



# Grievance Policy and Procedure

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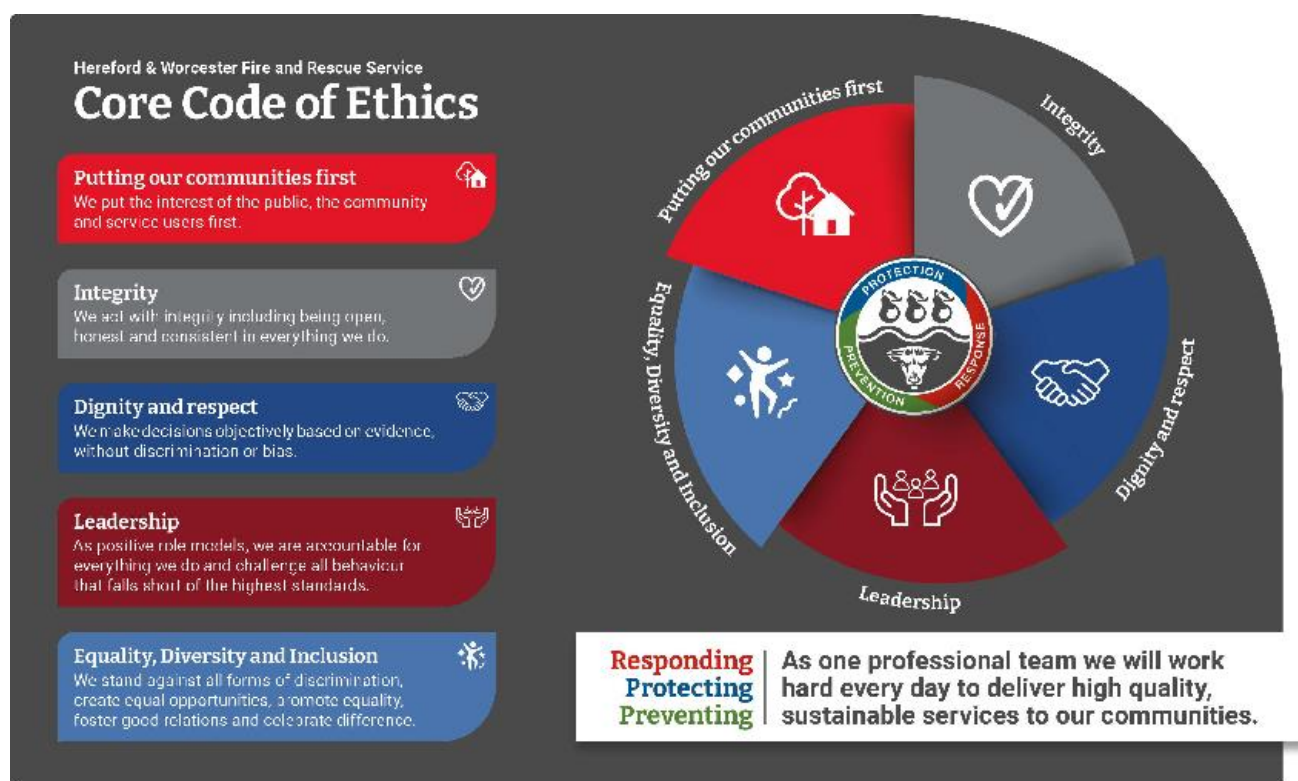
# Executive Summary

Hereford & Worcester Fire and Rescue Service (HWFRS) are committed to having a positive workplace culture that is fair and respectful, recognises the rights of individuals and where all members of staff are supported.

This policy sets out the process for the timely and effective resolution of difficulties that may arise in the workplace. The aim of the procedure is to ensure that employees who feel aggrieved about the way they have been treated are given every opportunity to express their views and as appropriate, to have the issues resolved.

## Core Code of Ethics

The [Core Code of Ethics for Fire and Rescue Services](#) sets out five ethical principles, which provide a basis for promoting good behaviour and challenging inappropriate behaviour. The Service is committed to the ethical principles and professional behaviours contained in the Core Code of Ethics, which sets expectations on governance, behaviour and integrity in the Fire Sector. The principles of the Code are reflected in this policy as well.



## Safeguarding Policy Statement:

Safeguarding is everyone's responsibility, and Hereford & Worcester Fire and Rescue Service (HWFRS) are committed to safeguarding children, young people and adults from abuse and neglect. The Service strives to promote the safety, dignity and wellbeing of staff and people in the community.

Safeguarding practices within HWFRS align to the Safeguarding Fire Standard which aims to ensure that Service's support and promote the safeguarding of those within the community, employees and volunteers. [Safeguarding - Fire Standards Board](#)

All HWFRS staff will adhere to the Service's Adult Safeguarding Policy and Children and Young People Safeguarding Policy and associated Guidance's.

[SPIs \(sharepoint.com\)](#)

## **Alternative Formats**

If you require this document in another format please contact the Human Resources and Development Department.

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# Grievance Policy and Procedure

## 1. Introduction

### Overview

- 1.1. Grievances are specific concerns, problems or complaints raised by an employee in relation to their work, working conditions or relationships with colleagues.
- 1.2. The Service encourages open communication between employees and managers to ensure that any issues or concerns raised can be resolved in a timely manner and where possible, to the satisfaction of all concerned.
- 1.3. Employees should always try to resolve issues informally and at an early stage, before accessing the formal stages of the grievance procedure.

### Conducting the Grievance Procedure

- 1.4. The Service recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect. The Service will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

### Scope of the Procedure

- 1.5. The Grievance Procedure is applicable to all current employees.
- 1.6. Details of where other members of staff should seek resolution is outlined in the table below:

Staff Group	Procedure/Policy
Volunteers	'Problem Solving' procedure, as per the Service Volunteer Policy
Work Experience	Complaints Procedure
Contractors/Consultants	Complaints Procedure
Agency Workers	Grievance Procedure of the employment agency they are engaged with
Fire Cadets	Complaints Procedure

If you do not fall into one of the above categories or are unsure where to raise your concerns, please contact the HR & Development department who can advise further.

## Links to Other Policies

- 1.7. The Service's Core Code of Ethics and Code of Conduct policy is referenced within this policy and sets out the standards of behaviour required of employees.
- 1.8. The Disciplinary Policy should be referred to when dealing with an employee who has intentionally submitted vexatious, malicious or untrue allegations or where the outcome of a grievance investigation has raised concerns regarding an employee's conduct. Similarly, the Service reserves the right to consider appropriate measures where an employee repeatedly uses the Grievance Policy and Procedure in order to deliberately cause damage to the Service, its reputation or its staff. Such measures may include dismissal if there are substantial business grounds for justifying this course of action. Where this is identified, a discussion will be offered between the member of staff and line manager to discuss the matter.

## 2. General Principles

### What is a Grievance?

- 2.1. Grievances are concerns, problems or complaints that an employee raises with an employer about their employment.
- 2.2. Issues that may cause grievances include (this list is not exhaustive):
  - the application of policy or procedure related to employment;
  - health and safety;
  - work relations;
  - working environment or practices;
  - actions that contravene equality and diversity policies; for example, discrimination on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity;
  - sexual or racial harassment; that is, unwarranted conduct based on sex or race affecting the dignity of men or women at work, which is objectionable to either the recipient or the observer of that behaviour; or
  - oppressive conduct (bullying), which is objectionable to either the recipient or the observer of that behaviour.
- 2.3. The grievance procedure will not normally be a vehicle for expressing individual disappointment when employees are not successful on application for the appointment or promotion to a post or posting to a particular post; nor is it intended for employees to register individual disagreement regarding performance appraisals. It may be used if it relates to a breach of policy regarding selection or appraisal procedures, or a breach of equality and diversity policies.

### Exclusions

- 2.4. There are certain issues that will not be considered under this grievance procedure:
  - Issues which have already been dealt with under this policy within the preceding 12 months (for example the same grievance been raised by the same employee within 12 months)

- Issues relating to events that occurred over 3 months ago
- Grievances which are considered to be trivial or instituted without sufficient grounds. This will be determined by the relevant manager (with advice from HR) and in conjunction with the relevant Trade Union. For example, a member of staff that raises grievances with their employer every few weeks. Each grievance is regarded as a relatively minor complaint that the employer has provided a reasonable explanation to. It is clear the employee is raising numerous grievances to inconvenience the employer.
- Disputes relating to the outcomes of other proceedings, for example meetings related to disciplinary, capability, performance management and sickness absence, flexible working requests; in these circumstances the appropriate appeals procedure should be followed.

### **Grievances Relating to Matters Subject to Formal Consultation**

- 2.5.** Where an employee has an issue that has been (or is currently being) aired collectively via the Joint Protocol for Industrial Relations or where it has been through a formal consultation process with staff or their representatives, the Service with the relevant Trade Union will review the circumstances on a case by case basis to determine the appropriate next steps. An individual or collective grievance cannot be raised where the issue has been resolved via the Joint Protocol for Industrial Relations formal negotiation procedure.
- 2.6.** An individual grievance may be appropriate where an action plan, strategy, policy, etc. has been implemented in a way considered to be potentially unreasonable, differing from that agreed through the consultation process or it is related to a failure to engage in collective negotiation or consultation.

### **Timescales**

- 2.7.** Grievances should be raised within 3 calendar months of the decision, action or event causing the grievance. If a grievance is raised outside of this timeframe the Service will decide if it is appropriate to investigate the matter or decide whether it is out of time, taking into account the employee's reasons for not raising the matter within the above time frames.
- 2.8.** The timescales set out in this policy will be adhered to unless amended by mutual agreement. In some cases, particularly with complex grievances, it may be appropriate to extend the timescales in order to allow enough time to reasonably fully investigate.
- 2.9.** Before setting dates to discuss any grievance, reasonable efforts should be made to arrange with both the employee and the employee's representative that they are able to attend. If the meeting fails to occur on two occasions due to the employee and/or representative and/or trade union, the employer will be under no obligation to rearrange it again. If this is the case, the manager considering the grievance may decide to make a decision based on the information to date.

### **Right to be Accompanied**

- 2.10.** An employee raising a grievance has a right to be accompanied at all meetings within the formal stages of this procedure.
- 2.11.** The companion may be:

- an official employed by a trade union
- a trade union representative, as long as they have been certified by their union as being competent to accompany an employee
- a current work colleague

- 2.12.** The companion should be allowed to put forward and sum up the employee's case, respond (on behalf of the employee) to any views expressed at the meeting and confer with the employee and request an adjournment during the meeting. The companion does not, however, have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent Service managers from explaining their case.
- 2.13.** Before the meeting takes place, the employee will advise the manager concerned of the name of their companion.
- 2.14.** The Service reserves the right to refuse to accept a companion whose presence would undermine the grievance process e.g. where a companion is a potential witness.
- 2.15.** Where the chosen companion is reasonably deemed to be unavailable on the day scheduled for the meeting or appeal, the meeting may be rescheduled, providing that an alternative date is proposed within seven working days of the scheduled date.
- 2.16.** Although an employee does not have the legal right to be accompanied at the informal stage of the procedure, they may request to be accompanied and acceptance will be given on a case by case basis. In these instances, the role of the companion or trade union representative would be to support the employee (without obstructing the process).

### **Reasonable Adjustments / Special Considerations**

- 2.17.** In applying this procedure, managers have a legal responsibility under the Equality Act 2010 to consider any reasonable adjustments that may be needed for an employee with a disability (and for their companion if they are disabled). Where any party might have difficulty in participating fully in proceedings through disability or difficulty in understanding spoken or written English, the manager must make sure that appropriate arrangements are put in place to help with this.
- 2.18.** Managers must also consider the diversity context of their decision making before any final decision is reached, making sure that decisions are objectively taken and do not unfairly or unlawfully discriminate.

### **Witnesses**

- 2.19.** The employee and/or the Service may identify any relevant witness and may interview them or request a witness statement as part of the grievance investigation.
- 2.20.** Any witnesses called on behalf of the Service (who are deemed employees, or similar) will be invited to attend meetings wherever reasonably practicable. If the witness is not an employee, they will be asked to assist where possible, for example by providing a written statement.

- 2.21. Either side may request to call upon witnesses to be questioned at a meeting. However the manager considering the grievance will decide whether the witness is relevant and if it is appropriate to invite them to attend.
- 2.22. Any witnesses called by the employee are attending at the request of that employee, such witnesses do not have to accept a request to act as a witness and should not be pressurised to do so. The witness may choose to submit a written statement instead, if they don't wish to attend a meeting.
- 2.23. Any witness that attends a grievance meeting can be questioned by all parties. Witnesses must answer questions for themselves; it is not appropriate or permitted for anyone to speak on their behalf.
- 2.24. If witnesses are unable to attend a meeting they must notify the relevant person at the earliest opportunity.
- 2.25. If it is not practical for witnesses to attend, it will be for the manager considering the grievance to decide whether or not to proceed in their absence or accept a written statement instead.
- 2.26. Although witnesses do not have a legal right to be accompanied at any meetings, they may request to be accompanied and acceptance will be given on a case by case basis. In these instances, the role of the companion or trade union representative would be to support the witness (without obstructing the process).

### **Written Records**

- 2.27. Grievances that are resolved at the informal stage may not have any associated paperwork however it is good practice to keep a record of reasoning and rationale for decision making.
- 2.28. Grievance paperwork from the formal and appeal stages will be filed on the employee's Personal Record File (PRF). These should include:
- the nature of the grievance (PERS 104 forms)
  - what was decided and actions taken
  - the reason for the actions
  - whether an appeal was lodged
  - the outcome / recommendations of the appeal
  - any subsequent developments
- 2.29. Records should be treated as confidential and will be kept no longer than necessary, in accordance with the data protection principles set out in the Data Protection Act 2018 and the Service's Data Protection SPI and Retention Schedule.
- 2.30. Copies of meeting records should be given to the employee including copies of any formal minutes that may have been taken. In certain circumstances (for example to protect a witness) the Service might withhold some information.

### **Covert Audio Recordings**

- 2.31. The recording without express knowledge or consent, of any meeting held as part of the grievance process, is expressly forbidden and regarded as a fundamental breach of trust and confidence that may lead to disciplinary action being taken.
- 2.32. An employee has no legal right to make a recording of a meeting held as part of a grievance process. Requests to record any such meeting must be submitted in writing in advance, stating the reason for the request. Requests will be considered on a case by case basis. However, they may take their own written notes during the meeting.

### Collective Grievances

- 2.33. If two or more employees wish to raise the same grievance and feel that it can be dealt with collectively under the same process, they may raise a collective grievance. All employees raising a collective grievance must agree (without any pressure being exerted on staff members to join the collective process) to do so and sign the grievance form.
- 2.34. A spokesperson for the collective grievance will be appointed by the group. All communications will pass through the appointed spokesperson. It will be for the spokesperson to communicate with the rest of the group about the progress of the case. However, copies of meeting minutes, decision letters from management and other correspondence shall be distributed to all the aggrieved parties, not just to the appointed representative.
- 2.35. The procedure will be followed as for individual grievances, whereby there is one grievance meeting and (if applicable) one appeal meeting. It is not necessary for all those involved to be present at meetings and appropriate representative numbers should be agreed at each stage. However, the Service reserves the right to conduct interviews with any or all of the individuals in order to properly investigate and understand the issues and evidence.
- 2.36. Where either the Service or a recognised Trade Union determine that the matter is a collective issue, it may, at any stage, be transferred to the appropriate procedure under the Joint Protocol for Industrial Relations policy.

## 3. Informal Grievance Procedure

- 3.1. If the matter is to be dealt with on an informal basis, the following approach is recommended:

Nature of Grievance	Staff Group
Issue or concern relating to the employee's work or working conditions	Raise the matter directly with line manager or any other suitable manager
Issue or concern regarding a work relationship, or where there may have been a misunderstanding	Raise the matter directly with the person involved and/or the immediate manager of the person concerned

- 3.2. The Service encourages employees to resolve any conflicts and grievances that arise in the workplace as quickly as possible through informal means. Where possible, the informal stage should nearly always include some form of face to face attempt as a resolution. Mediation should also be used at the informal stage to resolve issues (if appropriate).
- 3.3. Where appropriate, grievances will be dealt with and resolved by local managers within their respective teams.
- 3.4. If informal approaches do not bring about a satisfactory outcome, the employee can request to proceed to the formal stage.
- 3.5. In serious cases, such as grievances regarding discrimination, bullying or harassment it may be more appropriate to move directly to the formal stages of the procedure.
- 3.6. Where a number of informal grievances are raised regarding the same issue, the Service may deem it appropriate to progress to the formal stage.

## 4. Formal Grievance Procedure

- 4.1. If it is not possible to resolve a grievance informally, employees should raise the matter formally and without unreasonable delay with their line manager (or next level of manager if the direct line manager is the subject of the grievance), who will be advised by a member of the HR & Development department. This should be done in writing using the 'Formal Grievance Form – PERS104(a)' (Appendix A) and should clearly set out the nature of their concerns, what informal resolution methods have taken place, why the issue remains unresolved and the outcome being sought.
- 4.2. Upon receipt of a formal grievance, the relevant manager must send a copy of the form by email to the HR & Development department: [HRSupport@hwfire.org.uk](mailto:HRSupport@hwfire.org.uk).
- 4.3. The Service reserves the right to reject a formal grievance until it can be demonstrated the informal process has been reasonably undertaken.

### Allocating the Grievance

- 4.4. The formal grievance procedure will be conducted by a manager who has the authority to implement any potential decisions or outcomes that may arise to resolve the matter. This is usually expected to be the employee's line manager, unless the complaint is against the employee's line manager in which case another suitable manager will be appointed. There may also be occasions when an independent manager is appointed to hear the grievance.
- 4.5. If the decision that gave rise to the grievance was made at a higher level, consideration will be given to the grievance initially being heard at that level.
- 4.6. In exceptional circumstances, that may suggest major problems, the Chief Fire Officer has the discretion to appoint an appropriate external person. However, this decision

needs to be carefully considered and should balance the needs for fairness against a cost-effective and efficient investigation.

- 4.7. If the Chief Fire Officer, Treasurer or Monitoring Officer wishes to raise a grievance, the formal stage will be conducted by the Appointments Committee Grievance Panel.

### **Acknowledging the Grievance**

- 4.8. The manager considering the grievance will review the 'Formal Grievance Form - PERS104(a)' and send a written acknowledgement of receipt. This acknowledgement will set out the proposal for dealing with the grievance, which may be one of the following:

- Where informal resolution has not taken place, the written acknowledgement will confirm that the grievance cannot be progressed until this has been done.
- Where the form does not clearly set out the grounds for the grievance or the resolution sought, the written acknowledgement will confirm that the grievance cannot be progressed until this has been completed fully.
- Where the grievance can be considered, the written acknowledgement will include an invite to a grievance meeting.

### **Grievance Meeting**

- 4.9. A meeting will be arranged within 7 working days following receipt of the grievance, unless these timescales are mutually extended. The purpose of this meeting is for the employee to explain the nature of the grievance, and what actions could be taken to resolve the matter, with a view to achieving a resolution.
- 4.10. This meeting will be chaired by the manager hearing the grievance, who may be advised by a representative from the HR & Development department. Witnesses may be called by either party if appropriate.
- 4.11. The format of the meeting will be flexible depending on the nature of the grievance.
- 4.12. Any documentary evidence that is to be presented and considered at the meeting must be submitted to the manager considering the grievance at least 3 working days in advance of the meeting.
- 4.13. The meeting will provide an opportunity for the employee to present the nature of the grievance and for the line manager to respond. While the employee will be given every opportunity to explain their case fully, the explanation should be confined to an explanation of matters that are directly relevant to the grievance. Focusing on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of the grievance. The manager conducting the meeting will intervene if they think that the discussion is straying too far from the key issue. The manager may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of the grievance.
- 4.14. If, on receipt of documentary evidence ahead of a grievance meeting it is apparent that further investigation is required, the grievance meeting may be delayed until this has been undertaken. Please refer to Sections 4.17 – 4.19 for more information on the investigation.

- 4.15. If documentary evidence is presented at the meeting and the manager considering the grievance decides to permit it, they may choose to adjourn for a short period to allow all parties to review the evidence or delay the meeting until further investigations are completed.
- 4.16. If a point is reached in the meeting where it is not clear how to deal with the grievance or if further investigations are necessary the manager considering the grievance may adjourn the meeting to seek advice or make further investigations. If the manager decides they need to take some time to find out more information in order to make a fair decision, they will reconvene the grievance meeting once an investigation is concluded.

## **Investigation**

- 4.17. Following the grievance meeting if further investigation is required in order to establish the facts of the case, this will be carried out without unreasonable delay. The investigation will usually be conducted by the manager hearing the grievance however in some cases an independent manager may be appointed. The confidentiality of the grievance process will be respected at all times by all parties.
- 4.18. The manager will document their findings appropriately and collate these into a report which will be shared with the employee and their representative (with the employees permission), prior to any follow up meeting, allowing time to consider the findings prior to the meeting.
- 4.19. Any investigation undertaken will be proportionate to the grievance, and may include meeting with any employees or interviewing any witnesses, as is deemed appropriate or necessary, and examining any documentation. The investigation will follow best practice as outlined in the ACAS guide on Conducting Workplace Investigations.

## **Written Notification of Outcome**

- 4.20. Following the grievance meeting and/or subsequent investigation, the employee will be informed in writing, of the outcome within 7 working days, unless it is mutually agreed to extend these timescales. The employee will be told of any action that the Service proposes to take as a result of the grievance and of the right to appeal. The outcome may be discussed informally with either the employee's manager or a member of the HR & Development department.
- 4.21. The outcome of a formal grievance meeting may be:
- to dismiss the grievance;
  - to uphold the grievance (in full or in part);
  - to uphold or dismiss the grievance, but with a number of recommendations

## **5. Formal Grievance Appeal Procedure**

### **Appeal Stage**

- 5.1. If the employee feels the grievance has not been resolved after the formal meeting, they have the right to submit an appeal. If the employee wishes to appeal, they should do so within 7 working days of receiving the written notification of the outcome at the formal stage.

- 5.2. In order to lodge an appeal, the employee should complete the 'Formal Grievance Appeal Form – PER104(b)' (Appendix B) and submit it by email to the HR & Development Department: [HRSupport@hwfire.org.uk](mailto:HRSupport@hwfire.org.uk). The form should clearly set out the grounds of your appeal (providing as much detail as possible, including any grounds for considering the grievance procedure to have been flawed, misinterpretation or lack of evidence and why you consider the outcome to have been erroneous in those circumstances). The form should clearly set out what outcome you would like to see from your appeal, and why and how you believe that this will resolve the issue. Should this information not be included your appeal may be refused until clarity is provided.
- 5.3. The appeal is usually an opportunity to consider the specific areas with which the employee is dissatisfied in relation to the original grievance. Discussions will usually be confined to those specific areas rather than reconsider the whole matter afresh.

### **Allocating the Appeal**

- 5.4. The appeal will usually be conducted by a manager more senior to the one who dealt with the formal stage. Where this is not practical it will be heard by a manager who has the authority to review and change the original decision.
- 5.5. The manager will be provided with a copy of the PERS104(b) form, supporting information from the formal stage, including the PERS104(a) form, any relevant papers and statements from the investigation and any other information which has been provided by the employee.
- 5.6. If the Chief Fire Officer, Treasurer or Monitoring Officer wishes to lodge an appeal, it will be heard by the Appointments Committee Appeals Panel.

### **Appeal Meeting**

- 5.7. The manager will arrange a meeting with the employee within 7 working days of the employee submitting the appeal, or later subject to mutual agreement. The manager considering the appeal will be supported by a representative from the HR & Development department.
- 5.8. The manager may wish to have an informal discussion with the employee before the meeting to establish the nature of the appeal if clarification is needed.
- 5.9. The aim of the meeting is to consider the grounds for appeal raised by the employee.
- 5.10. The role of the manager considering the appeal is to remain impartial throughout the process and to adopt an approach aimed at reaching an agreed outcome.
- 5.11. The manager considering the appeal has the responsibility to ensure that all individuals have the opportunity to put forward evidence in support of their case and that this is considered in an objective and impartial manner.
- 5.12. The manager who dealt with the formal stage may be required to attend the appeal meeting to present the rationale for their decision.
- 5.13. Documentary evidence may be submitted, providing it has been circulated to all parties at least 3 working days in advance. If vital new information becomes available that could

not have been submitted earlier, the manager considering the appeal can decide to adjourn the meeting in order to consider the new information.

## **Written Notification of Outcome**

5.14. The employee will be informed in writing, within 7 working days of the appeal meeting, unless it is mutually agreed to extend these timescales. The letter will confirm whether the appeal has been upheld or not, including a rationale for the decision and will include reference to any recommendations.

5.15. The decision will be final and there will be no further right to appeal.

## **6. Support**

### **Mediation**

6.1. Depending on the nature of the grievance it may be appropriate for the matter to be dealt with by way of mediation. This involves the appointment of a third-party mediator such as a fellow employee, trade union representative, the employee's manager, or an intermediary to intervene informally on their behalf.

6.2. A typical approach by a third-party would involve separate initial meetings with the parties, followed by a meeting where all parties would meet collectively.

6.3. The Service has a number of employees trained as intermediaries as part of the Welfare Support Team, who are available to mediate between employees with a view to identifying a mutually acceptable resolution of the issues raised.

6.4. The use of the intermediary process is voluntary and all parties must agree to it. Where mediation takes place outside of working hours, consideration will be given to whether payment or time in lieu (standard rate) is appropriate.

6.5. For more information please visit the Welfare and Staff Support section on SharePoint.

### **Staff Counselling Service**

6.6. Employees have access to a confidential counselling service. A referral can be arranged by contacting the HR & Development department.

### **Staff Welfare Support Team**

6.7. The Staff Welfare Support Team has a number of trained employees and volunteers who can provide support to employees during the grievance process. To access this service, please contact one of the Welfare Co-ordinators.

### **Service Liaison Officer**

6.8. Depending on the nature of the grievance, or where the grievance process becomes protracted, it may be necessary to nominate an appropriate manager to become the employee's Service Liaison Officer. The Service Liaison Officer will act as the point of contact for the employee during the formal grievance process and will be the link between the employee and the Service. The Service Liaison Officer will regularly check-

in with the employee and arrange further support where necessary e.g. arranging counselling or welfare support.

## **Further Support**

- 6.9. In addition to the above, the Service has a comprehensive support package for employees. Further information about support methods can be found on SharePoint.

## **7. Monitoring and Data Protection**

- 7.1. Summary details of grievances will be anonymously recorded by the HR & Development department, in order to monitor and analyse the levels of grievances, the reasons for grievances arising, how effectively, fairly and timely they are being dealt with and to make recommendations for any steps that need to be taken by the organisation to address the issues identified.
- 7.2. In line with the Equality Act 2010 and Public Sector Equality Duty, the Service produces an annual report, part of which outlines data in relation to the number of staff who have been involved in formal grievance procedures.
- 7.3. The Service will process personal data collected during the grievance procedure in accordance with the Data Protection policy and relevant privacy notice. In particular, data collected as part of the grievance procedure will be held securely and accessed by and disclosed to individuals, only for the purposes of responding to the complaints or conducting the grievance procedure.
- 7.4. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported to Fire Control immediately upon discovery, as per the Information Security Incident Management policy. It may also constitute a disciplinary offence, which will be dealt with under the Disciplinary Policy.

## **8. Roles and Responsibilities**

### **All Employees**

- 8.1. Employees should encourage a positive workplace culture where everyone is treated with dignity and respect and in line with Core Code of Ethics and ensure they are aware of the expected standards as outlined in the Code of Conduct.
- 8.2. When raising a grievance, employees should clearly state the basis of their grievance, providing evidence where possible (for example a log of the incidents that are causing the grievance).
- 8.3. Employees should indicate what would be a satisfactory outcome and actively assist in resolving the grievance. It is not appropriate for the person raising the grievance to request or demand that disciplinary action be taken against another individual.

### **Line Managers**

- 8.4. Managers should ensure employees are aware of the expected standards as outlined in the Code of Conduct and that employees know what they should do when situations occur where behaviour is not in line with these standards or if any issues or concerns arise within the workplace.

- 8.5. Managers should treat any concerns raised seriously and identify when an employee is raising a grievance. They should listen objectively to the grievance from the employee's perspective and recognise that no grievance is trivial to the employee raising it.
- 8.6. Managers should seek to resolve any grievances raised by an employee in a timely manner.
- 8.7. Managers should monitor the welfare of their employees during the grievance process. If further support is required, they should notify the HR and Development department or Welfare and Staff Support Team.

## **HR & Development**

- 8.8. The HR & Development department will provide impartial support and advice to managers and employees on the application of the Grievance Policy and Procedure.

## **9. Review**

- 9.1. The Grievance Policy and Procedure will be reviewed by the HR and Development Department within 5 years of the policy being issued, or when there are legislative changes.



**Supporting Evidence**

Please provide details of any sources of evidence you wish to rely on to support your grievance e.g. emails, letters, notes from meetings (please attach the evidence with this form)

**Resolution**

How would you like this matter to be resolved and what is the outcome sought?

**Informal Stage**

What informal meetings / actions have been taken to resolve the matter?

Who considered the grievance informally?

Name and Job Title:

Date it was considered:

What was the outcome?

Why are you not satisfied with the outcome?

**Reasonable Adjustments**

Do you require any reasonable adjustments to be made to support you in this process:    Yes / No

If yes, please specify the adjustments required:

**Companion / Trade Union Representative**

Please complete this section if you intend to be accompanied at formal meetings held under this procedure.

Name of companion:

Contact details (phone number and email address):

My companion is a: colleague / TU official / TU representative  
(delete as appropriate)

Does your companion require any reasonable adjustments?    Yes / No    If yes, please specify the adjustments required:

**Declaration**

I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that making any vexatious or malicious or untrue allegations may result in disciplinary action being taken against me.

Signature

Date submitted

## APPENDIX B - Formal Grievance Appeal – PERS104(b)

This form is for use by any employee of the Service who wishes to raise an appeal following the formal grievance stage under the Service's Grievance Procedure.

Employee Details / Spokespersons Details (for Collective Grievance)	
Name of Employee:	Job Title:
Service Number:	Contact Email / Mobile:
Location / Station:	Does your grievance relate to your line manager? Y / N
Collective Grievance	
If you are submitting a collective grievance appeal, please include details of each individual signatory below. Please also attach with this form written consent from each individual, which confirms the above employee will be acting as the spokesperson on their behalf.	
Name of Employee(s):	Job Title(s):
Service Number(s):	Location / Station(s):
Formal Grievance Stage	
Who considered the grievance formally?	
Name and Job Title:	Date it was considered:
Grievance Appeal Details	
Please set out the reason for dissatisfaction with the outcome of the formal grievance stage. Please tick as appropriate.	
<b>The grievance outcome was wrong</b>	
<b>Any part of the grievance procedure was wrong or unfair</b>	
<b>There is new evidence to show</b>	
Summary of Grievance Appeal	
Please set out the grounds of your appeal (providing as much detail as possible, including any grounds for considering the grievance procedure to have been flawed, misinterpretation or lack of evidence and why you consider the outcome to have been erroneous in those circumstances).	
Witnesses	
Please provide names of any witnesses you wish to call to support your grievance appeal e.g. colleagues	

### Supporting Evidence

Please provide details of any sources of evidence you wish to rely on to support your grievance appeal e.g. emails, letters, notes from meetings (please attach the evidence with this form)

### Resolution

How would you like this matter to be resolved and what is the outcome sought?

### Reasonable Adjustments

Do you require any reasonable adjustments to be made to support you in this process: Yes / No

If yes, please specify the adjustments required:

### Companion / Trade Union Representative

Please complete this section if you intend to be accompanied at formal meetings held under this procedure.

Name of companion:

Contact details (phone number and email address):

My companion is a: colleague / TU official / TU representative  
(delete as appropriate)

Does your companion require any reasonable adjustments? Yes / No If yes, please specify the adjustments required:

### Declaration

I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that making any vexatious or malicious or untrue allegations may result in disciplinary action being taken against me.

Signature:

Date submitted: