



Grievance Policy

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1 Policy

1.1 Vision of the Strategic Alliance

Working together as it can offer the best opportunity to:-

- Develop service delivery to the public
- Ensure delivery against the PCCs' Police and Crime Plans
- Retain a local policing identity
- Ensure resilience around our Strategic Policing Requirement
- Maximise value for money
- Maximise opportunities for the ongoing personal/professional development of our staff

This approach also satisfies the set critical success factors as follows:-

- Both forces mitigate/manage their greatest threat, harm and risk
- Both forces achieve their medium term financial strategies
- The strategic policing requirement continues to be met with reducing resources
- A transformational approach to service delivery
- Both forces adapt and respond to change in an agile/positive way
- Opportunities to invest in new capabilities to meet emerging threats and technology

The principles of this policy apply to those in the service/employment of both Devon & Cornwall Police and Dorset Police, as identified within clause 1.2, whether part of a strategic alliance department or not.

1.2 Statement of Intent – Aim and Rationale

Devon & Cornwall Police and Dorset Police are both committed to providing an environment where individuals are able to raise concerns around matters affecting them personally within the workplace. Both Forces are fully committed to the principles of natural justice and providing equality of opportunity, dignity and fair treatment at work.

To achieve this, each Force will strive to create and maintain an environment in which there is respect for each individual and recognition of their needs, aspirations and feelings.

This policy is specifically designed to assist in the successful resolution of employment related problems in the workplace; ensuring that learning can be gained from experience and repetition of any such issues avoided in the future. The Grievance Policy is not designed to address issues relating to operational policing or matters of a criminal nature.

The Grievance Policy:

- describes the means by which individuals can raise concerns or grievances that cannot be resolved through discussion with the manager or individual concerned;
- can be used to address potentially unlawful acts such as direct discrimination, indirect discrimination, victimisation, harassment, bullying or equal pay concerns, etc. and
- does not apply to any process that incorporates its own mechanism for appeal;
- does not apply to matters of discipline/misconduct which may be addressed under a separate policy.

This policy applies to all individuals including: police officers, police staff including apprentices, special constables, police volunteers, individuals on secondment (subject to the terms of the secondment) and those within the scope of the Strategic Alliance and, subject to the terms of the secondment or posting, other regional initiatives. Agency workers are covered by the relevant agency's grievance procedure.

Please note: Where this policy refers to other Force policies or procedures, individuals should refer to the specific document to establish whether they are covered by the relevant provisions.

1.3 National Decision Model

The National Decision Model (NDM) is the primary decision-making model used in both Devon & Cornwall Police and Dorset Police. Where applied it ensures that ethical (see Code of Ethics), proportionate and defensible decisions can be made in relation to operational and non-operational policing. The latest guidance can be found via this APP link.

1.4 Code of Ethics

The Code of Ethics underpins every policy, procedure, decision and action in policing today and staff are reminded of the need to comply with the standards and principles of the Code of Ethics.

1.5 GDPR Compliance Statement

Devon and Cornwall and Dorset Police are committed to ensuring the security and protection of the personal information that we process, and to provide a compliant and consistent approach to data protection. Our policies and procedures have been developed taking into account the principles of the GDPR.

2 Standards

2.1 Legal Basis

The Grievance Policy and associated procedures support legislation and guidelines contained within (but not limited to) the:

- Employment Rights Act 1996
- Data Protection Act 2018
- Human Rights Act 1998
- Police Regulations 2003 (as amended)
- ACPO Workforce Standard No: 2 Grievance Process 2006
- Equality Act 2010 / Public Sector Equality Duty
- ACAS Code of Practice on Disciplinary and Grievance Procedures

2.2 Any Other Standards

Devon & Cornwall Police and Dorset Police 'people management' policies reflect the commitment by each Force to those within their service/employment (as defined within 1.2) and are underpinned by the highest standards of integrity. Each policy provides a high-level set of

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principles, which are supported by procedures, working practices and guidance. By nature, however, it is not possible to cover every eventuality that may occur within the context of 'people management'. It may be necessary to vary the approach to ensure matters are dealt with in the most efficient/appropriate way whilst maintaining equity and fairness. Where such variation may be necessary this must be justifiable in these terms and supportive of the legislation and guidelines listed in 2.1 above.

2.3 Assessment Compliance

This document has been drafted and audited to comply with the principles of the Human Rights Act. Internal and external equality and diversity issues have also been considered to ensure compliance with equality legislation and policies. In addition Data Protection, Freedom of Information, Management of Police Information and Health and Safety issues have been considered. Adherence to this document will therefore ensure compliance with all relevant legislation and internal policies.

2.4 Monitoring

The Strategy and Policy Lead (Employee Engagement), is responsible for overseeing this policy to ensure a consistent Force approach is maintained. Monitoring will be primarily carried out subject to Force processes of continuing review.

2.5 Enquiries and Feedback

2.5.1 Enquiries

For day to day enquiries relating to this policy, associated procedures guidance and /or working practice, please contact HR Operations – Admin on:

Devon & Cornwall Police:

Telephone: 22020 (external 01392 452020)

E-mail: HROperationsAdmin@devonandcornwall.pnn.police.uk

Dorset Police:

Telephone: 7003764 (external 01305 223764)

E-mail: human-resources@dorset.pnn.police.uk

2.5.2 Feedback

Feedback on the policy of a strategic nature can also be submitted in writing, or by e-mail to:

Strategy & Policy Team, G033, Homer House, Middlemoor HQ, Exeter, Devon, EX2 7HQ

E-mail: [Strategy and Policy team](#)

3 Principles and Ethos

3.1 Introduction

‘Grievances are concerns, problems or complaints that employees raise with their employers’. Anybody working in an organisation may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with management.’ (Source ACAS Code of Practice 2015).

To achieve the force's aims and objectives we need a workforce who are involved, engaged, capable, empowered and high performing. There should be confidence that matters will be dealt with in a fair and objective way and issues can be raised.

Devon & Cornwall Police and Dorset Police are committed to being equal opportunities employers in line with advice and guidance provided by the Equality & Human Rights Commission.

3.2 Principles

The overriding principles of the policy are:

From time to time, individuals may raise a grievance as defined in section 3.1 above.

Devon & Cornwall Police and Dorset Police are committed to supporting individuals in these circumstances and to creating a working environment where individuals can express concerns or grievances without fear of retribution.

As a learning organisation, opportunities will be taken to continually improve as a result of this policy, accompanying procedures and their application to enable the development of our leaders and managers.

Unlawful discrimination between those in the service/employment of either Force will not be tolerated on any grounds or in any circumstances, whether in the course of day to day duties, or away from the workplace and/or outside of working hours.

Devon & Cornwall Police and Dorset Police aim, wherever possible, to successfully resolve, any work related grievance(s) raised by an individual within a timely manner, to identify a mutually agreeable way forward and achieve a positive outcome.

It is understandable that raising such matters can be daunting for all concerned, therefore it is the aim of each Force to handle grievances in a sensitive manner; seeking to resolve matters at the lowest management level as appropriate, which in turn, should benefit individual wellbeing.

Devon & Cornwall Police and Dorset Police adopt a two phase grievance procedure, comprising of both informal and formal processes to find a positive way forward. Wherever possible each Force will look to address concerns, utilising the first phase of the procedure, the informal approach, which may include for example; discussion with line managers, other colleagues, staff associations, staff support groups, Police Federation, Superintendents Association, Trade Union representatives, Employee Assistance Programme or mediation, as appropriate.

On occasions where grievances cannot be resolved informally, individuals have full access to the second (formal) phase of the grievance procedure. The formal phase comprises of three steps

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including provision for the individual to appeal if he/she is not content with the outcome of the formal grievance meeting. All grievances will be taken seriously and every effort made to find a solution that is acceptable to all parties. **Please note:** Anyone raising a grievance that is found to be malicious, vexatious or a false allegation could be the subject of disciplinary action.

Should individuals consider their grievance unresolved, they may have recourse to an Employment Tribunal. There is an expectation held by tribunals that individuals will have taken all reasonable steps, making full use of internal procedures, to resolve their concerns in the first instance.

3.2.1 Responsibility and Monitoring

The People portfolio has responsibility for overseeing the grievance policy and procedure ensuring;

- Consistency and fairness
- The identification of trends and patterns
- Records are kept of all grievances with equality monitoring undertaken, and
- The policy and its supporting procedure are promoted at a Force wide level.

The individual has a responsibility to take all reasonable steps to attempt to resolve any areas of concern at the earliest opportunity and, where possible, directly with the person concerned. Where this is not possible, the individual should discuss their concerns with their line manager at the earliest opportunity. Where the subject of the grievance is the first line manager, the individual should speak with their second line manager or a suitable alternative manager of a similar rank or grade. Where the matter cannot be resolved through initial discussion, the grievance procedure should be implemented as appropriate.

The individual's line manager (or suitable alternative manager, as appropriate) is responsible for monitoring the process locally at each stage, ensuring it is handled effectively, and that timescales are adhered to, as well as ensuring all parties are kept informed of progress and the outcome of the process.

The line manager dealing with the grievance should ensure that all parties involved in the grievance procedure are aware they have access to the Employee Assistance Programme (EAP) Employee Assistance Programme for support. The EAP is available twenty four hours a day, seven days a week, to all individuals in the service/employment of the Force, to provide confidential advice and support. Staff associations, Federation, Superintendents Association and Trade Unions are also available to provide ongoing support to their members. **Please note:** Individuals requiring advice or representation should contact their Trade Union, Police Federation or the Superintendents Association, as appropriate.

4 Related Documents and Useful Links

*Unless indicated the documents below are joint otherwise DCP=Devon and Cornwall Police
DP=Dorset Police*

4.1 Policy documents

Making Protected Disclosures (Whistleblowing) DCP
Equal Opportunities & Diversity Policy; Police Officers/Staff DCP

4.2 Procedure documents

SA-HR 02 (A) Grievance Procedure

5 Authorisation

5.1 Authorisation of this Version

Version No: 1.0	Name	Signature	Date
Prepared:			23.01.18
Approved:			23.01.18
Quality assured:	Policy Team, Dorset Police	<i>Teri Roberts</i>	03.12.18

6 Version Control

6.1 Review

Date of next scheduled review	Date: 1 YEAR FROM PUBLICATION
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6.2 Version History

Version	Date	Reason for Change	Created / Amended by
1.0	23.01.18	Document prepared and submitted to Strategic People Board – final draft for consideration	Strategy and Policy Lead Employee Engagement

6.3 Document History

Present Portfolio Holder	Strategy & Policy lead Employee Engagement
Present Document Owner	Head of People Strategy & Policy
Present Owning Department	Strategic Alliance People Portfolio
Details only required for version 1.0 and any major amendment i.e. 2.0 or 3.0:	
Name of Board:	Strategic People Board
Date Approved:	15.2.18
Chief Officer Approving:	Director of People

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