

Policy



Grievance Policy

URN: J-P-178

(formally SAHR 002)

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Host Force:	Dorset Police
Host Policy Unit:	Dorset Police Legitimacy Team
Policy Owner:	Alliance Head of People
Policy Author:	Strategy and Policy Lead – Employee Relations (HR Operations)
Associated Procedural Guidance:	J-Pr-062 Grievance Step by Step

Applicable to:

Devon & Cornwall Police	☒
Dorset Police	☒
OPCC Devon & Cornwall	☐
OPCC Dorset	☒
Officers	☒
Staff	☒

**PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE
VERSION CAN BE FOUND ON THE FORCE DOCUMENT LIBRARY.**

1.0 Introduction

- 1.1 Devon & Cornwall Police and Dorset Police ('the Force') are committed to providing an environment where individuals are able to raise concerns around matters affecting them personally within the workplace. The Force is fully committed to the principles of natural justice, providing equality of opportunity, dignity and fair treatment at work.
- 1.2 To achieve this, the 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.
- 1.3 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.
- 1.4 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.,
 - Does not apply to any process that incorporates its own mechanism for appeal, and,
 - Does not apply to matters of discipline / misconduct which may be addressed under a separate policy.
- 1.5 This policy applies to all individuals including: officers, staff (including apprentices), Special Constables, Police Support 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 policy.
- 1.6 **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.

2.0 Standards

- 2.1 The 'People Management' policies reflect the Force commitment to those within their service / employment (as defined within section 1.5) and are underpinned by the highest standards of integrity. Each policy provides a high-level set of principles, which are supported by procedural guidance and step by steps. 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, in line with the National Decision Making model, this must be justifiable in these terms and supportive of the legislation and guidelines listed in section 5.0.

- 2.2 The Force recognise the contribution of its entire staff and are committed to creating a fully inclusive working environment, valuing the differences that a diverse workforce can bring.
- 2.3 The Force is fully committed to equality, diversity and inclusion and, in line with the Equality Act 2010, will not unlawfully discriminate on the grounds of, by perception, or by association with, any of the nine protected characteristics; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, or any other factor which cannot be justified.
- 2.4 The Force people policies are developed in consultation with appropriate stakeholders (including Trade Unions and staff associations, Staff Support Groups and representatives across the different business areas, as appropriate); with the suite of policies, procedural guidance and step by steps being subject to Equality Impact Assessments (EIA), ensuring they comply with the principles of both this policy and the Force equality objectives.

3.0 Principles and Ethos

- 3.1 ‘Grievances are concerns, problems or complaints that employees raise with their employers.’ (Source ACAS Code of Practice 2015). 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. To achieve the Force 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. The Force is committed to being an equal opportunities employer in line with advice and guidance provided by the Equality & Human Rights Commission.
- 3.2 The overriding principles of the policy are:-
 - 3.2.1 From time to time, individuals may raise a grievance as defined in section 3.1 above.
 - 3.2.2 The Force are committed to supporting individuals in these circumstances and to creating a working environment where individuals can express concerns or grievances without fear of recrimination.
 - 3.2.3 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.
 - 3.2.4 Unlawful discrimination between those in the service / employment of the 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. The Force aims, 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.

- 3.2.5 It is understandable that raising such matters can be daunting for all concerned, therefore the Force aims 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.
- 3.2.6 The Force adopts a two phase grievance procedure, comprising of both informal and formal processes to find a positive way forward. Wherever possible the 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.
- 3.2.7 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 including provision for the individual to appeal where they are 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.
- 3.2.8 Please note: An individual raising a grievance that is found to be malicious, vexatious or a false allegation could be the subject of disciplinary action.
- 3.2.9 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.

4.0 Roles and Responsibilities

- 4.1 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.
- 4.2 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 (J-Pr-064) should be implemented as appropriate.

- 4.3 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.
- 4.4 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) 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. Trade Unions and staff associations are also available to provide ongoing support to their members.
- 4.5 **Please note:** Individuals requiring advice or representation should contact their trade union, Police Federation or the Superintendents Association, as appropriate.

5.0 Regulatory Background

- 5.1 The Grievance Policy and associated procedures support legislation and guidelines contained within (but not limited to) the:-
 - Employment Rights Act 1996;
 - Police Regulations 2003 (as amended);
 - ACAS Code of Practice on Disciplinary and Grievance Procedures.
- 5.2 Both Forces are obliged to abide by all relevant legislation and other guidance as appropriate:
 - Authorised Professional Practice
 - Code of Ethics (DCP)
 - Code of Ethics (DP)
 - Equality Act (2010) including the Public Sector Equality Duty
 - Freedom of Information Act 2000 (FOIA)
 - Human Rights Act (1998)
 - National Decision Model
 - Records Management (DCP)
 - Records Management (DP)
 - Standards of Professional Behaviour (DCP)
 - Standards of Professional Behaviour (DP)
 - The Health and Safety at Work Act (1974)
 - UK General Data Protection Regulation / Data Protection Act (2018)
 - Our Purpose (DCP)
 - Vision, Purpose & Priorities (DP)

6.0 Monitoring, Review, Enquiries and Feedback

- 6.1 Review and amendments will be coordinated by the Policy Unit.
 - 6.2 The Alliance Head of Employee Relations 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 and in line with force governance requirements.
 - 6.3 This policy will be reviewed annually subject to legislation / process changes.
 - 6.4 **Please note:** Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.
 - 6.5 For day to day enquiries relating to this policy please contact HR.
 - 6.6 We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: .Policies@dorset.PNN.police.uk
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7.0 Other Associated Documents

Policy and Procedure

- J-P-016 Protected Disclosure (Whistleblowing) Policy
- J-Pr-008 Protected Disclosure (Whistleblowing) Procedure
- J-P-038 Equality, Diversity and Inclusion Policy

College of Policing

- National Decision Model
- Authorised Professional Practice (APP)

Other

- Equality Impact Assessment
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