

**ESSEX POLICE, FIRE AND CRIME COMMISSIONER**  
**FIRE & RESCUE AUTHORITY**  
Essex County Fire & Rescue Service



<b>Meeting</b>	<b>ECFRS Strategic Board</b>	Agenda Item	
<b>Meeting Date</b>	17 <sup>th</sup> September 2019	Report Number	
<b>Report Author:</b>	Karl Edwards		
<b>Presented By</b>	Karl Edwards		
<b>Subject</b>	<b>DRAFT Grievance Policy</b>		
<b>Type of Report:</b>	Update		

## **RECOMMENDATIONS**

1. For Strategic Board members to note the agreed updated Grievance Policy which has undergone an ACAS review and been updated to reflect the current ACAS code. (Policy under consultation – Appendix A)
2. For Strategic Board members to acknowledge that the ECFRS Grievance Policy has been approved through SLT and has also been through a period of consultation with all Representative Bodies. Agreement has been achieved with FRSA, Unison and FOA and is subject to final sign off, post agreement with FBU Representative Bodies (meeting on the 13<sup>th</sup> of September).
3. For Strategic Board Members to note that following full sign off of the Grievance Policy a Grievance Procedure will be developed to ensure that the Policy is implemented correctly.

## **BACKGROUND**

The Lucas Report made reference to the Grievance Policy being perceived to be unfairly applied, which then initiated a further review that has been developed over the period of 2016 to current time.

### **ACAS Review – completed February 2016**

This report confirmed that:

Grievance procedures: The current grievance procedures refer in a number of places to the statutory procedures that were removed in 2009 and replaced by the ACAS Code of practice 04/2009 as amended by 03/20015. There are a couple of minor points that require clarity e.g. Para 2. Formal stage – ‘take the matter up on their behalf’- the Code

is specific about collective grievances but it is not clear if that is what this refers to. Also Para 5. – ‘some information may be withheld’. Good practice would be to provide clarity as to when it is anticipated this provision may be used.

The new grievance procedures are broadly compliant with the Code, and as before need only some minor amendments to provide clarity of intention etc. However, it does refer to mediation throughout the informal stage and states ‘where appropriate it is expected that all parties will explore the use of mediation to resolve the issue and will participate in...before raising a grievance at the formal stage’. Good practice would suggest that for mediation to be effective the parties have to enter into it voluntarily and this wording could give the impression the mediation is now viewed as compulsory.

Senior Adviser, ACAS

### **July 2017 – Essex Fire Authority report – Evolving our Culture**

This report confirmed that:

ACAS has reviewed the Grievance Policy and that meetings with Representative Bodies had been conducted both collectively and separately.

### **March 2018 - Phase 1 Report – Commissioned by PFCC, undertaken by ECC**

This report confirmed that:

The EAP assisted in the design of the new approach to discipline in partnership with ACAS and staff representatives. This included new procedures and protocols to deal with bullying, harassment and key HR issues. The number of formal grievances following implementation has shown a consistent downward trend.

### **May 2019 to Current time – Review of current Grievance Policy – Consultation with Representative Bodies.**

Consultation commenced in parallel with the disciplinary policy for a period of 6 weeks. To date, FRSA, Unison, FOA have all responded with no areas of challenge.

Due to availability the feedback from FBU Representative Bodies is due to be received on the 13<sup>th</sup> of September. To date ECFRS have not been made aware of any fundamental issues with the proposed policy.

## **BENEFITS AND RISK IMPLICATIONS**

The existing Grievance Policy has been reviewed through ACAS and has now been amended to support against the following criteria.

- ✓ The Service’s commitment to resolving matters informally where possible
- ✓ To update and reflect a fair and consistent approach to grievances and issues within the workplace

- ✓ To further link the Grievance procedures to the Service's approach to Dignity at Work
- ✓ To reinforce the management of grievances at the appropriate level, and for issues to be managed both confidentially and locally where possible to improve support the effective, efficient and timely resolution of issues.

### **FINANCIAL IMPLICATIONS**

Non-specific to the paper

### **EQUALITY AND DIVERSITY IMPLICATIONS**

There are no direct quality implications with this paper. Any specific items that have potential implications will be subject to an equality impact assessment.

### **WORKFORCE ENGAGEMENT**

Once the Grievance Policy has been fully approved this will be communicated to the workforce and the link made available to access.

### **LEGAL IMPLICATIONS**

Non-specific to the paper

### **HEALTH AND SAFETY IMPLICATIONS**

Non-specific to the paper