

 WARWICKSHIRE POLICE		POLICY/ PROCEDURE
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Fairness at Work (Grievance)
POLICY REFERENCE NUMBER	WP140
Version	1.1

POLICY OWNERSHIP	
DIRECTORATE	ENABLING SERVICES
BUSINESS AREA	PEOPLE SERVICES

INITIAL IMPLEMENTATION DATE	October 2024
NEXT REVIEW DATE:	October 2027
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

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1.0 POLICY OUTLINE

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

Warwickshire Police and the Office of the Police & Crime Commissioner (OPCC), 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

The purpose of this policy is to assist Warwickshire Police and the OPCC, in providing individuals with an approach to raising and resolving work related concerns fairly, quickly and as close to the source as possible. It also aims to ensure that Warwickshire Police and the OPCC meet their statutory obligations.

The policy will apply to all Police Officers, Specials and Staff working for Warwickshire Police and the OPCC.

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 with 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 control of the organisation to resolve.
- Matters which relate to gradings, 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. Concerns should be raised at an early stage.
- The formal stage may be used if resolution at the informal stage has not been successful, or if the individual or Line Manager considers the concern to be so serious that formal procedures should be used. The individual must put their concern in writing (using the Fairness at Work form in Appendix B), stating how they believe it should/can be resolved.
- Any concerns raised will be dealt with without undue delay and solutions will be implemented quickly and effectively to avoid undue stress and worry for those involved.
- In accordance with Warwickshire Police and OPCC procedures, all concerns will be dealt with fairly and transparently.
- Individuals have the right to be accompanied at all formal meetings, by a Union/Federation representative, staff association or work colleague.
- Warwickshire Police and the OPCC will not tolerate the victimisation of any individual who uses or seeks to use the Fairness at Work Policy.
- Following the outcome of the formal stage, individuals have the right to appeal.

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 be kept confidential wherever possible. However, if maintaining confidentiality would compromise the ability to deal effectively with the concern, the individual will be consulted and revised parameters for maintaining confidentiality will be agreed with them.
- Third parties involved in a complaint will be informed of the closure of the complaint, however, will not usually be informed of any specific outcomes or actions, for reasons of confidentiality.
- Written records relating to the matter will be retained in accordance with appropriate retention schedules.

5.0 IMPLICATIONS OF THE POLICY

5.1 Risks

Adherence to and effective implementation of this Policy will reduce the risk of successful legal action against Warwickshire Police and the OPCC under equality and employment legislation at Employment Tribunal.

5.2 Legal considerations

The main provisions relating to 'concerns' in the workplace can be found in the Employment Act 2008. By following the ACAS Code of Practice on grievance procedures the organisation will ensure that it complies with all legislation.

5.3 Training

Where training, support or coaching is needed, contact should be made with a HR Advisor or in the case of the OPCC, the line manager or Chief Executive..

6.0 CONSULTATION

Consultation has taken place with the following:

- Warwickshire Federation
- Warwickshire Unison
- Superintendent Association
- OPCC
- 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	May 2018

		and responsibilities; bullying and harassment section; complaints not resolved prior to leaving v1.1	
Nov 2022	Elysia Harvey	Removed reference to The Alliance	Nov 2022
May 2024	Paula Perry & Ellie Walsh	Business Disability Forum review (no changes recommended) General review	October 2024

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

It has been identified that an individual who raises a concern regarding an issue in the workplace may feel anxious or stressed during the process. By adhering to the Policy and Procedure and ensuring that the issue is promptly addressed, and by providing regular communication updates to the individual, the risk of anxiety and stress can be reduced. A guidance document is available to provide supporting information on how to apply the Policy and Procedure.

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 should then explore the concern and possible resolutions.
- If concerns cannot be resolved informally, individuals may raise them formally (usually within 7 calendar days).

FORMAL STAGE

See flowchart on next page

GROUND'S FOR APPEAL

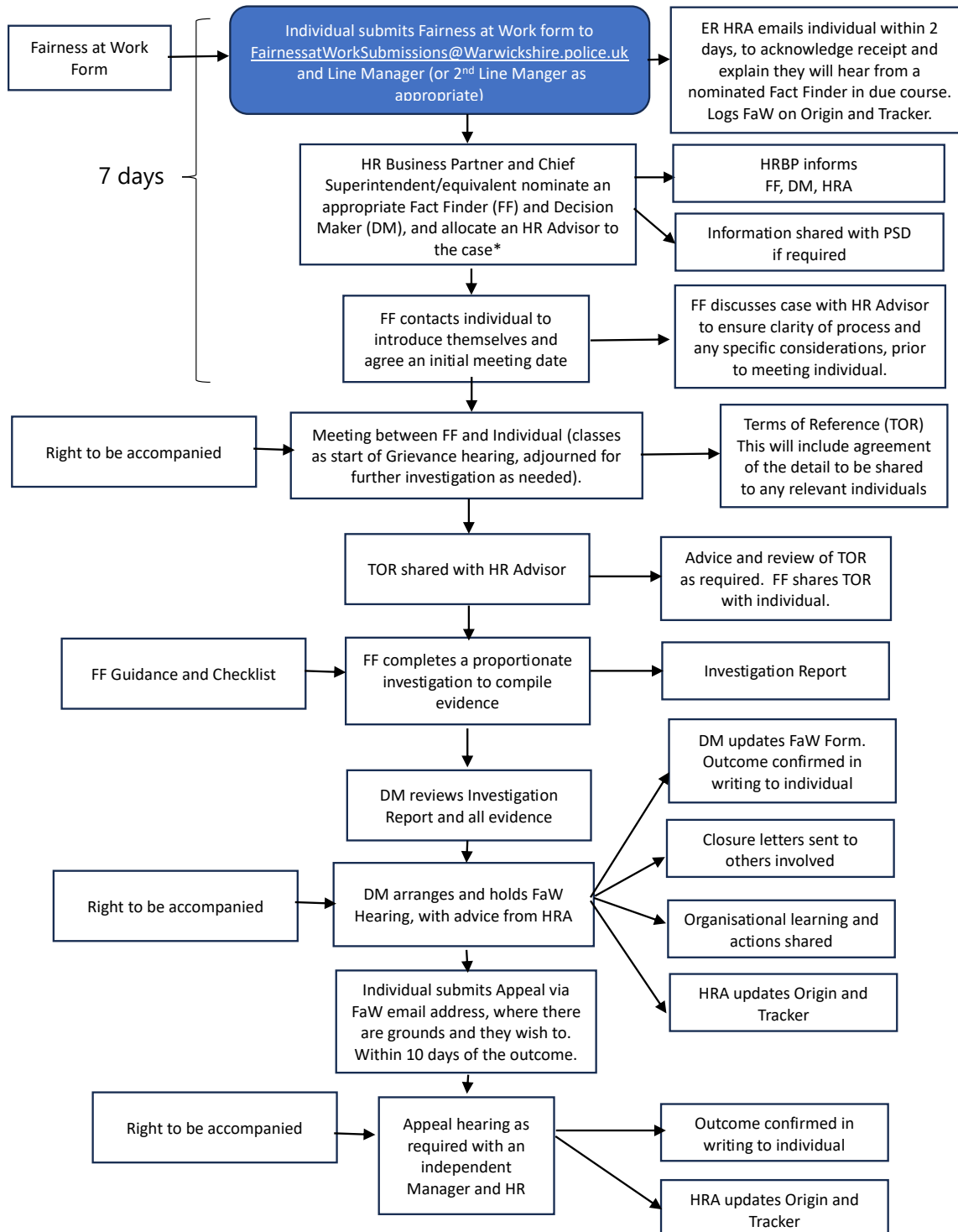
If an individual remains dissatisfied with the outcome at the Formal Stage, they may wish to appeal. This should be within 10 calendar days of receipt of the outcome confirmation.

The individual submitting the appeal must complete the section on the Fairness at Work Form and submit the appeal to the Fairness at Work email box. In the case of the OPCC appeals should go to the Chief Executive, unless not appropriate.

Acceptable grounds for appeal are:

- The process was procedurally unfair or wrong (in which case the individual should state in what way they believe it was unfair or wrong);
- The resolution proposed is not acceptable or does not resolve the problem (in which case the individual should detail the reasons why they feel this, and the outcome they expected)

Fairness at Work – Formal Stages



*Please note, where an individual has not attempted to resolve the issue informally, they may be directed back to that stage of the process.

The role of Fact Finder may be allocated to a HR Advisor, in which case, there would not be an additional HR Advisor assigned to the case.

APPENDIX B – FAIRNESS AT WORK FORM

FAIRNESS AT WORK

Before completing this form, please read the Fairness at Work policy, procedure and guidance documents, which can be accessed via the Intranet: You at Work > Standards of Professional Behaviour > Fairness at Work. If you have any queries regarding the process please contact your local HR Advisor.

Name:		Collar no:	
Directorate:			
Post title:			
Location:			
Department:			

PART A : FORMAL STAGE

Note: The formal stage should only be entered once informal resolution has been unsuccessful.

To be completed by individual:

Please outline the nature of your concerns and provide a brief chronology (if appropriate) of the issues you are raising:

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Please summarise any informal attempts that you have made to resolve matters locally so far:

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Please outline the outcome sought and your proposals for resolution (e.g. mediation):

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Signed:		Date:	
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Name of Unison or staff association representative (if appropriate):

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Please email this form to:

- your line manager or second line manager as appropriate (please refer to guidance document); and

- the 'Fairness at Work' inbox
<mailto:FairnessatWorkSubmissions@Warwickshire.police.uk>

For HR Business Partner completion:

Nominated Fact Finder:

Nominated Decision Maker:

Allocated HR Advisor:

For 'Fact finder' completion:

Please note, if there are ongoing parallel processes related to the case (e.g. misconduct, attendance management, capability, tribunal, or vetting) contact the allocated HR Advisor to agree the most appropriate course of action.

Individual contacted on _____ (date within 7 days of case being allocated)

Initial meeting to take place on _____ (as soon as possible, agreed with individual)

Checklist and Guidance read and understood ☐

Investigation Report attached: _____ (Please discuss with HR Advisor prior to this)

'Fact-finder' recommendations on conclusion of investigation (from Investigation Report):

'Fact-finder' name:

Date:

'Fact-finder' ACTION - following the outcome meeting, please forward a copy of this form to:

- Fairness at Work submission inbox;
- Decision Maker
- HR Advisor, for recording purposes.

For 'Decision Maker' completion:

Please contact the allocated HR Advisor for advice before proceeding.

Checklist and Guidance read and understood ☐

Investigation Report and inclusions reviewed on _____ (date)

FaW Hearing to take place on _____ (date)

'Decision Maker' conclusions following Formal Meeting (including actions agreed, if appropriate):

Outcome

☐ Not upheld

☐ Upheld

☐ Partially upheld

☐ Withdrawn

'Decision Maker' name:		Date:	
'Decision Maker' ACTION - following the outcome meeting, please forward a copy of this form to: • the individual to confirm the outcome; • Fairness at Work submission inbox; • HR Advisor, for recording purposes.			

'Individual' ACTION - if the individual is not satisfied with the outcome, they should progress to Part B of this form as appropriate.

PART B: APPEAL (To be completed if the concern has not been dealt with to the individual's satisfaction).			
Note: This form should be submitted, within 10 calendar days from receipt of the outcome confirmation, i.e. following Part A of the Fairness at Work process (as appropriate).			
To be completed by the individual:			
Reasons for appeal:			
Please outline the outcome sought and your proposals for resolution:			
Signed:		Date:	
Please forward this form to the 'Fairness at Work submission' inbox. mailto:FairnessatWorkSubmissions@Warwickshire.police.uk			
Comments and outcome of the appeal:			
Manager's name/job title:		Date:	
Manager's action - please forward a copy of this form to: • the individual, to confirm the outcome of the appeal; • Fairness at Work submission inbox; • HR Advisor, for recording purposes.			