 2011 meeting of the Forum, the Trade Unions raised concerns about inequality of treatment, claiming differences in treatment between H grades and managers in Conduct issues; failure to adhere to process and timescales and claiming a 4 month average time taken to deal with Dignity at Work complaints with only 1 appeal out of 30 complaints upheld.
2. Officers agreed to provide a report on actual performance and outcomes to this meeting.
3. This information report provides data in two groups - by Pay bands 1 to 3 (H grade and equivalent) and Pay band 4 and above (SPM grade and above and equivalent).
4. The performance of both groups in the Conduct, Capability and Dignity at Work procedures between 1 April 2010 and 31 March 2011 are shown in Appendix A.
5. The average time taken from initiation of a formal procedure to its conclusion is also shown in Appendix A.
6. There is no other data that could be used to show whether or not staff are subject to more formal action than managers, under similar circumstances.
7. It is assumed that staff are satisfied with or accepted an outcome, if they do not appeal against a decision.
8. The number of H and equivalent graded staff across the Council, including schools, is 5786 and SPM and equivalent graded staff, 505.
9. 70 Conduct cases were dealt with in 2010/11. 84% (59) involved H and equivalent graded staff and 16% (11) involved SPM and above and equivalent graded staff. This equates to 1.0% of all H and equivalent graded staff and 2.29% of SPM and above and equivalent graded staff across the whole Council.
10. The nature of the Council's Capability procedure is to encourage improved performance and attendance, which in some cases include a monitoring period that could last several months.
11. 36 Capability cases were dealt with in 2010/11 of which 92% (33) were against H and equivalent graded staff and 8% (3) against SPM and above and equivalent graded staff. This equates to 0.57% of H and equivalent graded staff and 0.59% of SPM and above and equivalent graded staff.

12. A Dignity at Work case involving a formal investigation and an appeal should take approximately 3 months to complete, if there are absolutely no delays by either side.
13. 29 Dignity at Work cases were taken out by staff during 2010/11. 97% (28) of these were taken out by H and equivalent graded staff and 3% (1) by SPM and above and equivalent graded staff. This equates to 0.50% of H and equivalent graded staff instigating the Dignity at Work procedure and 0.19% of SPM and equivalent graded staff.
14. Although Appendix A shows that in 2010/11 Dignity at Work cases taken to appeal took an average of 7 months to complete, the individual time scales of these cases range from 2 months to 14 months.

### **Section 3 – Further Information**

None

### **Section 4 – Financial Implications**

There are no financial implications relating to this report.

### **Section 5 – Corporate Priorities**

The application of employment procedures by managers are made within the context of staff adhering to the CREATE values and advocating expected behaviours at work.

Name: ... Steve Tingle.....	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: ...22 September 2011...		

### **Section 6 - Contact Details and Background Papers**

**Contact:** Marion Afoakwa, Performance & Productivity Manager, Human Resources and Development 020 8420 9412

**Background Papers:** None

## Appendix A

<b>Conduct</b>			
Outcome	H Grades & Equiv.	SPM & above & Equiv	Average Time including any appeals
No further action	11	0	3 months 3 weeks
1st written warning, no appeal	6	0	1 month 3 weeks
1st written warning, appeal not upheld	0	0	
1st written warning, appeal upheld	1	0	9 months
Dismissed, no appeal	5	1	5 months
Dismissed, appeal not upheld	2	0	10 months 2 weeks
final written warning	0	1	8 months 2 weeks
Final written warning, no appeal	1	0	3 months 1 week
Final written warning, appeal not upheld	1	0	7 months
Guidance	18	5	2 months 2 weeks
Ongoing	11	3	N/A
Resigned before action taken	3	1	4 months
<b>Grand Total</b>	<b>59</b>	<b>11</b>	

<b>Capability</b>			
Outcome	H Grades & Equiv.	SPM & above & Equiv	Average Time including any appeals
No further action	1	0	1 month
1st written warning, no appeal	4	0	1 month 3 weeks
1st written warning, appeal not upheld	2	0	9 month 2 weeks
1st written warning, appeal upheld	0	0	
Dismissed, no appeal	5	2	5 months
Dismissed, appeal not upheld	0	0	
final written warning	0	0	
Final written warning, no appeal	1	0	9 months
Final written warning, appeal not upheld	0	0	
Guidance	9	0	7 months 3 weeks
No further action beyond formal stage	0	0	
Ongoing	11	1	N/A
Resigned before action taken	0	0	
<b>Grand Total</b>	<b>33</b>	<b>3</b>	

<b>Dignity at Work</b>			
Outcome	H Grades & Equiv.	SPM & above & Equiv.	Average Time Scales including any appeals
Guidance	0	0	
No further action beyond formal stage	12	0	4 months
Ongoing	13	0	N/A

Part upheld	1	0	2 months 1 week
Taken to appeal, not upheld	2	1	7 months 1 week
Grand Total	<b>28</b>	<b>1</b>	