

# **WEST DUNBARTONSHIRE COUNCIL**

## **Report by Head of Personnel Services**

**Joint Consultative Forum –25<sup>th</sup> May 2006**

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**Subject: Discipline & Grievance Information**

### **1. Purpose**

- 1.1** To provide JCF members with figures for discipline and grievance appeals held at departmental level as requested at JCF on 31<sup>st</sup> March 2005. This report provides figures for the period 1<sup>st</sup> October 2005 – 31<sup>st</sup> March 2006.

### **2. Background**

#### Discipline

- 2.1** Appeals for Oral, Written and Final warnings can be appealed to the Departmental Director for consideration, and end at this level. Punitive disciplinary action i.e., dismissal, demotion, suspension without pay, can be appealed to Elected Member level at Committee.

#### Grievances

- 2.2** Grievances are raised in 3 stages.

- Stage 1 is considered by the immediate supervisor
- Stage 2 is considered by the Director or nominated Officer
- Stage 3 is considered by Elected Members at Committee

#### Mediation

- 2.3** Prior to an appeal being heard at Stage 3, Personnel Services will normally convene a meeting of the parties concerned to try to resolve the matter through mediation. This does not prevent grievances progressing to Stage 3.

### **3. Main Issues**

#### Disciplinary Hearings

- 3.1** A total of 31 disciplinary hearings were conducted and a full departmental breakdown is provided in Appendix 1. A summary of the position is shown at Table 1 overleaf:-

Table 1:

<b>Disciplinary Hearings Conducted</b>	<b>31</b>
No further action	0
Oral Warning	1
Written Warning	20
Final Written Warning	5
Dismissal	3
Resignation prior to hearing being concluded	2

### Grievances

- 3.2** A total of 9 grievances were lodged at departmental Stage 2 level, a full departmental breakdown is detailed in Appendix 2. A summary of the findings is provided in Table 2 below:-

Table 2:

<b>Grievances Lodged</b>	<b>9</b>
Ongoing at departmental level	3
Upheld	0
Not upheld – not pursued	1
Pursued to further level (mediation or Stage 3)	5

### Recording and Monitoring

- 3.3** Corporate Personnel are currently putting in place arrangements for improved reporting on grievance and discipline to determine underlying issues which could be addressed through training.

## **4. Personnel Issues**

- 4.1** The number of disciplinary hearings and grievances submitted can impact on both the Council's image as a good employer, and the morale of employees. It is critical that the processes for the management of grievance and discipline are adhered to and that every effort is made to meet agreed timescales in order to avoid unnecessary delay to the resolution of issues which impact on the management of employees and service delivery.

## **5. Financial Implications**

- 5.1** At present there is no mechanism for measuring financial implications. Factors such as time spent on investigations; attending hearings and potential Employment Tribunal claims will however, have an indirect financial impact on the Council.

## **6. Conclusions**

- 6.1** Overall the number of both discipline and grievance hearings in an organisation the size of West Dunbartonshire Council is low, representing less than 1% employees.

## **7. Recommendations**

- 7.1** Forum members are asked to note the contents of this report.

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Tricia O'Neill  
Head of Personnel Services

**Person to Contact:** Linda McAlister, Personnel Officer, Council Offices,  
Garshake Road, Dumbarton. 01389 737523  
[linda.mcalister@west-dunbarton.gov.uk](mailto:linda.mcalister@west-dunbarton.gov.uk)

**Background Papers:** No Background Papers

**Wards Affected:** Not Applicable

Appendix 1

Departmental Breakdown of Disciplinary Hearings and Outcome - 1<sup>st</sup> October 2005 – 31<sup>st</sup> March 2006

Outcome	Education & Cultural Services	D.E.S.	Corporate Services	Social Work Services	Housing & Technical Services	Chief Executive	Total
<b>Disciplinary Hearings</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>21</b>	<b>0</b>	<b>31</b>
• No further action	0	0	0	0	0	0	0
• Oral	0	0	0	0	1	0	1
• Written	1	1	0	2	16	0	20
• Final	0	0	0	3	2	0	5
• Dismissal	0	0	0	1	2	0	3
Resignation before Hearing concluded	1	0	0	1	0	0	2

Appeals	Education & Cultural Services	D.E.S.	Corporate Services	Social Work Services	Housing & Technical Services	Chief Executive	Total
Appealed – Departmental Level	0	0	0	0	13	0	13
Upheld	0	0	0	0	0	0	0
Appealed – Committee Level	0	0	0	0	2	0	2
Upheld	0	0	0	0	2	0	2

## Appendix 2

### Departmental Breakdown of Grievances Lodged and Position - 1<sup>st</sup> October 2005 – 31<sup>st</sup> March 2006

Outcome	Education & Cultural Services	D.E.S.	Corporate Services	Social Work Services	Housing & Technical Services	Chief Executive	Total
<b>Grievances (Stage 2)</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>9</b>
• Ongoing at departmental level	0	0	0	4	0	0	4
• Upheld	0	0	0	0	0	0	0
• Not upheld, not pursued further	1	0	0	0	0	0	1
• Not upheld – resolved by mediation	0	0	0	1	0	0	1
• Not upheld – mediation ongoing	0	0	0	1	0	0	1
• Submitted to Appeals Panel	0	0	1	1	0	0	2