



# **Grievance Policy and Procedure**

**Policy No. 5**

**Official – December 2023**

<b>People Area</b>	<b>Grievance Policy and Procedure</b>
<b>Authored by (Responsible Officer):</b>	<b>Senior Head of People (SHP)</b>
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<b>Implementing Officer:</b>	<b>Head of Human Resources (HHR)</b>

# **1. Policy**

## **1.1 Policy Statement**

- 1.1.1 Cleveland Fire Authority is committed to providing a work environment in which staff are motivated, inspired and working together for a common and meaningful purpose. To support this commitment there is a framework in place to enable staff to raise any issue or concern with trust and confidence, and without fear of discrimination, harassment, or victimisation. This is in addition to supporting managers to lead, influence and manage their staff in an efficient, fair, and transparent manner.
- 1.1.2 The Grievance Policy and Procedure relates specifically to the management of grievances concerning an individual's employment, and action that is considered to have adversely affected an individual; with the intention of achieving an appropriate resolution fairly, promptly, and consistently.
- 1.1.3 The Grievance Policy and Procedure includes both an informal and formal grievance process as required, however most issues can be resolved through proactive informal dialogue and therefore individuals are encouraged to use the informal grievance stage first. The formal stage of the grievance procedure may be utilised where the informal stage does not resolve matters or in more serious cases.
- 1.1.4 This Policy and Procedure is not appropriate to resolve issues between colleagues. Separate Procedures exist for addressing concerns related specifically to bullying and/or harassment (Dignity at Work Policy) and reporting concerns (Whistleblowing Policy). If staff are unsure which procedure applies, they should seek advice from their line manager, Human Resources Department or Trade Union.
- 1.1.5 All grievances will be investigated as per the outlined procedure, however where there is clear evidence that a grievance has been raised in a deliberate attempt to mislead or in a malicious manner it may be appropriate to consider under the Disciplinary Policy and Procedure. This also may be a consideration where an individual raises multiple/repeated grievances without clear evidence/rationale.

## **1.2 Policy Objectives**

- 1.2.1 The policy aims to align the way in which the Brigade manages concerns, problems, or complaints from staff with the ACAS statutory Code of Practice, and to resolve such issues in a systematic manner that is reasonable, consistent, fair, and timely. The policy operates in accordance with of the National Joint Council for Local Authorities' Fire Brigades (Grey Book) and the National Joint Council for Local Government Services (Green Book).

1.2.2 To support the achievement of its' aims the Authority will:

- provide a workplace where employees have the confidence to raise issues with the intention of achieving appropriate resolution
- where possible support the informal resolution of grievances between employee and line manager
- ensure consistency of the application of the policy and procedure for all employees
- treat any grievances seriously and manage the procedure in accordance with the process set out within this document
- provide appropriate training, development, and support to those involved in the application of this policy and procedure
- collate and report management information to the Brigade's Executive Leadership Team (ELT) relating to grievances managed through the Grievance Policy

### **1.3 Scope**

1.3.1 This policy and its procedure apply to all employees who are directly employed by Cleveland Fire Brigade.

1.3.2 A grievance may occur at any level of the organisation. This policy and its procedure applies equally to all employees of Cleveland Fire Brigade.

1.3.3 This policy and its associated procedure are one of several policies and procedures relating to resolution of grievances within Cleveland Fire Brigade, as detailed below:

- Disciplinary Policy and Procedure No P4
- Dignity at Work Policy and Procedure P9
- Whistleblowing Policy and Procedure

#### **Definition and General Principles**

1.3.4 The Grievance Policy seeks to deal with any grievances as defined as a concern, problem, or complaint an employee raises with their employer (ACAS, 2015) regarding an employment related problem that has occurred within three months.

1.3.5 The Brigade will give due consideration to any request for resolution of a grievance outside this timeframe in exceptional circumstances, however, reserves the right to decline a request.

1.3.6 There are several reasons as to why an employee may have a concern, problem or complaint that needs addressing through the Grievance Policy and Procedure and examples may include (**please note this list is not exhaustive**):

- Perceived bias or discrimination in the workplace
- The nature or range of duties
- New working practices/organisational change
- Working environment
- Health and safety

1.3.7 The Grievance Policy and Procedure does not cover the following issues:

- Dignity at Work (Bullying/ Harassment)
- Contractual terms, which are determined under separate arrangements
- A matter that would require a change in Authority policy
- Collective grievances where negotiation is required (Please see section 5.5)
- Other matters that are dealt with under separate local or national procedures or arrangements

## 1.4 Policy Category

1.4.1 This policy is categorised as '**Corporate Authority**' within the Key Document Framework.

# 2 Organising

2.1 **Cleveland Fire Authority (CFA)** is responsible for:

- approving the Authority's Grievance Policy and Procedure

2.2 **Chief Fire Officer (CFO)** is responsible for:

- the management of any grievances through the Grievance Policy and Procedure in line with Authority's Scheme of Delegation
- reviewing monitoring reports related to any concerns raised through the Grievance Policy and Procedure
- overseeing all aspects of policy and procedure
- notifying HMICFRS of any allegations that have the potential to constitute staff gross misconduct that: involve allegations of a criminal nature that have the potential to affect public confidence in FRSs; are of a serious nature; or relate to assistant chief fire officers or those at equivalent or higher grades.

2.3 **Assistant Chief Fire Officer Strategic Planning and Resources (ACFOSPR)** is responsible for:

- maintaining the framework for the practical application of the Policy and Procedure in line with the Authority's Scheme of Delegation

2.4 **Senior Head of People (SHP)** is responsible for:

- monitoring grievances raised through the Grievance Policy and Procedure
- monitoring arrangements within their functional area with reference to any grievances raised through the Policy and Procedure

2.5 **Head of Human Resources (HHR)** is responsible for:

- implementing this policy and procedure
- providing training and development to those involved in the application of this policy and procedure
- ensuring that the policy and procedure meets and continues to meet the requirements of employment legislation
- providing advice and guidance to managers and staff with reference to this Policy and Procedure

- effectively communicating this policy and procedure to all staff
- managing, administering, and coordinating all grievances raised through the Grievance Policy and Procedure
- maintaining management information relating to grievances raised through the Policy and Procedure and producing relevant reports to the Executive Leadership Team

**2.6 Heads of Department/ Line Managers** are responsible for:

- ensuring the fair and consistent application of this policy and procedure
- informing HR of employee's intentions to submit a grievance under this Policy and Procedure
- undertaking training in the effective use of the Grievance Policy and Procedure
- supporting all staff who are affected by this policy and procedure

**2.7 Individuals** are responsible for:

- adhering to the requirements of this policy and procedure
- adhering to the Policy and Procedure when submitting information related to a grievance
- fully cooperating in the application of the Procedure
- keeping managers informed of their intentions at the earliest opportunity and providing the relevant information and documentation

**2.8 Trade Unions and Representative Bodies** are responsible for:

- supporting the implementation of, and adherence to, this policy and procedure

### **3 Planning & Implementing**

3.1 This policy is underpinned and implemented through the Authority's Grievance Procedure Appendix 1.

3.2 All new staff will be made aware of this policy and procedure during their induction and all documents will be available on the Brigade's intranet.

3.3 Existing staff will be informed of this policy and procedure as per the Brigade's Policy Framework Procedure.

3.4 The mechanisms for raising a concern, including reporting through 'The Bridge' or a confidential reporting line (Safecall), will be promoted to staff on a regular basis as part of our approach to staff engagement e.g. annual PDR, monthly 'Firewire', signage (e.g. screensaver, staff noticeboards).

3.5 The contents of this policy and procedure will be subject to an 'Integrity Health Check', where employees are expected to confirm they have read and understood the contents as part of their annual Personal Development Review (PDR).

## **4. Resource Implications**

- 4.1 There are people resources required to coordinate the procedure; most of this work is regarded as a combination of the core work of the Human Resources Department and the day-to-day duties of staff with line management responsibility.

## **5. Equality Impact Assessment**

- 5.1 This policy has been assessed in accordance with the Brigade's Equality Impact Assessment Procedure. (Appendix 5)
- 5.2 The findings of the Equality Impact Assessment conclude that the Grievance Policy and Procedure does not have a detrimental impact on any group of staff, including those with one or more protected characteristics.

## **6. Monitoring**

- 6.1 The Head of HR will monitor activities under this policy and procedure.

## **7 Audit**

- 7.1 This policy will be audited in accordance with the procedure detailed within the Authority's Policy Framework.

## **8. Review**

- 8.1 The ACFO SPR will undertake a review of this policy in 2026 to ensure it is taking account of any new or emerging political, social, technological, legislative, environmental, competitive, citizen or reputational factors.

## Procedure

### 1. Introduction

- 1.1 This is the procedure that underpins and implements Cleveland Fire Authority's Grievance Policy.

### 2. Scope or Definition

- 2.1 This policy and its procedure apply to all employees who are directly employed by Cleveland Fire Brigade.

### 3. Background

#### 3.1 Employment Law and Best Practice

Consideration will be given to all aspects of employment law to ensure that the Authority is compliant throughout any element of the application of this policy and procedure.

#### 3.2 Employment Rights Act 1996 (section 80F – 80I) and Employment Act 2002

The above regulations relate to the general principles afforded to individuals with employed status in an organisation.

#### 3.3 Data Protection Act 1998/ General Data Protection Regulation (GDPR)

The Authority's records relating to grievances will be kept confidential and in accordance with the Data Protection Act/ GDPR. Any documentation related to a grievance, will be placed on the individual's personal record file, and retained for the duration of employment.

#### 3.4. Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (PTW)

The PTW regulations state that employers cannot treat part-time workers less favourably than their full-time equivalents and cannot subject them to any disadvantage (or detriment) because of their part-time status, unless objectively justified.

#### 3.5 The Equality Act 2010

- 3.5.1 The Equality Act 2010 legally protects people from discrimination in the workplace. It is unlawful to discriminate against people because of any, or all, of the protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).



- 3.5.2 The Authority will ensure that direct or indirect discrimination does not occur when applying the procedure. Direct discrimination is treating someone with a protected characteristic less favourably than others, whilst indirect discrimination involves the application of rules and/or arrangements in place that apply to everyone but may put someone with a protected characteristic at an unfair advantage.

## **4. Raising and Managing a Request for Resolution to a Grievance**

### **4.1 Considerations**

- 4.1.1 Before submitting a grievance, either informally or formally, and to ensure the application of the correct policy and procedure consideration should be given to the nature of the issue.
- For issues relating to bullying and harassment the Dignity at Work Policy and Procedure should be utilised
  - For all other issues – not related to bullying and harassment - the Grievance Policy and Procedure, using the informal and/or formal route, will apply.
- 4.1.2 In registering a grievance, the aggrieved party must state clearly from the outset, the details of their grievance and the precise nature of the outcome they seek to achieve from the process by completing the form via the 'Raising a Concern' button on the Bridge (on-line form) or through the confidential independent reporting line (Safecall), however ideally, they should be discussed with the **Line Manager in the first instance**. As far as reasonably practicable, the request for resolution to a grievance must be raised within three months of the aggrieved party becoming aware of the issue about which they are aggrieved.
- 4.1.3 If the request for resolution to a grievance is raised out of time, management will review the circumstances of the delay and it will be their discretion in conjunction with advice from the Human Resources Department as to whether the grievance is investigated. In cases where the concern is not to be investigated, this decision and rationale will be put in writing to the employee by the Human Resources Department.
- 4.1.4 A manager with whom a grievance is first raised may, following a discussion with the aggrieved party, pass the concern to a more senior manager to handle if they believe it is out with their scope of authority to handle.
- 4.1.5 On most occasions, it will be appropriate and desirable to commence and conclude the procedure informally at stage 1. In certain circumstances the aggrieved party may feel unable to approach their line manager directly. In this case it may be appropriate to progress the Stage 1 with an alternative manager, or alternatively invoke the procedure formally at Stage 2 from the outset. Advice should be sought from the Human Resources Department in this instance.
- 4.2 The procedure should be followed in accordance with the sequence detailed below and in Appendix 3. Whilst the procedure does apply specific timeframes for some stages of

the process the grievance must be managed as efficiently as possible, and without unnecessary delay.

#### **4.3 Managing a Request for Resolution for a Grievance**

##### **Stage 1 - Informal Grievance**

- 4.3.1 A grievance should be raised, and managed, informally wherever possible by way of a discussion between the employee and their line manager. Employees should always aim to resolve any grievances with their line manager in the first instance. Written documentation ideally should be completed to inform the discussion. Please see section 4.1.2.
- 4.3.2 The informal stage should be contained as near as possible to the point of origin and take the format of face-to-face discussion between the employee and their Line Manager. Through open and honest discussion, the employee and their Line Manager should acknowledge the concern, discuss the origins/reasons, and agree the steps to reach an appropriate resolution.
- 4.3.3 If it is not possible, or appropriate, to resolve a grievance informally the issue will be escalated to the formal stage.
- 4.3.4 The use of mediation or a facilitated meeting may also be useful at this stage to support a positive discussion and secure a constructive outcome. Please see section 5.6 for further details.

#### **4.4 Employee Action – Stage 1 Informal Grievance**

- 4.4.1 Step A: Raise the issue informally with the Line Manager:
  - The employee should inform their line manager that they have a grievance which they would like to discuss informally.
- Step B: Face-to-face discussion between employee and Line Manager:
  - The employee should explain their grievance and suggest a mechanism(s) for resolution.
  - Notes from the informal discussion should be kept by the employee.
- Step C: Agreement of Next Steps:
  - Implementation of action relating to the resolution of the grievance.
  - Agree date for reviewing progress.

#### **4.5 Line Manager Action – Stage 1 Informal Grievance**

- 4.5.1 Step A: Acknowledgement of Request for Informal Resolution to Grievance
  - Acknowledgment and acceptance of informal grievance
  - On receipt of the informal request the Line Manager should check the employee has access to a copy of the Grievance Policy and Procedure ahead of the agreed discussion date/time.
  - The line manager should arrange to meet with the employee as soon as possible, but within 7 calendar days of the request.

Step B: Face-to-face discussion between employee and Line Manager

- The Line Manager should listen to the employee's concern/complaint and suggest appropriate remedial action (this may not be a change in process/decision, but an explanation to ensure understanding of the rationale/business need).
- If the issue is more complex, the line manager may need to investigate the concern further and will provide a response within 7 calendar days. This ideally should be in a face to face meeting and the outcome documented as per Appendix 2
- The Line Manager may not be able to accommodate/accept the suggested mechanism for resolution, in which case a compromise may be reached.
- Notes from the informal discussion should be kept by the Line Manager.

Step C: Agreement of Next Steps

- The outcome must be documented on Appendix 2 and copy sent to the Human Resources Department.
- Review of agreed actions in an appropriate timeframe

#### **4.6 Stage 2 – Formal Grievance**

4.6.1 If the grievance cannot be resolved informally, the employee is not satisfied with the outcome of the informal stage or due to the seriousness of the issue it is not appropriate to use the informal route, it will progress to the formal procedure. The employee must submit a formal request for resolution to their grievance, documented on appendix 2 to their Line Manager in writing and notify HR by way of providing a copy of the grievance.

4.6.2 Where the employee is escalating the request for resolution to their grievance from the informal stage as they are not satisfied with the outcome, they must raise their request at the formal stage within 7 calendar days of the outcome.

4.6.3 When a grievance relates to the Line Manager with whom the concern would normally be raised the employee should contact HR who will provide advice relating to an appropriate alternative (who will be of at least an equivalent level of seniority).

#### **4.7 Employee Action – Stage 2 Formal Grievance**

4.7.1 Step A: Submission of Request for Formal Resolution to Grievance

- Details of the grievance – including the nature of the issue, relevant dates, names of people involved – must be submitted in writing to the Line Manager and HR ([hr@clevelandfire.gov.uk](mailto:hr@clevelandfire.gov.uk))

Step B: Investigation

- The employee must cooperate throughout the investigation stage to support the Line Manager to establish the facts of the case.

Step C: Investigation Meeting

- An Investigation Meeting will be arranged by the Line Manager. The employee has the right to be accompanied. HR will be present, as an impartial party, at the meeting to provide advice and guidance on the policy and procedure.

- The employee should fully explain the nature of their grievance and suggest an appropriate mechanism for redress.
- The employee will be given the opportunity to present relevant information and evidence in relation to the grievance.

Step D: Agreeing a solution

- The employee should provide information relating to how the issue could be resolved and should be prepared to reach a mutual agreement.

Step E: Communication of the outcome

- The employee will receive notification of the outcome of the grievance within 7 calendar days. This ideally this should be communicated via a face-to-face meeting.

#### **4.8 Manager Action – Stage 2 Formal Grievance**

##### **4.8.1 Step A: Acknowledgement of Request for Formal Resolution to Grievance**

- The Line Manager will ensure HR has been notified of the grievance. HR will provide written acknowledgement to the employee and will liaise with the Line Manager in the context of maintaining central records.
- The Line Manager will arrange a meeting within 7 calendar days of submission of the grievance to discuss the detail and support an investigation.
- The Line Manager will notify employee of meeting arrangements and to explore if reasonable adjustments are required.
- The Line Manager should commence their investigation immediately following the meeting in preparation of the Grievance Outcome Meeting.

Step B: Investigation

- Details of the grievance must be fully explored by the Line Manager and should include consultation, in the form of interviews, with all parties concerned. The investigation is critical in determining the outcome of the grievance and appropriate remedial action.
- The investigation part of the process should take no longer than 7 calendar days. If there is a delay then the Line Manager should write to the employee advising them of this, the reason for the delay and expected timeframe.
- In the context of consistency the Line Manager will consider if similar grievances have arisen in the past, and how they have been resolved.

Step C: Grievance Outcome Meeting

- HR will be present at the meeting provide advice and guidance on the procedure.
- The purpose of the meeting is to achieve an amicable resolution to the grievance raised.
- The Line Manager will advise on the findings of their investigation and respond to the suggested resolution, offering alternative(s) where applicable whilst confirming that the meeting is focussed on discussion to achieve an amicable solution.
- The Line Manager will sum up the main points of the grievance.

- The meeting may be adjourned if further investigation/ consideration of new facts are required.

Step D: Agreeing a solution

- It may not be possible to accommodate the suggested mechanism for resolution to the grievance, in which case a compromise may be reached.
- The agreed solution will not result in a change to any of the Brigade's policies and procedures.

Step E: Communication of the outcome

- All parties will be informed, in writing, of the outcome of the grievance and, where appropriate, details of the next steps to be taken.
- In the event that a grievance is not upheld the Line Manager will provide a thorough explanation within the notification of the outcome.
- Wherever possible the outcome will be communicated within 7 calendar days of the outcome meeting and the employee advised that they have the right of appeal if dissatisfied with the proposed resolution to their grievance.

#### **4.9 Stage 3 - Appeal Stage**

4.9.1 In circumstances where an employee is dissatisfied with the outcome of Stage 2 – Formal Grievance, an appeal may be lodged, and the case will subsequently be reviewed.

4.9.2 An appeal may be made on the following basis:

- procedural errors where there is evidence the process was incorrectly followed
- new evidence has come to light that may change the outcome of the original decision
- fairness and reasonableness of the outcome

4.9.3 Appeals must be made in writing, within 7 calendar days from receipt of the notification of the outcome, to the Head of HR detailing the grounds for the appeal and the desired outcome. This should be documented on appendix 2.

4.9.4 The appeal will be considered by a person from the next tier of management who will review the evidence used to reach the original decision, supported by a Human Resources Representative. If the appropriate person who would ordinarily hear the appeal was involved in the grievance meeting at stage 2 an alternative person, of an equivalent level, will be appointed to hear the appeal. Where grievances are about serious problems for example of culture or management style, then the Fire Authority may be involved in the appeal.

4.9.5 The written appeal from the employee must include:

- the grounds for the appeal and include all relevant new information or supporting evidence
- an outline of the issues that you feel haven't been properly considered and why
- a clearly stated desired outcome from the appeal

- 4.9.6 An Appeal Hearing where possible will be established within 14 calendar days from the date of the appeal, but with at least 7 days' notice.
- 4.9.7 The statement of case and associated evidence of both parties must also be made available 7 working days before.
- 4.9.8 The employee has a right to be accompanied to the Appeal Hearing.
- 4.9.9 The employee and manager involved at Stage 2 will each present the relevant information with reference to the grievance raised.
- 4.9.10 The appeal manager will consider all evidence presented and make a decision on the outcome, with advice from the HR representative supporting on the appeal panel.
- 4.9.11 The following are examples of possible outcomes of an appeal hearing (this list is not exhaustive):
- No change to the outcome of the stage 2 decision
  - Grounds for appeal upheld, either totally or in part
  - Alternative or remedial actions imposed
- 4.9.12 Following the Appeal Hearing the employee will be notified within 7 working days, in writing, of the outcome. The decision will be final and there will be no further right of appeal.

## **5 Support and Advice**

- 5.1 The following sources of support are available to all staff at all times:
- Counselling - The Brigade provides a confidential counselling service for staff. This service can be accessed by contacting PAM Assist on [www.pamassist.co.uk](http://www.pamassist.co.uk) or 0800 8824102.
  - Occupational Health Service - Any member of staff who is involved in a grievance process case may find it useful to talk to the occupational health service. A referral can be made through the Line Manager, Senior Manager, designated Welfare Officer or by contacting the Human Resources Department.
  - Welfare Officer – At the commencement of any grievance process a Welfare Officer will be allocated to the individual. The role of a Welfare Officer is to be in regular, agreed contact with the individual throughout the process, to be able to update on timescales and be a conduit between the individual and organisation to source support as required.
- 5.2 **Appropriate Line Manager** – for the purpose of this policy a person dealing with a request for resolution to a grievance must be at least substantive Crew Manager (Operational) or equivalent Line Manager (Corporate) competent in dealing with grievances. In circumstances where the relevant person is not available an alternative representative, of at least an equivalent level of seniority and competent in relation to dealing with grievance, will be identified by HR and appointed to manage the grievance case.

**Support from HR is available for employees and Line Managers at each stage of the Grievance Procedure.**

- 5.3 **Representation** - in accordance with best practice principles the employee is entitled to be accompanied by an appropriate representative at each stage of the formal procedure (and the informal route if requested). An 'appropriate' representative is a colleague (not connected to the grievance), a trade union representative or an official employed by a trade union.

The representative will be provided with the opportunity to address the hearing, and respond to any views, on behalf of the employee and to confer with the employee during the hearing.

The representative is not entitled to answer questions on behalf of the employee, to address the hearing against the will of the employee or to prevent the Manager from explaining their position.

If the Line Manager schedules a meeting or hearing for a date/time when the representative is not available, the employee may request an alternative date/time. If a second date provided is not agreeable the consideration will be given to the individual seeking alternative representation or proceeding with this date.

- 5.4 **The Status Quo** – Status Quo is defined as the working practices and management arrangements that were in place at the time the grievance was raised and where possible the status quo should operate until the internal procedure has been exhausted. As such during any stage of the grievance procedure the “status quo” will be maintained unless:

- There is a risk to the provision of operational services **or**
- There is a potential health and safety risk **or**
- To continue with such an arrangement would expose the Brigade to an extreme financial risk **or**
- To continue with such arrangements could potentially risk contravening a legal requirement

- 5.5 **Collective Grievances** - Where either the authority or the recognised union determine that there is a grievance matter that is a collective issue, it may, at any stage, be transferred to stage one of the local negotiation procedure, where considered appropriate.

- 5.6 **Mediation** – is a process involving an independent trained mediator who facilitates communication between the parties with the aim of achieving a mutually agreeable outcome. It may, with mutual agreement, be appropriate to seek mediation during the formal stage of the grievance procedure. Advice regarding the provision of mediation is available from the Head of HR. The use of mediation at an informal stage is encouraged, however can be accessed in any part of the grievance procedure as appropriate and with agreement of both parties. Mediation should be requested by the

line manager utilising the form contained in appendix 4 and forwarded to the HR Department for consideration.

- 5.7 **Request for Resolution to a Grievance relating to a Disciplinary** – If an employee raises a grievance during a disciplinary process (at any level), the disciplinary may be suspended whilst the grievance is managed. If the grievance relates to the manager dealing with the disciplinary case the procedure must be suspended and an alternative manager appointed. If the grievance is directly related to the disciplinary the two procedures may be applied concurrently, following advice being sought from HR.

- 5.8 **Disciplinary Matters** – If at any point during the course of the grievance procedure, a potential disciplinary matter is identified consideration should be given to whether the grievance procedure should be suspended and the disciplinary procedure invoked.

Where any grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently. Where the cases are not related two separate investigations will be instigated. A HR representative will provide advice on the process on a case-by-case basis.

Should a disciplinary hearing then take place, the grievance procedure is ended and the outcome of the disciplinary take precedence. If the allegation(s) are upheld, in addition to imposing a disciplinary sanction, the panel will make recommendations and give guidance to management to prevent, as far as reasonably practicable, a reoccurrence of the issue.

Should a disciplinary hearing not take place, then the grievance procedure is recommenced, and a reasoned response given to the employee who raised the grievance.

- 5.9 **Withdrawing a Grievance** – an employee is entitled to withdraw a grievance at any stage of the procedure. It is the responsibility of the case manager to explore, and document, the reason for the withdrawal in the context of ensuring victimisation and/or harassment has not occurred.
- 5.10 **Outcome** - It is important to note that if as a result of a grievance, disciplinary action or other action is being considered towards other employees, the individual who raised the grievance will not be advised of the outcome of those proceedings. This is confidential and private to the employees involved.
- 5.11 **Documentation and Confidentiality** – Records should be kept on the personal file of the employee who raised the request for resolution to a grievance. These records should include their grievance, desired outcome, investigation including supporting documentation if appropriate, the reasoned outcome and any resultant actions taken. In particular, it is essential that an employee's acceptance that resolution has been reached at any stage is evidenced on the file by a signed and dated outcome form to this effect. Similarly, if resolution has not been achieved a signed and dated outcome form should also be kept on file as evidence.



Where the grievance has been upheld, either wholly or in part, a note should be kept on the personal file of the person(s) against whom the grievance was raised. The note should detail the grievance, the reasoned outcome, any remedial action which should be taken by the manager and any steps which need to occur to prevent a reoccurrence e.g. training for the manager.

These records should be kept confidential and retained in accordance with the Grievance Procedure and Data Protection Act 1998 which requires the release of certain data to individuals on their request.

Grievances raised under the grievance procedure should be considered confidential. Only those persons who need to know should be given access to relevant information and they in turn should treat that information as confidential. All those involved should be informed that any breach of confidentiality (including informal discussions with colleagues) may prejudice a fair outcome and may also constitute a disciplinary offence.

**GRIEVANCE REPORT FORM:**

<b>Grievance raised with (name of manager)</b>	
<b>Grievance raised on (date)</b>	
<b>Stage of Grievance</b>	
<b>Manager responded on (date)</b>	

**Details of response and proposed action points**

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**Outcome**

I confirm that I am satisfied with management's response to my grievance.

Signed	
Name (Printed)	
Date	

I am not satisfied with management's response to my grievance and confirm that I have been informed of how to invoke the next stage of the grievance procedure.

Signed	
Name (Printed)	
Date	

Copy to [hr@clevelandfire.gov.uk](mailto:hr@clevelandfire.gov.uk)

**GRIEVANCE TIMESCALE PROCESS FLOW**

<b>Timescale in Calendar Days (maximum indicative)</b>	<b>Action Required</b>
<b>STAGE 1 (INFORMAL) – 14 DAYS</b>	
Day 1	Grievance raised
By Day 7	Line Manager should meet with the individual to ascertain full details of their grievance
By Day 14	Line Manager should complete the investigation and respond to the individual
<b>STAGE 2 (FORMAL) – 21 DAYS</b>	
By Day 24 (Or by day 1 if entering at stage 2)	<ul style="list-style-type: none"> <li>Individual invokes stage 2 (formal stage) of the grievance procedure</li> <li>Investigating Manager acknowledges request for resolution to grievance</li> <li>Investigating Manager writes to individual to invite to investigatory meeting</li> </ul>
By Day 31 (Or by day 7 if entering at stage 2)	<ul style="list-style-type: none"> <li>Investigating Manager meets with the individual to obtain further information or clarification of specific points</li> <li>Investigating Manager meet with any other appropriate parties including the line manager involved at stage 1</li> </ul>
By Day 38 (Or by day 14 if entering at stage 2)	Investigating Manager concludes investigation and verbally feedback to the Individual with the outcome
By Day 45 Or by day 21 if entering at stage 2)	Individual receives written feedback
<b>STAGE 3 (APPEAL) – 14 DAYS</b>	
By Day 52	Individual can lodge appeal Human Resources writes letter to individual informing of date and panel for appeal
By Day 59	Exchange of documents takes place
Day 66	Appeal panel takes place (Confirmation in writing to individual ASAP)

Please note: In some instances the grievance process may commence at stage 2, missing out the informal stage of the process, therefore the process will take 45 days in total (indicative).

**Mediation Referral Form**

This form should be completed as fully as possible by the line manager of the complainant or a more senior manager. Contact details for both parties must be completed and consent to participate in mediation must be obtained prior to submission of this form.

**Details of person completing the form (line manager or more senior manager)**

Name	
Service	
Department/ Station	
Role	
Phone number	
Email address	

Details of participant/s; please attach details on an additional sheet if more participants are to be included. Participants will be contacted prior to mediation. Please also complete the monitoring data for each individual.

**Participant 1:**

Name	
Role	
Department/ Station	
Phone number	
Email address	
Relationship of participants	

**Participant 2:**

Name	
Role	
Department/ Station	
Phone number	
Email address	
Relationship of participants	

**Please provide a brief summary of the situation:**

**Please provide details of any action taken to date, including outcomes:**

**Please provide details of any specific needs of any of the parties (continue on a separate sheet if necessary):**

**Please outline your expectations of mediation, after discussion with the participants if appropriate:**

**Please tick the appropriate box and sign the form in the space provided to confirm that the information provided in this section is accurate.**

	Yes	No
Are all parties aware that this matter is being referred to the Brigade's mediation service?		
Have all parties consented to participating in mediation?		
Are all parties aware of your expectations of mediation?		
Are all parties aware that they will be contacted prior to mediation starting?		
Have the parties been provided with information on mediation?		

Signature\_\_\_\_\_

Print name\_\_\_\_\_

All cases referred for mediation are considered by the HR Department in the first instance. In the event that it is not appropriate for the case to be handled by internal mediators (e.g. due to its complexity, due to the relationship of a participant to the mediator(s), etc.) an external mediation service will be approached to facilitate the process.

**Please return the completed form to the Human Resources Department.**

## EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING

EqlAs enable us to consider all the information about a service, policy, practice or activity from an equalities perspective and then put an action plan in place to achieve the best outcome for our employees and service users. PIAs analyse how the work that we undertake can impact different groups. This will help us to make better decisions and evidence how we have reached these decisions.

### SECTION 1 – INITIAL SCREENING

Directorate:	Strategic Planning & Resources
Department/Section:	Human Resources
Title of PIA – Name of Service or Policy Conducted on:	Grievance Policy and Procedure
Date Of Assessment:	16 <sup>th</sup> October 2023
Assessment carried out by:	Emma Doubooni

Is this Policy/Service/Project:

Existing ☒

New/Proposed ☐

Changing ☒

Other ☐

Applicable to:

Our staff ☒

Our Communities ☐

Other ☐

PURPOSE AND OBJECTIVES	
What are the aims of the service / policy?	<p>The policy aims to align the way in which the Brigade manages concerns, problems, or complaints from staff with the ACAS statutory Code of Practice, and to resolve such issues in a systematic manner that is reasonable, consistent, fair and timely.</p> <p>It provides a procedure for use where the employee wishes to raise a concern.</p>
Who is responsible for the service / policy? Who is responsible for the assessment?	<p>Policy – ACFO SPR Assessment – HR</p>
Who implements the policy? Are external contractors involved?	Head of Human Resources
Are there any related policies or processes that will need to be changed associated to this one?	No
To what extent does the service / policy have an impact on people? Who is affected by it and how?	<p>This policy and procedure is available for all employees to access if required.</p> <p>The impact is on the employee raising a concern, the line manager and/ or those involved (witnesses etc) and resources allocated to investigate/ hear any concerns and provision of appropriate support.</p>
What analysis has been done to identify if the service / policy is meeting the needs of all of these groups of people?	<p>Review of the cases to which this policy has been utilised.</p> <p>Benchmarking against other FRS's/ NHS/ LGA policies.</p>

## ESTABLISHING RELEVANCE

In this section you should review the data and evidence above and consider the actual and potential impact of the policy, service, activity or practice on employees, residents, groups, and other service users. Findings should be noted in the table below. You should also consider whether the decision will, or is likely to, influence CFB's ability to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act and other relevant legislation.
- Advance equality of opportunity between different groups of people
- Foster good relations between people who share a protected characteristic and those who do not.

**Using the information available, identity the impact of this service / policy in relation to people across the Protected Characteristics:**

Protected characteristics groups from the Equality Act 2010	Negative Impact	Neutral Impact	Positive Impact	Explain your answer
<b>Age</b>		X		This policy is applied equally to all staff regardless of age
<b>Disability</b>			X	This policy is applied equally to all staff regardless of disability. Where individuals identify that adjustments are required e.g. to support neurodiverse conditions, then these will be made where possible.
<b>Gender Reassignment</b>		X		The policy is applied equally to all staff regardless of gender reassignment
<b>Pregnancy and Maternity</b>		X		The policy is applied equally to all staff regardless of pregnancy and maternity



<b>Race</b>			X	The policy is applied equally to all staff regardless of race. Where individuals identify that adjustments are required e.g. English not their preferred language, then support will be made available e.g. documentation in other language
<b>Religion and Belief</b>		X		The policy is applied equally to all staff regardless of religion or belief
<b>Gender</b>		X		The policy is applied equally to all staff regardless of gender
<b>Sexual Orientation</b>		X		The policy is applied equally to all staff regardless of sexual orientation
<b>Marriage and civil Partnerships</b>		X		The policy is applied equally to all staff regardless of marriage and civil partnership
<b>Is a full Equality Impact Assessment required? Yes or No If not why?</b>	No negative impacts identified. Positive impacts identified in terms of interventions to support Disability and Race.			

<b>MONITORING AND REVIEW</b>	
What procedures are in place to monitor the impacts outlined in the analysis?	Human Resources will monitor the application of this policy, monitor the equality data and will have responsibility to ensure performance management issues outlined in the policy are met and that any issues identified with the equality of application are addressed.
How often will this take place?	Minimum three yearly unless trigger event
Date of next planned review?	October 2026

Proceed to Full PIA Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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<b>SIGNATURE OF PERSON COMPLETING THIS SCREENING</b>	
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Name:	Emma Doubooni
Job Title:	Head of HR
Date:	16/10/2023

<b>SIGNATURE OF LINE MANAGER – MINIMUM HEAD OF DEPARTMENT</b>	
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Name:	Chris Chisholm
Job Title:	Senior Head of People
Date:	25/10/23

<b>SIGNATURE OF EQUALITY AND DIVERSITY OFFICER – HR DEPARTMENT</b>	
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Name:	Ruth Anderson
Date published to internet	
Date published to fish	