

FAIRNESS AT WORK (GRIEVANCE) POLICY & PROCEDURE

OFFICIAL

Government Security Classification Scheme	Policy section: OFFICIAL - Force website approved Procedure section: OFFICIAL - Force website approved
Department of Origin	People Services
Policy Holder	Head of People Operations and Service Delivery (PO&SD)
Policy Author	People Advisor, Team Leader
Related Information	Acas Code of Practice on disciplinary and grievance procedures Acas Dignity at Work Policy & Procedure
This Version	4.2
Created / Modified	01/10/2026
Last Approved (SMB)	31/10/2023
Review By	01/10/2029

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Policy

Statement

Merseyside Police recognises that fair treatment of its people is crucial to ensuring we have a workforce who are engaged and motivated to deliver the highest quality policing to the communities we serve. We are committed to creating a healthy environment where our workforce is truly representative, and where every individual feels respected, and can give their best at work.

Merseyside Police recognises that there may be occasions, where individuals encounter or experience problems or concerns at work. To put this right, and to be able to create an inclusive environment it is important that our people have an internal mechanism to voice their concerns.

This policy and procedure outline the steps and actions an individual should take if they wish to raise a concern or problem at work. It is assumed that all matters raised under this policy are done in good faith. Merseyside Police will handle all concerns sensitively with a commitment to resolving issues quickly and fairly. Where possible, we encourage the use of early informal action to resolve matters quickly.

This policy and procedure are compliant with and underpinned by the statutory [Acas Code of Practice on disciplinary and grievance procedures](#).

Aims

The aims of the Fairness at Work (Grievance) Policy and Procedure are to:

- provide a clear framework that enables individuals to raise concerns about workplace issues.
- encourage individuals to resolve workplace complaints informally.
- resolve workplace issues promptly at the earliest opportunity.
- ensure individuals raising a grievance are supported and treated with respect.
- implement any organisational learning identified as a result of an issue being raised.

Objectives

The Fairness at Work policy and procedure is the internal route to raise concerns or problems at work. Merseyside Police will apply this policy fairly and consistently, to evidence care for colleagues.

Application and Scope

All police officers and police staff, including the extended police family and those working voluntarily or under contract to Merseyside Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

Volunteers do not have employment rights associated with raising a grievance, however we will endeavour to hear their concerns with a view to put things right.

The policy is supported by the managers guidance **“How to effectively manage a grievance”** which is located on iForce.

Outcome Evaluation

People Services will co-ordinate grievance information from BCUs and Departments and prepare periodic statistical data and analysis for management information to ensure that legislative requirements are met, including obligations under the Equality Act 2010.

Management will be responsible for identifying lessons learnt from the application of the Policy and Procedure and its effectiveness.

Procedure

Version History

Version Number	Date	Detailed rationale behind amending/updating policy or procedure.	Policy Owner Details	Policy Author Details
4.0	31/10/23	Full policy review and refresh. Process for handling grievances simplified into a 3-stage process.	Policy Advisor. Team Leader	Head of People Operations and Service Delivery
4.1	05/02/26	Revised terms and naming conventions following implementation of Force Operational Review and 2025 Force Strategy	Head of PO&SD	Policy Advisor. Team Leader
4.2	01/10/26	Timescale to raise a grievance increased from three to six months to align with statutory timescales.	Head of PO&SD	HR Manager

1. Introduction

- 1.1 The Fairness at Work procedure is used by individuals to raise concerns, problems, or issues with Merseyside Police as their employer. Concerns may be related to any aspect of the employment relationship including working practices, the physical working environment, terms and conditions, health and safety, working relationships or general treatment at work. Concerns of this nature, raised under this policy and procedure, will be referred to as a 'grievance'.
- 1.2 Merseyside Police encourage all individuals to discuss day-to-day issues and grievances informally with their line manager with the aim of building an inclusive workplace culture based on prevention. We recognise the benefits of prompt early informal management action to resolve matters quickly.
- 1.3 Where informal action has been tried and is not successful, or in matters so serious that informal action is not appropriate, individuals have a right to raise a grievance formally under this procedure.

- 1.4 All grievances raised, informally or formally, should be made in good faith and all grievances will be treated sensitively, professionally, and confidentially.

2. Support Available

- 2.1 Merseyside Police recognise the right to be accompanied at formal meetings in this procedure. Individuals may be accompanied at meeting by our recognised Staff Associations, Trade Unions, Police Federation, or a work colleague of Merseyside Police.
- 2.2 In addition, Merseyside Police recognises that individuals going through this process may benefit from the additional support available from the Employee Assistance Programme or from our Staff Networks, details of which can be found on iForce.
- 2.3 Line managers can seek HR advice and guidance from People Services, by raising an HR Service Request via SmartForce Oracle.

3. Responsibilities

- 3.1 Individuals should:
- raise concerns or problems at work in a timely manner.
 - consider whether the matter can be resolved informally.
 - enter into discussions with the intention of seeking a resolution.
 - when raising a grievance, either informally or formally, remain factual and avoid using language which may be considered insulting or abusive.
 - seek advice and support where needed.
- 3.2 Line managers / Investigation managers should:
- ensure that issues raised are dealt with fairly and effectively.
 - encourage informal action and focus on resolution.
 - treat individuals raising the grievance with respect and dignity.
 - ensure all individuals involved in the process (including witnesses and/or the subject of the grievance) are aware of the support available.
 - undertake a reasonable investigation.
 - complete the process in a timely manner.
 - inform the individual of any delays to timescales • seek advice from People Services for HR related advice.
- 3.3 People Services should:
- monitor and track any formal grievance.
 - provide HR advice in accordance with their professional remit.
 - maintain confidentiality when analysing trends or reporting.

4. Stage 1 – Informal Resolution

- 4.1 Merseyside Police recognise the benefits of informal resolution as an effective route to address individual grievances. Grievances made at Stage 1 – Informal Resolution will be taken seriously, and informal actions will be considered to resolve the matter.
- 4.2 Individuals are encouraged to raise grievances at work at the earliest opportunity with their line manager, or another manager if appropriate. Once the manager is aware of an informal grievance, they should take prompt action and meet with the individual at the earliest opportunity to discuss their grievance informally.
- 4.3 Line managers and individuals are encouraged to have a conversation. Line managers should listen to the individual's grievance, and then work collaboratively to arrive at a resolution, where possible.
- 4.4 If the grievance is about working relationships and/or the behaviour of a colleague, the individual is encouraged to consider mediation as a possible resolution - see section 5.
- 4.5 Where individuals and line managers have successfully discussed and resolved the matter this procedure ends.
- 4.6 If after exploring the grievance informally, including where mediation has been attempted, and the matter is unresolved the individual can raise a formal complaint under Stage 2 - Formal Grievance.
- 4.7 Merseyside Police recognises that there may be occasions where informal action is not appropriate due to the nature of the concern and the individual retains the right to raise the matter formally. It is expected that the individual should have given due consideration to raising the grievance informally in the first instance, to allow the force the opportunity to address concerns quickly and in the spirit of working together collaboratively.
- 4.8 There may be occasions due to the nature of the concerns, for example when criminal acts or misconduct has been identified, that it is necessary to deal with the matter under the disciplinary policy and procedure. Line managers should seek advice from the Professional Standards Department in conjunction with People Services to ensure the most appropriate route is taken. The individual who raised the grievance must be informed if the matter is being dealt with under an alternative policy and subject to confidentiality, kept informed of the progress and the conclusion of that process.

5. Mediation

- 5.1 Merseyside Police would encourage individuals with a grievance to consider the use of mediation as an effective means of resolving workplace issues.
- 5.2 Mediation is voluntary and will take place only if all parties agree. It is, however, hoped that individuals will recognise the benefits of seeking to resolve issues via mediation and

will cooperate with this approach. Where mediation is agreed, managers will be expected to facilitate time for individuals to attend.

- 5.3 Mediation can be considered at any point of the grievance procedure including during a formal process or following the conclusion of the formal process with the aim of restoring working relationships. Line managers should seek advice from People Services on how to access mediation services.

6. Stage 2 – Formal Grievance

- 6.1 A formal grievance should be made in writing. The concern should be raised no later than six months from the date of the concern/incident, or within 14 calendar days from the conclusion of any attempts to resolve the matter informally.
- 6.2 Individuals should send the completed grievance notification form to their line manager or if the grievance relates to their line manager, their second line manager. In exceptional circumstances, where an individual does not feel comfortable sharing the grievance within their line management chain, they can send it direct to People Services by raising a HR Service Request via SmartForce Oracle.
- 6.3 Upon receipt of a formal concern, line managers must acknowledge the formal concern and raise a HR Service Request via SmartForce Oracle to log the formal concern with People Services. An appropriate member of People Services can provide advice and support to the manager as well as monitor the case progression against timescales outlined in this process.
- 6.4 In the majority of cases, the line manager will be responsible for managing the formal grievance as they will be best placed to explore potential resolutions. Where a line manager is named in the formal grievance, is not deemed suitably independent or is not sufficiently senior to deal with the matters raised, line managers should seek advice from People Services to appoint an alternative investigation manager.
- 6.5 The appointed manager will invite the individual to a formal meeting within 14 calendar days. The individual raising a grievance has the right to be accompanied at formal meetings. The accompanying person can be a Police Federation representative, Trade Union representative or a work colleague.
- 6.6 If the accompanying person is not available at the time proposed, the manager must postpone the meeting allowing the individual to reschedule the meeting, as long as the alternative date is both reasonable and not more than 7 calendar days from the date originally planned.
- 6.7 The purpose of a formal grievance meeting is to:

- provide the individual raising the grievance the opportunity to talk through their concerns, explain the impact of the concern and present any additional information they want to be considered.
 - explore what resolution the individual is seeking – it is possible that conversations at this meeting may arrive at a reasonable and agreeable solution.
 - ensure the manager has a thorough understanding of the nature of the concern to be able to carry out an investigation and arrive at an outcome.
- 6.8 Following the formal meeting, the investigation manager should aim to complete any further investigations within 28 calendar days. If the case is particularly complex or due to the number of witnesses involved, timescales maybe extended. However, the manager must write to the individual who raised the grievance, advising of the delay with a revised timescale for completion. The individual must be kept informed of any further delays.
- 6.9 It is important that a thorough investigation is undertaken, this could include reviewing policies and documents or meeting with witnesses to establish the facts of the case. The nature of the investigation will be determined by the content of the grievance.
- 6.10 In cases where an individual has been named as the subject of the grievance, they should be given the opportunity to respond. The manager should write to the named individual to advise a grievance has been raised, that they will have an opportunity to respond to the concerns raised, and that they will be advised of the outcome which relates to them. It is important that individuals named in the grievance are offered appropriate welfare support. They will also be afforded the right to be accompanied at any formal meetings.
- 6.11 Following the investigation, the manager may hold a further meeting with the individual who raised the grievance, to communicate their decision. The manager must confirm their decision in writing, including the individual's right of appeal. The letter should include details of the investigation undertaken and any other individuals interviewed, a separate report may be enclosed.
- 6.12 The outcome of the investigation could be that the grievance is:
- **Upheld** – the outcome should outline what actions should be taken to resolve the matter.
 - **Not upheld** – the outcome should provide the rationale as to why.
 - **Partially upheld** – the outcome should provide the rationale on how this decision was made for example due to reasons related to lack of facts/supporting evidence or contrary witness accounts, or where there are a number of issues where some are, and some are not upheld.
- 6.13 If the grievance was in relation to another individual, the manager must write out to the individual and confirm any findings that are relevant to them. If as part of the grievance investigation, the manager identified any wrongdoing, training needs or suggested

mediation as a possible outcome, the actions should also be copied to the appropriate line manager to take this forward.

7. Restorative action

- 7.1 Following the conclusion of the investigation, the manager should consider whether any restorative action is needed to rebuild working relationships which may have been strained during the process or address any organisational learning points that have been identified during the course of the process.
- 7.2 Managers should liaise with People Services for advice on how best to communicate organisational learning ensuring the confidentiality of those involved in the process is protected. In most cases, learning will be shared with the appropriate head of department/BCU/Command who is then responsible for overseeing/ delegating the learning actions in their area.

8. Stage 3 – Appeal

- 8.1 The individual raising the grievance has the right to appeal the Formal Stage 2 outcome decision within 14 calendar days of receipt of the written outcome letter. The individual should state on what grounds they are appealing:
- The process followed was wrong or unfair.
 - The decision was not reasonable based on the facts.
 - There is new evidence, or evidence not considered, during the investigation.
- 8.2 Individuals should raise their appeal with their second-line manager. The second-line manager should acknowledge receipt of the Appeal and raise a HR Service Request via SmartForce Oracle.
- 8.3 In most cases, the individual's second-line manager, who is at least a Chief Inspector rank, or a Senior Police Staff Manager (Grade H or above) will be best placed to deal with the appeal. However, where they are named in the appeal or are not suitably independent, People Services can assist to appoint an independent manager to manage the appeal.
- 8.4 The appeal manager will meet with the individual appealing within 14 calendar days of receipt of the appeal. The individual has the right to be accompanied at the appeal meeting.
- 8.5 The purpose of the appeal meeting is to:

- provide the individual with the opportunity to expand on their written appeal and provide any documentary evidence to the appeal manager.
- explore what resolution the individual is seeking.

8.6 The appeal manager should consider:

- whether a fair procedure was followed
- whether the grievance outcome was reasonable based on the evidence available
- any new evidence and what impact this has on the outcome.

8.7 The appeal manager should aim to provide an outcome to the meeting within 14 calendar days of the date of the appeal meeting. If this is not achievable, due to the complexity of the case or if further investigation is needed, the appeal manager is responsible for advising the individual of the delay and providing a new timeline for completion.

8.8 People Services will monitor the progress of appeals against timescales.

8.9 The appeal decision is final and there will be no further internal right of appeal or right to raise a further grievance in relation to the same incident/event that led to the original grievance.

8.10 The appeal manager should consider whether there is any organisational learning as a result of the appeal. They should liaise with People Services for advice on how best to communicate organisational learning ensuring the confidentiality of those involved in the process is protected.

9. Collective grievance

9.1 The term 'collective grievance' refers to when two or more individuals have identical concerns that they wish to raise. Individuals participating in a collective grievance should nominate an individual to represent their interests.

9.2 The collective formal concern procedure mirrors that of an individual concern. Where possible, due consideration and meaningful attempts to resolve the matter through informal resolution should be taken.

9.3 If informal resolution has not been possible then the collective concerns should progress to **Stage 2 – Formal Grievance**. The nominated representative for the collective grievance should submit the groups concerns to their line manager. The collective grievance should name all individuals who are participating and obtain their consent.

9.4 The line manager should acknowledge receipt and raise a service request via SmartForce Oracle. The line manager and People Services will determine the appropriateness and allocation of an investigation manager.

- 9.5 The appointed investigation manager should then follow steps at **Stage 2 – Formal Grievance**. Collective grievances also retain the right of appeal.

10. Relationship with disciplinary processes

- 10.1 If at any stage of the Fairness at Work procedure, there is a concern that an individual may have committed a criminal offence or behaved in a manner which would justify the instigation of the disciplinary process the matter must be referred to the Professional Standards Department. Advice should also be sought from People Services to help decide the best route for such matters.
- 10.2 The individual raising the concern should be advised that the matter has been referred to the Professional Standards Department and they must be kept informed of the process and when this has been concluded, subject to confidentiality and data protection.
- 10.3 If an individual raises a formal grievance under this policy during a disciplinary process and the matter is unrelated, both processes should run concurrently. If there is an overlap, then advice should be sought from People Services on a case-by-case basis.

11. Relationship with protected disclosures (whistleblowing)

- 11.1 Whistleblowing is the act of drawing public attention, or the attention of an authority figure, to perceived wrongdoing, misconduct, unethical activity within public, private or third-sector organisations. Corruption, fraud, bullying, health and safety violation, cover-ups and discrimination are the types of activities highlighted by whistleblowers.
- 11.2 Personal grievances are not covered by whistleblowing law unless the case is in the public interest.
- 11.3 If the matter is related to whistleblowing, this should be dealt with under the Force's Doing the Right Thing policy, which can be located on iForce. Individuals can also raise concerns via the [CALL IT OUT](#) app.

12. Relationship with other HR policies and procedures

- 12.1 The Fairness at Work policy should not be used as a route to challenge a decision under another policy (for example, capability or disciplinary) which has its own right of appeal. An appeal outcome is final; there is no further internal challenge.
- 12.2 Individuals have the right to raise concerns regarding an organisational decision (e.g., restructure). This will not stop an organisational decision, and the grievance will run concurrently.

13. Raising a concern during resignation period

- 13.1 Merseyside Police would encourage individuals to raise concerns as soon as they come to light, in the spirit of working together to put things right. Where an individual raises a concern during their resignation period, attempts will be made to follow the procedure outlined in this procedure.
- 13.2 There is no legal requirement to deal formally with a grievance from an ex-employee. However, if concerns are sufficiently serious (for example, in cases of bullying or harassment) a modified process should be considered. Line managers should seek the advice from People Services on how best to proceed.

14. Vexatious or malicious concerns

- 14.1 Merseyside Police expect all grievances raised will be done in good faith. Where there is evidence that an individual is raising concerns in a vexatious or malicious manner, they may be subject to the disciplinary procedure.

15. Protection from victimisation

- 15.1 All concerns raised in good faith under this policy and procedure will be supported, regardless of the outcome. Merseyside Police is committed to creating an environment free from victimisation.
- 15.2 Individuals raising a concern under this policy will not face a detriment as a result of exercising their right. This also extends to witnesses who have provided evidence in relation to a grievance made under this process.
- 15.3 Managers involved in the process should ensure actions that are proposed/considered are agreed with the individual and do not cause the person raising the grievance any detriment (for example, detriment would be moving the person complaining about the behaviour/issue to an alternative role/place, placing that person on special leave/annual leave etc.)

16. Confidentiality and record keeping

- 16.1 All individuals involved in the process must respect confidentiality and should not discuss it with other persons within the organisation, except for discussing the matter with a Trade Union, Police Federation or nominated colleague representative or those necessary to contact for information and/or advice. Breaches of confidentiality will be treated seriously and may result in a disciplinary investigation.

- 16.2 Managers must consider the release of any information at all stages in the process, assessing whether the information is relevant and appropriate for disclosure and considering to whom it should be disclosed. Outcome letters and reports may be redacted to protect confidentiality where the report contains personal sensitive information relating to individuals.
- 16.3 Whilst confidentiality is an important consideration, particularly at the outset of the concern being raised, if an individual is raising a grievance, the person handling it should explain that some courses of action may mean an individual cannot remain anonymous. Those who wish to raise a grievance should consider what action, resolution, or outcome they are hoping to achieve and whether this would be consistent with the principles of anonymity and fairness to all parties.
- 16.4 At the conclusion of the grievance all documents related to the process, including invitation letters, records of meeting and outcome letters should be forwarded directly to People Services. Documents will be retained in accordance with HR records retention schedule (7 years).