

 Warwickshire POLICE  West Mercia POLICE		POLICY/ PROCEDURE
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Fairness at Work (Grievance)
POLICY REFERENCE NUMBER	A111
Version	1.1

POLICY OWNERSHIP	
DIRECTORATE	ENABLING SERVICES
BUSINESS AREA	PEOPLE SERVICES

IMPLEMENTATION DATE	March 2016
NEXT REVIEW DATE:	May 2021
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

Warwickshire Police and West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail contactus@westmercia.pnn.police.uk

1.0 POLICY OUTLINE

An individual may, at some time, have problems or concerns with their work, working conditions or relationships with colleagues, that they wish to talk about with management.

Warwickshire Police, West Mercia Police and the two Offices' of the Police & Crime Commissioner (OPCCs), are committed to ensuring that all individuals are treated with respect and the Fairness at Work Policy provides an avenue for individuals to raise concerns and to seek resolution.

2.0 PURPOSE OF POLICY

This policy aims to support Warwickshire Police, West Mercia Police and OPCCs, to provide individuals with an approach for raising and resolving work related concerns fairly, quickly and as close to the source as possible. It also aims to ensure that Warwickshire Police, West Mercia Police and OPCCs meet their statutory obligations.

The policy will apply to all Police Officers, Specials and Staff working for Warwickshire Police, West Mercia Police and OPCCs.

This policy does not cover contractors, casual workers, police staff volunteers or workers employed by an agency.

The following issues are excluded from this policy/procedure:

- Matters relating to National Insurance, Income Tax and matters relating to Police Officer or Police Staff Pension Schemes.
- Matters which are properly dealt within the scope of negotiation and discussion at a national level.
- Concerns that any policies collectively agreed and/or formally adopted by the organisations do not apply.
- Matters which are appropriate to be considered under the Disciplinary Policy or by PSD.
- A concern that is outside the competence of the Organisations to resolve.

- Matters which relate to grading's, unless the individual believes they are being unfairly denied the opportunity of requesting a grading review.
- Matters relating to civil claims against the force or criminal proceedings.
- Matters where there are separate appeal procedures in place.

3.0 PRINCIPLES OF THE POLICY

- Individuals must seek to resolve any concerns informally, with their Line Manager, in the first instance. Any concerns should be raised at an early stage.
- The formal stage may be entered where resolution at the informal stage has not been successful, or the individual or Line Manager considers the concern so serious that formal procedures should be invoked. The individual must submit their concern in writing stating how they think it should/may be resolved.
- Any concerns raised will be dealt with without unreasonable delays and solutions will be implemented swiftly and effectively to avoid undue stress and concern to those involved.
- All concerns will be managed fairly and transparently and in accordance with Warwickshire Police, West Mercia Police and the OPCCs procedures.
- Individuals have the right to be accompanied, to any Formal meetings, by a Union/Federation representative, staff association or work colleague.
- Warwickshire Police, West Mercia Police and OPCCs will not tolerate the victimisation of any individual who uses, or seeks to use the Fairness at Work Policy.
- Individuals will have the right to appeal following the Formal Stage outcome.

4.0 CONFIDENTIALITY AND RECORD KEEPING

- All reports, statements, letters and notes resulting from the Formal elements of the Fairness at Work Policy & Procedure will, wherever possible be kept confidential. However, if maintaining

confidentiality would compromise the ability to deal with the concern effectively, the individual will be consulted and revised parameters for maintaining confidentiality will be agreed with him/her.

- In certain circumstances, third parties who are party to a complaint, may be informed of the resolution of the complaint.
- Written records, relating to the concern, will be held in accordance with appropriate retention schedules.

5.0 IMPLICATIONS OF THE POLICY

5.1 Risks

Adherence to, and the effective operation of, this Policy will reduce the risk of successful legal action against Warwickshire Police, West Mercia Police and OPCCs under equality and employment legislation at Employment Tribunal.

5.2 Legal considerations

The most important provisions relating to 'concerns' at work are found within the Employment Act 2008. By following the ACAS code of practice on grievance procedures the organisation will ensure it complies with all legislation.

5.3 Training

Management coaching may be required via staff in People Services.

6.0 CONSULTATION

Consultation has taken place with the following:

Warwickshire Federation
West Mercia Federation
Warwickshire Unison
West Mercia Unison
Superintendent Association
OPCCs
Critical friends

7.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the chart below:

Date	Author / Reviewer	Amendment(s) & Rationale	Approval Adoption /
1.3.16	Tina Smith/Liz Fletcher	Policy harmonisation for the alliance Including combining the Grievance and Dignity and Respect policies.	JNCC 27.1.16
Nov 17	Julie Darby	Title Change; inclusion of timescales; Roles and responsibilities; bullying and harassment section; complaints not resolved prior to leaving v1.1	May 2018

8.0 PROCEDURE

See Appendix A below

9.0 ASSESSMENT AND ANALYSIS

An H&S, Risk and Equalities Assessment has been conducted.

The Fairness at Work Policy is a means to address any potential problems or concerns that any Police Officer or staff member may have relating to their work, working conditions or relationships. It is therefore a tool for individuals to use to raise any potential discrimination/harassment/victimisation issues. The Policy and guidance is clear that victimisation of those who elect to use the Fairness at Work Policy will not be tolerated.

It was identified that an individual, who has raised a concern regarding an issue in the workplace, may feel anxious or suffer stress during the process. By adhering to the Policy and Procedure and ensuring that the issue is addressed promptly, providing regular communication updates to the individual, the risk may be reduced. Supporting information in applying the Policy and Procedure is provided within a Guidance document.

Appendix A

FAIRNESS AT WORK PROCEDURE (Grievance)

INFORMAL STAGE

- Individual raises concern with the Supervisor/Line Manager (or where not appropriate their Second Line Manager) in a timely manner to seek resolution.
- The Line Manager and individual explore the concern and possible resolutions, which may include mediation where appropriate.
- Where concerns are unable to be resolved at the informal stage, individuals may raise them at the Formal stage (normally within 7 calendar days).

FORMAL STAGE

- Individual submits Fairness at Work Form to the 'Fairness at Work submission' email box and copies to their Line Manager (or where not appropriate their Second Line Manager)
- HR/Chief Superintendent assesses the submission in order to appoint an appropriate individual to investigate (Fact finder). HR will monitor the progress/timescales of the process to ensure it is progressed in a timely manner.
(Note: where the individual has not sought resolution initially through the informal stage, the individual may be directed back to the informal stage of the process)
- The Fact-Finder will:
 - acknowledge receipt of the formal Fairness at Work concern
 - arrange to meet with the individual within 7 calendar days to do proportionate fact-finding.
 - meet with the individual to deliver the outcome of the fact-finding.
 - confirm the outcome on the Fairness at Work Form within 5 calendar days of the outcome meeting.
 - action any resolution agreed from the meeting
 - feedback any lessons learnt via HR support.

Outcome/ Resolution accepted by Individual

Closed

Outcome/Resolution NOT accepted by individual:

Appeal within 10 calendar days following the formal stage by completing the relevant section on the Fairness at Work form and submit via the 'Fairness at Work submission' email box