

DEVON AND CORNWALL POLICE AUTHORITY

GRIEVANCE PROCEDURE

Purpose and scope of the Procedure

In any organisation, employees may have problems or concerns about current or possible proposed changes to their duties, conditions of service, working environment or working relationships that they wish to raise and have addressed. It is in everyone's interests to ensure that grievances are dealt with fairly at the lowest level within the organisation at which the matter can be resolved

This procedure deals with grievances that individual employees may have about matters relating to their work. It does not cover matters that may be subject to collective consultation or negotiation or those covered by the Authority's separate procedures dealing with:

- (a) Harassment, bullying or victimisation;
- (b) Appeals against grading;
- (c) Discipline, 'incapability' proceedings and dismissal, in relation to which a separate appeals procedure exists.

Any grievance should be dealt with as quickly as possible and normally within the time limits specified in this procedure, unless variations are mutually agreed.

The procedure should normally be followed sequentially, although there may be occasions when the matter about which there is a grievance is sufficiently serious that it should be considered under the Formal Stages of the procedure immediately.

Where it would be helpful at any stage of this procedure, advice may be sought from the Authority's HR Adviser on how most effectively to resolve the grievance and whether some mediation or facilitation might remedy the grievance.

Informal Stage

Because the object of this procedure is to enable grievances to be settled as quickly and as near as possible to their origin, employees should, in the first instance, discuss the matter with their line manager to see if the matter about which there is concern can be resolved. The line manager should respond to the concern within five working days.

Formal stages

If it does not prove possible to resolve a grievance informally, the formal stage of this procedure should be invoked and the grievance submitted in writing.

Employees can be accompanied at any formal grievance or appeal meeting by a fellow employee or trade union official of their choice. The companion may represent the employee by putting and summing up the employee's case and responding on the employee's behalf to any view expressed at the hearing. However, the companion may not answer questions on behalf of the employee unless agreed by (at Stage One) the Chief Executive or (at Stage Two) the Chairman of the Panel.

Where the employee and/or his/her companion is unable to attend the date nominated for a meeting under either Stage One or Stage Two below and provides a good reason for being unable to attend, the meeting will be postponed by up to five working days or to such other date as may be convenient to the Chief Executive and/or Members of the Authority.

Stage One

A formal grievance should be raised in writing with the Chief Executive, specifying the nature of the grievance and the remedy that the employee is seeking. The Chief Executive should convene a meeting with the aggrieved employee and any companion to discuss the matter within ten working days of receipt of the written notification of the grievance.

Unless it is possible for the Chief Executive to resolve the issue immediately he should either:

- (a) Explore whether mediation/facilitation might be an agreed and appropriate way forward to try and resolve the matter; and/or
- (b) Clarify the issues of concern and then adjourn the meeting for up to five working days in order to make further enquiries about the matter(s) raised and/or to give consideration as to whether and how the grievance can be resolved. The Chief Executive should then reconvene the meeting to report his conclusions about or proposals in respect of the resolution of the grievance. These should be confirmed in writing within five days of the reconvened meeting.

Stage Two : Appeal

If any actions taken at Stage One do not resolve the employee's grievance, he/she may, within ten working days of being notified about the outcome of that Stage, refer the grievance and the remedy sought back to the Chief Executive requesting that the matter be considered by a Panel of Members drawn from the Chairs' Committee of the Authority. This request must be in writing.

Within ten working days of receipt of the written notification of appeal, the Chief Executive (or, in his absence, the Assistant Chief Executive) will make arrangements for a formal meeting of a Panel of Members to consider the grievance, to which the aggrieved employee will be invited. This meeting should be held as soon as practicable thereafter. Any written submissions, correspondence or other papers relevant to the grievance, which either the aggrieved employee or the Chief Executive intend to rely on

at the meeting should be exchanged at least five working days before the meeting of the Panel, to whom copies of all such papers will also be passed.

The Panel will comprise three Members of the Chairs' Committee and may be advised by the Authority's HR Adviser.

The procedure at the meeting will normally be:

- (a) The employee (or his/her representative) will state their case and answer any questions put by the Chief Executive, Members of the Panel or the HR Adviser;
- (b) The Chief Executive will state his case and answer any questions put by the employee (or his/her representative), Members of the Panel or the HR Adviser;
- (c) The parties will be given the opportunity to summarise their case by way of conclusion.

The meeting will then be adjourned for the Panel to consider the issues, take advice and reach a conclusion.

The outcome of that consideration will be conveyed to the employee as soon as possible after the conclusion of the meeting, but, in any event, will normally be confirmed clearly in writing within five working days of the adjourned meeting.

This appeal is final and there can be no further consideration of the matter under this procedure.

General

The Authority will take reasonable steps to ensure that there is no disadvantage to employees with disabilities in the application of this procedure, for example, by ensuring that an employee with hearing impairment is supported as necessary at any meetings so that that employee fully understands the issues to be considered by and outcome of such meetings and can contribute effectively to such meetings.

Information relating to any proceedings or action taken in accordance with this procedure will be subject to the relevant provisions of the Data Protection Act 1998

This policy and procedure has been drafted in and will be applied in accordance with the Human Rights Act 1998, the Race Relations Act 1976, the Race Relations (Amendment) Act 2000 and the Disability Discrimination Acts 1995 & 2005.

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Approved By Human Resources Committee 8 November 2006