

ROYAL BERKSHIRE FIRE AUTHORITY



COMMITTEE	AUDIT AND GOVERNANCE COMMITTEE
DATE OF MEETING	17 SEPTEMBER 2019
SUBJECT	GRIEVANCE, BULLYING AND HARASSMENT POLICY (WHICH INCLUDES THE COMPLAINTS PROCEDURE); ANTI-FRAUD, BRIBERY AND CORRUPTION POLICY AND DISCIPLINARY POLICY
LEAD OFFICER	BECCI JEFFERIES, HEAD OF HR AND LEARNING AND DEVELOPMENT
LEAD MEMBER	N/A
EXEMPT INFORMATION	NONE
ACTION	FOR DECISION

1. EXECUTIVE SUMMARY

- 1.1 The Audit and Governance Committee's terms of reference require the Committee to approve and monitor effectiveness and outcomes relating to a number of the Authority's policies including:
- Anti-fraud and Anti-Corruption (CO25)
 - Grievance, Bullying and Harassment (CO25)
 - Discipline (CO25)
- 1.2 A review of documents has been undertaken and revised policies are presented for consideration and approval by the Committee.

2. RECOMMENDATION

That the Audit and Governance Committee:

- 2.1 **APPROVE** the revised policies listed below subject to any further amendments the Committee may wish to make.
- Grievance, Bullying and Harassment Policy
 - Anti-Fraud, Bribery and Corruption Policy
 - Disciplinary Policy

3. REPORT

Grievance, Bullying and Harassment Policy

- 3.1 The Grievance, Bullying and Harassment Policy (Appendix A) has been updated to make it more accessible to employees. The employee complaints procedure has been amalgamated into the policy to reduce the number of documents an individual is required to reference, simplifying the process.
- 3.2 The associated forms have been simplified and facilitate the monitoring of informal complaints and the number of complaints that are elevated from informal to formal. This will ensure that we are able to measure trends and make improvements.

Anti-Fraud, Bribery and Corruption Policy

- 3.3 The Anti-Fraud, Bribery and Corruption Policy (Appendix B) takes into account the requirements of the Fraud Act 2006 and the Bribery Act 2010. The language has been simplified to ensure it can be clearly understood and includes clarification of the roles within the process. The process now takes into account low-level incidents which can be dealt with through the internal discipline processes.

Disciplinary Policy

- 3.4 The Disciplinary Policy (Appendix C) has been reviewed following the removal of the Discipline and Grievance (DAG) Committee from the terms of reference for the Management Committee. The proposed Disciplinary Policy remains compliant with the ACAS code of practice on disciplinary and grievance procedures and the non-statutory ACAS Guide - Discipline and Grievance at work.
- 3.5 The Disciplinary Policy has been through full negotiation with the representative bodies in accordance with our agreed consultation and negotiation procedures outlined in the Facilities Agreement.
- 3.6 While there are a number of small changes to improve clarity, these do not fundamentally change the policy, there are however a number of more significant changes which are as follows:
- Reducing the lowest level of appeals against dismissal from Fire Authority Members, previously the DAG Committee to Directorate level, aligning the policy more closely with the direction the organisation is taking in relation to decision making at the lowest levels.
 - A review of gross misconduct examples.
 - Introducing clarity around the process for Director level disciplinary investigation, hearings and appeals.
 - Inclusion of retention information in line with General Data Protection Regulations (GDPR).
 - Removal of the guidance sections from policy document. Note these will still be available as a separate internal guidance document.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 Commitment 4 – We will seek opportunities to contribute to a broader safety, health and wellbeing agenda.
- 4.2 Commitment 5 – We will ensure that Royal Berkshire Fire and Rescue Service provides good value for money.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications arising from this report.

6. LEGAL IMPLICATIONS

- 6.1 The policies and procedure to be reviewed contribute to compliance with the following legislation:

- Employment Rights Act 1996
- Data Protection Act 2018
- The Fraud Act 2006
- The Bribery Act 2010
- The Equality Act 2010

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 These policies and procedures contribute to the RBFRS People Strategy specifically in respect of:
- Culture, one team working collaboratively for the people we serve
 - Clarity on the decision-making levels, accountability and processes without unnecessary hierarchy.
 - A focus on excellent communication of key messages in an open way using a wide range of engagement methods.
 - Developing an internal customer service culture – making processes easy to use for people.

8. RISK IMPLICATIONS

- 8.1 There are no significant risk management issues arising from this report.

9. CONSISTENCY WITH DUTY TO COLLABORATE

- 9.1 N/A

10. PRINCIPAL CONSULTATION

- 10.1 Chief Fire Officer was consulted during the preparation of this report.
- 10.2 Head of Finance and Procurement was consulted during the preparation of this report.

- 10.3 Monitoring Officer was consulted during the preparation of this report.
- 10.4 The policies have been subject to consultation with Representative Bodies and staff.

11. BACKGROUND PAPERS

- 11.1 N/A.

12. APPENDICES

- 12.1 Appendix A Grievance, Bullying and Harassment Policy
- 12.2 Appendix B Anti-Fraud, Bribery and Corruption Policy
- 12.3 Appendix C Discipline Policy

13. CONTACT DETAILS

- 13.1 Becci Jefferies
Head of Human Resources and Learning and Development
0118 9384670