Resolving Workplace Issues Policy

**Policy statement**  The Office of the Police and Crime Commissioner (OPCC) is committed to providing a workplace where employees feel valued and fairly treated. This policy defines the OPCC’s approach to the management of concerns from employees about their employment and the process to resolve concerns.

**Scope**  All employees of the OPCC

**Policy outcomes**  The aims of this policy are to:
- find appropriate solutions to issues or concerns
- resolve issues fairly and within a reasonable timeframe
- resolve the majority of issues at the informal stage
- maintain or restore harmonious working relationships
- to support day to day communication and discussion between employees and their managers

**Check which policy to use**  Concerns about a workplace practice or the services provided by the OPCC, such as alleged dishonest or illegal activities, should be addressed using the Whistleblowing Policy.

An employee should not raise a workplace issue (i.e. grievance) in response to action taken under an HR policy. Such concerns should be raised within the formal meeting or appeal process of the policy that is being followed.
Key definitions

The OPCC’s definition of a **workplace issue** is a concern, problem, incident or event that an employee raises with their employer regarding an aspect of their employment.

**Responsible person** - for the purposes of this policy the responsible person is either be the line manager, second line manager or another nominated person. In all cases they are the person who is responsible for one or all of the following: receives the workplace issue (both informal or formal), manages the issue with the employee, undertakes further enquiries as necessary and brings parties together to discuss recommendations.

**Chair of the appeal meeting** – for the purposes of this policy the ‘chair of the appeal meeting’ applies at the appeal stage where an independent person hears the issue in the presence of the responsible person, the employee and other relevant parties and determines the outcome of the appeal.

**Conciliation** – is an informal, open process involving an internal, impartial individual to bring parties together to help them to reach a suitable resolution. This process is more suited to practical solutions to workplace issues.

**Mediation** – is a formal process involving a trained mediator to support parties to resolve a conflict and to reach a compromise. This process is more suited to the breakdown of a relationship with a colleague or manager.

**Calendar days** - where reference is made to calendar days, these are defined as Monday to Sunday, including Bank Holidays or Public Holidays. This is consistently applied irrespective of an employee’s work pattern.

What the law says

Whilst this policy intentionally takes a wide and positive view of ‘workplace issues’, the law specifically uses the term ‘grievance’ and therefore this term has been used within this section.

The **ACAS statutory Code of Practice** on discipline and grievance 2009, issued under section 199 of the Trade Union and Labour Relations (Consolidation) Act 1992, sets out the principles for handling disciplinary and grievance situations in the workplace.

The code provides the following general principles to deal with grievances:

- employee informs the employer of the nature of the issue
• address issues within a reasonable timeframe and do not unreasonably delay meetings, decisions or confirmation
• act consistently
• carry out any necessary investigations to establish the facts of the case
• meet with the employee to discuss the issue
• allow the employee to be accompanied at any formal grievance meeting
• an employer must form a reasonable belief
• a panel to act “in good faith”
• decide on appropriate action
• reason for dismissal to be both genuine and reasonable
• allow the employee to appeal against any formal decision made

Exceptions
Issues not recognised or considered under the Resolving Workplace Issues Policy:
• an issue outside the responsibility or control of the OPCC
• an issue not relevant to employment
• a concern, problem, incident or event that has previously been formally raised by the same employee under the Resolving Workplace Issues Policy

It is beneficial for workplace issues to be raised promptly to enable effective resolution. Therefore issues should be raised within 3 months of the event.

Principles
Resolving a workplace issue is based on the following principles:
• the process can only be fully effective if those involved demonstrate their commitment to working together to resolve their differences
• following the procedure alone is not enough, it is the actions and flexibilities of those involved that reach resolution
Resolving workplace issues informally

<table>
<thead>
<tr>
<th>Timescales</th>
<th>Issues must be raised and addressed within a short timeframe to support effective resolution at the informal stage.</th>
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<tr>
<td>Raising a workplace issue informally</td>
<td>All issues must first be raised informally as soon as possible. The employee must raise their issue with their line manager or second line manager if the issue relates to the employee's line manager.</td>
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<tr>
<td>Resolving a workplace issue informally</td>
<td>The responsible person must have an initial discussion with the employee to explore their issue. If it is possible to resolve the issue at this meeting the responsible person and employee will do so. In some cases it may be necessary for the responsible person to make further enquiries or establish facts before a resolution can be reached. Where further enquiries are carried out, the responsible person must meet with the employee again to confirm the outcome of the enquiries and what resolutions have been identified. The employee does not have a statutory right to be accompanied at this stage. The employee may wish to contact their trade union where they are a member for advice.</td>
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<td>Outcome of raising a workplace issue informally</td>
<td>The responsible person must confirm the outcome of any enquiries and what resolutions have been identified at the meeting.</td>
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<td>Follow up on outcomes</td>
<td>The employee and line manager must take joint responsibility for putting agreed resolutions into practice. It is the line manager's responsibility to follow up on outcomes to ensure the resolutions are implemented and are working in practice. The employee may progress to submit a formal workplace issue if they do not feel that the proposed resolutions have been effective when put into practice.</td>
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Resolving workplace issues formally

**Policy stages**

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<td>• workplace issue meeting</td>
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<td>• workplace issue appeal</td>
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Conciliation or mediation can be suggested at any stage of this policy. They cannot be imposed as a course of action but can be recommended as a suitable means of resolution.

**Lodging a formal workplace issue**

| The employee must have used the informal stage of this policy prior to submitting a formal workplace issue. |

Employees are expected to register their workplace issue by completing the workplace issue resolution form.

| The workplace issue resolution form must be submitted to the line manager. If the workplace issue relates to the line manager the form must be submitted to the second line manager. |

**Timescales**

| A proposed solution to a formal workplace issues must be identified within 26 calendar days of receipt of the workplace issue resolution form unless there are exceptional circumstances in which case a reasonable timescale may be agreed between the responsible person and the employee. |

**Resolving a formal workplace issue**

| A responsible person is identified to manage the formal process. |

The responsible person must write to the employee to invite them to a meeting. The responsible person must meet with the employee to discuss the nature of their workplace issue. If it is possible to resolve the issue, or part of the issue, at this stage the responsible person and employee will do so.

In some cases it may be necessary for the responsible person to make further enquiries or establish facts before a resolution can be reached. Dependent on the nature and complexity of the workplace issue it may be necessary to produce a management record.

Following completion of any further enquiries, the responsible person must write to the employee to invite them to a second meeting, enclosing any management documents. The purpose of this meeting is to discuss the outcome of the further enquiries and the recommendations.
The employee has the right to be accompanied at a formal meeting by an OPCC work colleague or trade union representative.

The employee, or their companion, must submit any relevant information to arrive at least 4 calendar days before a meeting.

**Outcome of a formal workplace issue meeting**

The responsible person must confirm the outcome of any enquiries and what resolutions have been identified at the meeting.

At the meeting the manager must advise the employee of:
- the outcome
- their right of appeal
- the date by which an appeal must be submitted, which is within 10 calendar days starting from the day after the meeting

The details of the meeting and the outcome are confirmed in writing.

**Follow up on outcomes**

It is the line manager/second line manager’s responsibility to follow up on outcomes to ensure the resolutions are implemented and are working in practice.

**Managing workplace issue appeals**

**Right of appeal**

An employee must ensure their written appeal is received by the responsible person within 10 calendar days of the meeting, starting from the day after the meeting.

The employee must have specific grounds for making an appeal and they must identify supporting evidence. The employee must not add new issues to their appeal.

**Lodging a workplace issue appeal**

Employees are expected to use the existing workplace issue resolution form to submit a formal workplace issue appeal.

**Timescales**

All workplace issue appeals must be addressed within 20 calendar days of receipt of the resolving workplace issues appeal form.

**Workplace issue appeal meeting**

The chair of the meeting must write to the employee to invite them to a workplace issue appeal meeting, enclosing any management documents.
The chair of the meeting must hold a workplace issue appeal meeting to discuss the employee’s appeal.

The employee has the right to be accompanied at a formal meeting by an OPCC work colleague or trade union representative.

The employee, or their companion, must submit any relevant information to arrive at least 4 calendar days before a meeting.

**Outcome of a workplace issue appeal meeting**

- The chair of the meeting must confirm the outcome of the meeting and what resolutions have been identified.
- The chair of the meeting must advise the employee of the outcome in writing.

**Follow up on outcomes**

- It is the line manager/ second line manager’s responsibility to follow up on outcomes to ensure the resolutions are implemented and are working in practice.

**Collective workplace issues**

- Collective workplace issues arise when a number of employees raise a related workplace issue. In such cases, an employee will be identified from the group to act as a spokesperson at any formal meetings.

- A representative of a recognised trade union may raise a workplace issue on behalf of two or more members.

- The outcomes of a collective workplace issue apply to all employees who raised the issue.

**Related documents**

- To help apply this policy you may find it useful to read the following:
  - Employees’ How To Guide Resolving Workplace Issues
  - Managers’ How To Guide Resolving Workplace Issues
  - Dignity at Work Policy

**Support**

**Employees:**

Queries should be directed to your line manager.

A confidential Employee Support service is available on freephone 0800 030 5182 (or 0161 836 9498 if calling from a mobile) at any time. Further information is available at [http://www3.hants.gov.uk/employee-support](http://www3.hants.gov.uk/employee-support)
Your trade union or professional association may be able to provide you with additional support.

**Managers:**
Further information is available in the Managers’ How to Guide – Resolving Workplace Issues.

Advice on remaining queries can be directed to HR Operations on 01962 813915 or hradvice@hants.gov.uk.

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Employees of non Office of the Police and Crime Commissioner bodies are excluded from this policy and should refer to their own employer’s policies and procedures.