

# GRIEVANCE POLICY

April 2015

<b>Authorship :</b>	Y&HCS Policy Lead- adapted for local use by Yorkshire and Humber Commissioning Support on behalf of Harrogate and Rural District CCG
<b>Committee Approved :</b>	CCG Senior Management Team and Joint Trade Union Partnership Forum
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<b>Equality Impact Assessment :</b>	Completed
<b>Sustainability Impact Assessment :</b>	Completed
<b>Target Audience :</b>	Council of Members, Governing Body and its Committees and Sub-Committees and CCG Staff
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<b>Version Number :</b>	1

**The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.**

## POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

<b>New Version Number</b>	<b>Issued by</b>	<b>Nature of Amendment</b>	<b>Approved by and Date</b>	<b>Date on Intranet</b>
1.0	Harrogate and Rural District Senior Management Team	New Policy	JTUPF 22 April 2015 and CCG Senior Management Team 23 March 2015	08 June 2015

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## **1 INTRODUCTION**

Any worker may at some time have problems or concerns with their work, working conditions or relationships with colleagues that they wish to raise with management.

Grievances are best dealt with at an early stage, informally with the immediate line manager. Organisations should, however, have formal procedures in place to handle cases left unresolved. Having formal grievance procedures in place allows employers to give reasonable consideration to any issues which can't be resolved informally and to deal with them fairly and consistently. Pursuing the formal route should be a last resort rather than the first option.

## **2 ENGAGEMENT**

The policy has been developed by the Yorkshire and Humber Commissioning Support (Y&HCS) Workforce team with expert advice from the Local Counter Fraud Specialist, and consultation with the CCG's Senior Management Team, employees and the Joint Trade Union Partnership Forum.

## **3 IMPACT ANALYSES**

### **3.1 Equality**

In applying this policy, the CCG will have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

An Equality Impact Assessment is attached at Appendix 2. As a result of performing the analysis, the policy does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions are recommended at this stage. However, monitoring the use of the policy will be essential in order to ensure it is implemented equitably.

### **3.2 Sustainability**

A Sustainability Impact Assessment has been completed for this policy and is attached at Appendix 3.

### **3.3 Bribery Act 2010**

The Bribery Act is particularly relevant to this policy. Under the Bribery Act it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and

- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

These offences can be committed directly or by and through a third person and other related policies and documentation (as detailed on the CCG intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.

Anyone with concerns or reasonably held suspicions about potentially fraudulent activity or practice should refer to the Local Anti-Fraud and Corruption Policy and contact the Local Counter Fraud Specialist.

#### **4 SCOPE**

This policy applies to all employees of the CCG in all locations. This policy does not apply to the settling of differences where separately agreed appeals procedures are in place for specific policies.

#### **5 POLICY PURPOSE AND AIMS**

It is the Harrogate and Rural District Clinical Commissioning Group's (the CCG) policy that all employees have recourse to a publicised and well defined grievance procedure. This procedure also covers both collective and individual grievances concerning terms and conditions of service.

Staff are advised to raise issues informally with their line manager in the first place, however where this does not resolve the matter staff are encouraged to use the grievance procedure to deal with issues promptly.

In some instances where a dispute occurs between employees it may be of use to consider a mediation service which aims to find mutually agreeable outcomes where conflict has occurred. It is important to note that the service is informal, 'non-binding' and does not impact on the individual's right to instigate formal procedures if the mediation is unsuccessful. Further details of the service can be found by contacting the Y&HCS Workforce Department.

It is recognised that the procedure itself cannot guarantee the resolution of any particular grievance as this depends on all concerned adopting a reasonable attitude to the matter, and taking positive action to resolve the problem. The fundamental principle is that staff grievances should be dealt with fairly, quickly and as close as possible to the point of origin.

Staff using the grievance procedure will be treated in a fair and equitable manner and care will be taken to ensure that confidentiality is maintained.

#### **6 DEFINITIONS**

- 6.1 A grievance is defined in the 2009 ACAS Code of Practice for Disciplinary and Grievance Procedures as 'Concerns, problems or complaints that employees raise with their employers'.

- 6.2 An individual grievance is defined as a complaint from an individual employee that is specific to that employee and related to their terms and conditions of service and any other issue related to employment.
- 6.3 A collective grievance is defined as a complaint from a number of employees which is common to the employees concerned and related to their terms and conditions of service. It may be more appropriate for the problem to be resolved through collective agreements between the trade union(s) and the employer.

## **7 ROLES / RESPONSIBILITIES / DUTIES**

It is the duty of each Line Manager to acquaint him/herself with the procedure, and to ensure that each member of staff is aware of the steps taken in airing a grievance.

## **8 IMPLEMENTATION**

All employees will receive notification that the policy has been approved and will receive confirmation of where the policy is located.

This policy should be incorporated as part of the employee induction process for all new employees joining the CCG.

## **9 TRAINING AND AWARENESS**

Training and support will be available to all line managers in the implementation and application of this policy.

## **10 MONITORING AND AUDIT**

The implementation of this policy will be audited on an annual basis by the CCG and reported to CCG Senior Management Team.

## **11 POLICY REVIEW**

The policy and procedure will be reviewed after three years for the CCG Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

## **12 REFERENCES**

For further information please refer to the following reference sources

- Data Protection Act 1998 NHS Code of Practice on Records Management (Department of Health 2006).
- ACAS Code of Practice on Discipline and Grievance

### **13 ASSOCIATED DOCUMENTATION**

- Disciplinary Procedure
- Equality and Diversity Policy

### **PROCEDURE**

### **14 GRIEVANCE PROCEDURE PROCESS**

The grievance procedure is a staged process that consists of two distinct elements :

- initial informal procedure (Stage 1); followed by
- formal procedure (Stages 2 and 3)

Stage 2 should not normally be initiated until after the informal procedure (Stage 1) has been followed and no resolution has been found at that stage.

See appendix 4; Flowchart of Standard Grievance Procedure.

### **15 STAGE 1 – INFORMAL PROCEDURE**

Before an employee or, in a collective grievance, a representative of the group takes up a formal grievance under this procedure they are advised to raise the matter informally with their immediate supervisor/line manager in an attempt to resolve the issue by informal discussion(s).

If the matter is not resolved through informal discussion(s) with their immediate supervisor/line manager, the grievance should be put in writing and escalated to a manager at the next level within the management structure, or as appropriate, not previously involved in the issue. Employees should use the form at Appendix 1, Notification of Grievance. However, any form of written communication indicating a grievance or concern(s) from an employee may be considered a formal grievance.

The CCG may, where necessary, investigate a grievance raised informally even when the complainant does not want to place the grievance in writing. It is recognised that this may restrict the ability to properly investigate the complaint. The CCG will do this to protect the health and safety of the staff and to fulfil its obligations as an employer.

### **16 STAGE 2 – FORMAL PROCEDURE**

The relevant manager or equivalent line manager and a Workforce Representative will meet with the employee or representative of the group as soon as possible, to discuss the issues and to seek a resolution. See section 21 for rights to representation. Following the meeting the manager will write to the employee or representative confirming the outcome.

If the employee remains dissatisfied after Stage 2, the employee has the option to appeal at Stage 3.

The procedure for handling a grievance hearing is outlined at Appendix 2.

## **17 STAGE 3 – FORMAL PROCEDURE**

If the employee still remains dissatisfied after Stage 2, they can submit an appeal to the Chief Officer within 14 days of receipt of the letter confirming the outcome.

An Appeal Panel will consist of two members including line manager's manager or equivalent who has not previously been involved or implicated. A Workforce Representative will attend formal meetings. No member of the panel will have had any previous involvement in the case.

A hearing will be held as quickly as possible, and certainly no later than 6 weeks from receipt of the appeal, unless otherwise agreed.

Appeal hearings will be conducted in accordance with the Appeals procedure as outlined in the CCG Disciplinary Policy (appendix 5).

Dependant on the nature of the grievance a professional advisor may be available to offer advice to the panel on technical points, if required. The professional advisor would not be a decision making member of the panel.

This is the final stage in the grievance procedure. The decision of the panel will be binding. The panel will write to the employee or representative confirming the outcome of the meeting.

## **18 UNRESOLVED COLLECTIVE GRIEVANCE**

Where a collective grievance remains unresolved following exhaustion of the procedure, both parties – subject to joint agreement, may be referred to the Advisory, Conciliation and Arbitration Service (ACAS) for conciliatory and/or mediation. This is on the basis that ACAS is empowered to provide advice on procedures for avoiding and settling disputes and workers grievances. Such intervention must be agreed by all parties involved.

## **19 INVESTIGATION**

A formal investigation will not be required in all Grievances raised. There will, however, be occasions where an investigation is appropriate. In this instance a member of management will investigate the matter promptly and adequately supported by a Y&HCS Workforce representative. A suitable Investigating Officer, who had not previously been involved in the procedure, will be appointed to undertake the investigation. The employee(s) will be informed in writing of the name of the Investigating Officer and any Workforce representative supporting the Investigating Officer.

The Investigating Officer may propose a timeframe within which the investigation could reasonably be expected to be completed. However, it is difficult to attach time limits to the process and all parties will be kept informed of any changes (and the reasons) to the proposed timeframe.

When the investigation is concluded, the employee(s) and their representative (if any) will be informed in writing of the outcome of the investigation. The Investigating Officer will write to the manager with their recommendation as a result of the investigation.

## **20 HEARINGS / APPEALS**

The outcome of grievances hearings at Stage 2 and 3 will be confirmed in writing to the employee or representative within seven calendar days following the meeting.

Where there has been a failure to agree at previous stages of the procedure, an appeal should be made in writing to the next level of management within 7 calendar days of written receipt of the decision at the previous stage. *Note:* At Stage 1, this will be on receipt of the verbal decision at the informal discussion. Appendix 1, Notification of Grievance Form, can be used for this purpose.

Where no appeal is raised within this timescale the grievance will be deemed to have been resolved. Every effort will be made to hold grievance hearings in a timely manner.

Adequate time should be allowed for the preparation of the Appeal paperwork at Stage 2 & 3, which must be submitted prior to the Hearing. Mutual exchange of papers prior to the hearing will take place by agreement on the same date. This should be at least seven calendar days before the hearing unless agreed otherwise between the parties. The complainant or representative will be kept informed if there is to be a delay in arranging the Appeal hearing.

The procedure for handling a grievance hearing or appeal is outlined at Appendix 2.

## **21 REPRESENTATION**

Employees have the right to be accompanied by a companion to grievance hearings, at all stages who can be either :

- A trade union official who has been certified by the trade union as having had experience or having received training in acting as a worker's companion in such circumstances e.g. an accredited staff representative; or
- Another fellow worker employed by the CCG

This right does not include the right to be accompanied by a person acting in a legal capacity or any other person.

In the case of a collective grievance, the employee(s) involved must appoint a single representative to act as a spokesperson during a grievance hearing or appeal.

The purpose of representation is to assist or represent the employee in stating their grievance and to provide support and guidance.

Where the grievance involves accredited staff representatives no investigation or action will be taken until the case has been discussed with a full-time official of the organisation concerned.

## **22 WORKFORCE SERVICES**

At any stage of the procedure the complainant/manager can approach a Y&HCS Workforce representative for guidance on the process or attendance at meetings to consider the matter and seek a resolution. (This may not always be appropriate at Stage 1).

Workforce advice should be obtained at every stage of the procedure and a Y&HCS Workforce representative must attend meetings from Stage 2 onwards.

## **23 STATUS QUO WORKING**

It is agreed that in the event of a Grievance being lodged which cannot immediately be resolved, then whatever practice or agreement existed prior to the difference shall continue to operate pending a settlement or until the agreed procedure has been exhausted.

Except where there is a manifest emergency situation in relation to services provided and /or health and safety matters and in such circumstances it may be difficult to operate the 'status quo'. In these circumstances a decision regarding the 'status quo working' will be made following discussions with the Y&HCS Head of Workforce. It is recognised these are likely to be isolated or exceptional cases.

## **24 TIMING**

Every effort will be made by both sides to resolve the grievance at the lowest level and with the minimum delay.

## **25 RECORDS**

Records will be kept detailing the nature of the grievance raised, the CCG's response, any action taken and the reason for it. Managers are expected to maintain a written record on the appropriate Grievance Tracking Form (Appendix 6) at all stages of the process in accordance with the Grievance Policy.

A copy of the Grievance Tracking form will be retained on the employee's personal file for the duration of the process and for 12 months following the resolution or completion of the process. A copy of relevant background papers and the outcome correspondence will be kept on the file.

The Y&HCS Workforce department will retain all other papers relating to a grievance, e.g. investigation/meeting notes.

All records will be kept in a confidential environment and retained in accordance with the Data Protection Act 1998 NHS Code of Practice on Records Management (Department of Health 2006).

## **26 CONFIDENTIALITY**

Grievance issues 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.

**Appendix 1**

**NOTIFICATION OF GRIEVANCE**

*To be completed following a failure to agree at Stage 1.*

Employee name(s): .....

Post(s): .....

Department: .....

Base(s): .....

Representative(s): .....

To (manager): .....

I / we have discussed my / our grievance with my / our immediate supervisor / line manager named below on date :

Name: ..... Date: .....

And I / we remain aggrieved. In accordance with the Grievance Procedure, I / we now have to inform you of the following matter and wish to proceed to Stage 2 of the Procedure.

*(Please give as much information as you can, as this will enable your grievance to be settled as quickly as possible. It would be helpful at this stage to state your preferred resolution).*

Signed: ..... Dated: .....

*When completed this form should be sent to the Manager or appropriate level of management.*

Date received by Manager: .....

## Appendix 2

### **PROCEDURE FOR HANDLING A GRIEVANCE HEARING OR APPEAL AT STAGES 2 AND 3**

#### **Administration**

Hearings at Stage 2 of the Grievance Procedure will be heard by the appropriate level of management (Officer) and supported by a Workforce Representative.

Stage 3 will be heard by a CCG panel chaired by a Lay Member / GP Governing Body Member as detailed in section 17.1 and supported by a Workforce Representative.

- A minimum notice period of 14 calendar days will be given before a hearing or appeal (unless a mutually agreed shorter timescale is agreed between the parties).
- Mutual exchange of papers prior to the hearing will take place by agreement on the same date. This should be at least 5 calendar days before the Grievance hearing unless agreed otherwise between the parties.
- Copies of all papers to be considered at the hearing must be provided for each panel member, workforce representatives, management side representative, the employee and the employee's representative if applicable.

#### **Procedure for Hearing**

At the outset of the hearing the Officer/Chair of panel hearing the grievance will:

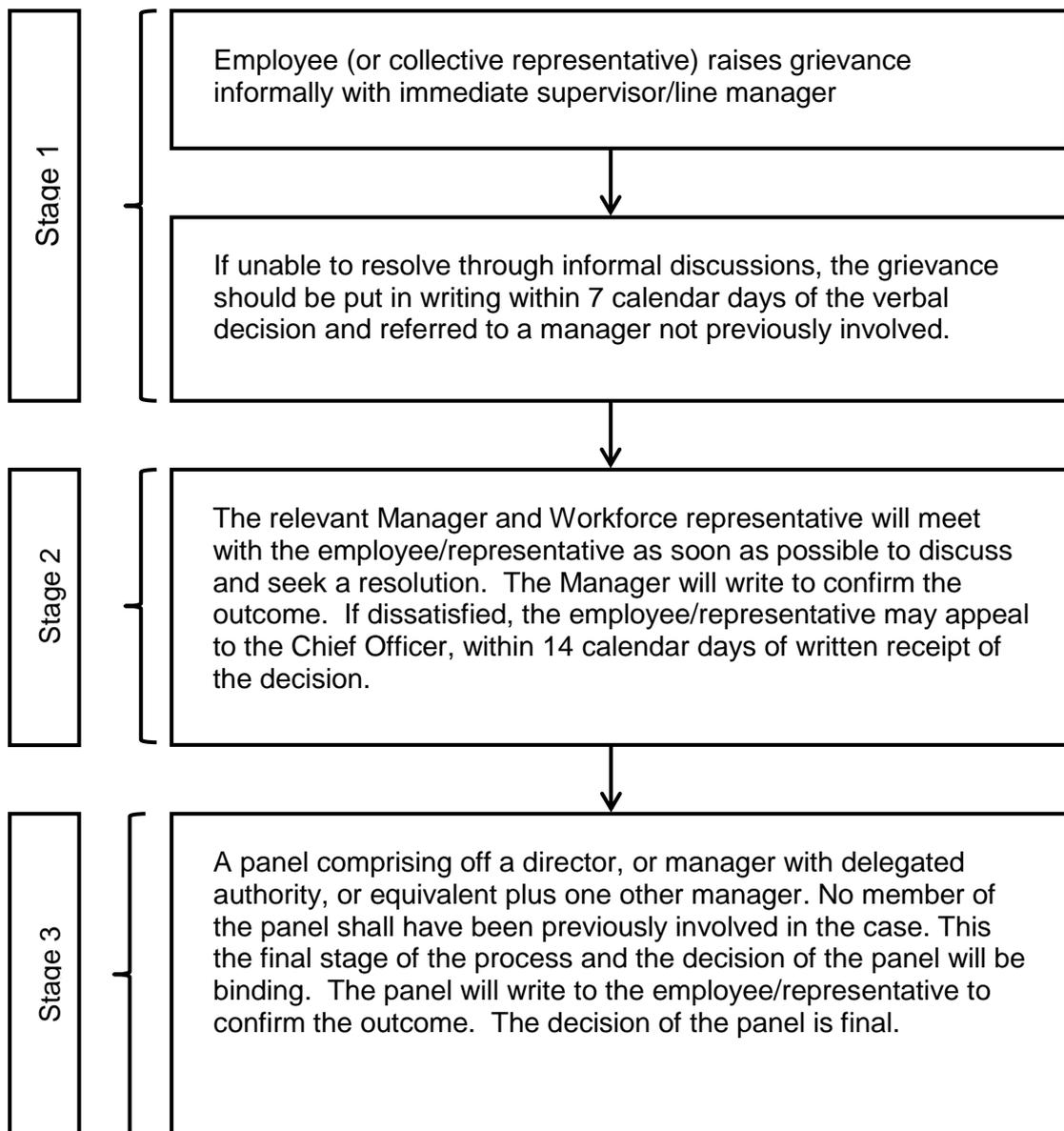
- Outline the purpose of the hearing
- Confirm to the employee and all present, that the hearing will be conducted in line with the grievance procedure
- Introduce all present and state the capacity in which they are there
- If the employee is not represented / accompanied, the Officer / Chair hearing the grievance will check that he/she is aware of his/her right to be represented/accompanied and whether or not he/she is happy to proceed without representation/accompaniment.
- The employee or their representative is asked to present their case and may call witnesses.
- The management side representative may ask questions of the employee, their representative and witnesses, in order to clarify the issue.
- The Officer/panel members hearing the Grievance may ask questions of the employee, their representative and witnesses, in order to gain a comprehensive understanding of the issue.
- The employee or their representative may re-examine their witnesses on any points raised by the Officer or management side representative.

- The management side representative shall present its case and may also call witnesses.
- The employee or their representative may question the management side representative and witnesses.
- The Officer/panel members hearing the Grievance may then question the management side representative and witnesses.
- The management side representative may re-examine its witness on any points raised by the employee or representative and the Officer.
- Nothing in the foregoing procedure shall prevent the Officer / Chair, panel members or Workforce Representative from inviting the representative of either party to elucidate or amplify any statement they may have made or from asking them questions as may be necessary.
- Management side representative makes a final statement without introducing new evidence.
- The employee or their representative makes a final statement without introducing new evidence.
- At the completion of the hearing of the evidence, the employee, their representative, and the management side shall withdraw.
- The Officer / Chair, panel members hearing the Grievance together with the Workforce Representative shall adjourn and consider the evidence in private, only recalling both parties and the representative to clear points of uncertainty on evidence already given.
- If possible the Officer / Chair conducting the meeting will give his / her decision at the time. Both parties will be informed of:
  - The decision
  - The reason for the decision
  - What action will be taken (where applicable / if any)
  - The decision will be communicated in writing within 7 calendar days
  - The employee's right to appeal the matter to the next stage of the formal procedure (other than at Stage 3)

Note :

The Y&HCS Workforce Representative appointed to support the Officer / Chair, panel members shall be in attendance throughout the hearing/appeal, recording the proceedings and shall remain with the Officer / Chair, panel members whilst they consider their decision. He / she shall advise the Officer / Chair, panel members on points of procedure and may ask questions for clarification. He / she shall not have been involved in the case previously.

**FLOW CHART OF STANDARD GRIEVANCE PROCEDURE**



All stages of the process will be undertaken in as timely a manner as possible

STANDARD LETTERS



CONFIDENTIAL

Dear

**Grievance Hearing – Stage 2**

I am writing to acknowledge receipt of your Notification of Grievance form dated ..... and to confirm that arrangements have been made to hear your Grievance at Stage 2 in accordance with Harrogate and Rural District CCG's Grievance Policy on date at time in location. The Grievance will be heard by name and supported by name, Y&HCS Workforce Representative.

Should you wish to submit any additional information relating to your Grievance please forward to name no later than date. It is anticipated that mutual exchange of papers will take place on date.

I have to advise you that you have the right to be represented at this hearing by a single companion who can be either a Trade Union Representative or work colleague not appearing in a legal capacity.

I should be grateful if you would confirm your attendance, the name of your representative and if you intend to call any witnesses by contacting name by date.

Yours sincerely

Name  
Job Title

CONFIDENTIAL

Dear

### **Outcome of Grievance Hearing – Stage 2**

Following your Grievance hearing on date held in the presence of names, I am writing to confirm the outcome.

- SPECIFY BRIEF DETAILS OF GRIEVANCE
- THE DECISION REACHED
- REASON FOR THE DECISION
- WHAT ACTION WILL BE TAKEN (WHERE APPLICABLE / IF ANY)

You do have the right to appeal against this decision and proceed to Stage 3 as part of Harrogate and Rural District CCG Grievance Policy. This Stage 3 grievance should be done in writing within 14 calendar days of receiving this letter outlining the reasons for your grievance, to name who will arrange for a hearing to be held under Stage 3 of Grievance policy. Stage 3 is the final stage of the CCG grievance process and the decision of the panel will be binding.

If you do not appeal within this timescale the grievance will be deemed to have been resolved.

Yours sincerely

Name  
Job Title

CONFIDENTIAL

Dear

**Grievance Hearing – Stage 3**

I am writing to acknowledge receipt of your letter of appeal dated date and to confirm that arrangements have been made to hear your Grievance at Stage 3 in accordance with the Harrogate and Rural District CCG Grievance Policy on date at time in location. The Grievance will be heard by names (CCG PANEL) and supported by name, Workforce Representative.

Please forward your Statement of Case outlining your Grievance to name by date. It is anticipated that mutual exchange of papers will take place on date.

I have to advise you that you have the right to be represented at this hearing by a single companion who can be either a Trade Union Representative or work colleague not appearing in a legal capacity.

I should be grateful if you would confirm your attendance, the name of your companion and if you intend to call any witnesses by contacting name by date.

Please note that Stage 3 is the final stage in the CCG Grievance process and the decision of the panel is binding and there is no further right of appeal.

Yours sincerely

Name  
Job Title

CONFIDENTIAL

Dear

**Outcome of Grievance Hearing – Stage 3**

Following your Grievance hearing on date held in the presence of names, I am writing to confirm the outcome.

- SPECIFY BRIEF DETAILS OF GRIEVANCE
- THE DECISION REACHED
- REASON FOR THE DECISION
- WHAT ACTION WILL BE TAKEN (WHERE APPLICABLE / IF ANY)

This is the final stage in the process and the decision of the Panel is binding and there is no further right of appeal.

Yours sincerely

Name  
Job Title

## MANAGEMENT STATEMENT OF CASE GUIDANCE

*The management statement of case is produced by the manager who heard the grievance at the previous stage, with support from the Workforce representative involved. The statement of case is required to be sent out at least 5 calendar days before the hearing, therefore to allow for administration of this, the statement should be received at least two working days prior to this. The following is a guideline on what could be included.*

.....

### **STAGE (2/3) GRIEVANCE HEARING – (name of employee)**

**(Hearing date)**

#### **MANAGEMENT STATEMENT OF CASE BY**

**(Name), (Title)**

#### **Introduction**

The background information

- When the grievance was received (attach copy of letter/Form/e-mail)
- A summary of the grievance.

This may also include information on the employee, their role, how long they have been working in the area etc and anything relevant to the case.

#### **Response to Grievance / Investigation**

What information you sought and what investigations you did and attach your letter of response or letter to confirm outcome of previous meeting/hearing and notes of any meetings relevant to the case.

Summary of your reasons for not upholding the grievance. This will be taken mainly from your letter to the individual. Include any additional information in response to the appeal letter from the individual.

#### **Summary / Conclusion**

Summarise your reasons for not upholding the grievance.

Add your views about the reasonableness of the actions taken and what steps the Y&HCS have taken and what you have done to try and address this grievance.

Anything you think the panel need to consider

Ask the panel to uphold your decision

**GRIEVANCE TRACKING FORM**

Employee name: .....

Post: .....

Directorate: .....

Base: .....

Representative: .....

Collective / Individual\* Grievance  
(\*Delete as appropriate)

STAGE	Date Complaint Raised at Each stage	Date Complaint Discussed/Heard	Date Response/ Decision given	Comments - summarise the subject of the Grievance. Record any time extensions and the outcome/response of any meetings
Informal Stage 1				
Formal Stage 2				
Formal Stage 3				

## EQUALITY IMPACT ANALYSIS

<b>1. Equality Impact Analysis</b>									
<b>Policy / Project / Function:</b>	Grievance Policy								
<b>Date of Analysis:</b>	25 February 2014								
<b>This Equality Impact Analysis was completed by: (Name and Department)</b>	Workforce Service								
<b>What are the aims and intended effects of this policy, project or function ?</b>	It is the Harrogate and Rural Clinical Commissioning Group (the CCG) policy that all employees have recourse to a publicised and well defined grievance procedure. This procedure covers both collective and individual grievances concerning terms and conditions of service.								
<b>Please list any other policies that are related to or referred to as part of this analysis?</b>	<ul style="list-style-type: none"> <li>• Disciplinary Procedure</li> <li>• Equality and Diversity Policy</li> </ul>								
<b>Who does the policy, project or function affect ?</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Employees</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Service Users</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Other (List Below)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Employees	✓	Service Users	<input type="checkbox"/>	Members of the Public	<input type="checkbox"/>	Other (List Below)	<input type="checkbox"/>
Employees	✓								
Service Users	<input type="checkbox"/>								
Members of the Public	<input type="checkbox"/>								
Other (List Below)	<input type="checkbox"/>								
Please Tick ✓									

## 2. Equality Impact Analysis: Screening

	Could this policy have a positive impact on...		Could this policy have a negative impact on...		Is there any evidence which already exists from previous (e.g. from previous engagement) to evidence this impact
	Yes	No	Yes	No	
<b>Race</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups. Some national evidence has been produced to suggest BME staff are under-represented among senior management yet disproportionately involved in Employee relations processes. This is referenced in Roger Kline's report Snowy White Peaks 2014 which and could identify a potential negative impact. However this is mitigated with the reference in the policy to the CCGs obligations under the Equality Act. Training is also clearly available. As a new policy, there is no evidence of an adverse impact on BME staff, but in accordance with Equality and HR good practice all aspects of the policy implementation will be monitored to establish any emerging trend.
<b>Age</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered and no evidence of a positive or negative impact.
<b>Sexual Orientation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered and no evidence of a positive or negative impact.
<b>Disabled People</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered and no evidence of a positive or negative impact.
<b>Gender</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered and no evidence of a positive or negative impact.
<b>Transgender People</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered and no evidence of a positive or negative impact.
<b>Pregnancy and Maternity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered and no evidence of a positive or negative impact.
<b>Marital Status</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered and no evidence of a positive or negative impact.

<b>Religion and Belief</b>	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	Considered and no evidence of a positive or negative impact.
<b>Reasoning</b>	The policy includes a procedure to ensure a clear and consistent application of the principles. No anticipated detrimental impact on any equality group. As yet there has been no evidence of a positive or negative impact, however, the annual monitoring data should be used to identify whether the any protected group is adversely affected and ensure that the application of the policy is fair				
<b>If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 7</b>					

## 1. Equality Impact Analysis: Local Profile Data

Local Profile/Demography of the Groups affected as at Jan 2015	
<b>General</b>	Total number of employees in the CCG is 28
<b>Age</b>	75% are aged 30-55 21.43% of staff are over 55 3.57% of staff are under 30
<b>Race</b>	89.29% staff employed in the CCG are White 3.57% staff are Black 3.57% staff are Asian 3.57% of staff have are not stated/undefined their ethnicity
<b>Sex</b>	46.43% staff employed are male 53.57% staff employed are female
<b>Gender reassignment</b>	No information at this stage
<b>Disability</b>	89.29% of staff employed declared themselves as having no disability 10.71% did not declare /undefined No staff have declared a disability
<b>Sexual Orientation</b>	89.29% of staff described themselves as heterosexual 10.71% did not wish to respond /undefined
<b>Religion, faith and belief</b>	Christianity is the largest religious group declared by staff in the CCG (50%) 25% declared themselves Atheist 17.87% were undefined or did not wish to declare 3.57% of staff have other beliefs/religious beliefs 3.57% of staff declared themselves Buddhist
<b>Marriage and civil partnership</b>	78.58% of employees are married. No employees are in a civil partnership. 3.57% of staff did not wish to declare. The remainder (17.85%) are single/divorced/legally separated or widowed
<b>Pregnancy and maternity</b>	No information yet as the CCG has not been established long enough to build meaningful data

## 1. Equality Impact Analysis: Equality Data Available

<p><b>Is any Equality Data available relating to the use or implementation of this policy, project or function?</b></p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as '<i>Equality Groups</i>'.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> <li>1. Application success rates <i>Equality Groups</i></li> <li>2. Complaints by <i>Equality Groups</i></li> <li>3. Service usage and withdrawal of services by <i>Equality Groups</i></li> <li>4. Grievances or decisions upheld and dismissed by <i>Equality Groups</i></li> <li>5. <i>Previous EIAs</i></li> </ol>	<p>Yes <input checked="" type="checkbox"/> employee data</p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p><b>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</b></p>	<p>Consultation have taken place nationally and locally with Trade Union representatives</p>
<p><b>Promoting Inclusivity</b>  <b>How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</b></p>	<p>Consultation has taken place both locally and nationally with Trade Unions and staff</p>
	<p>This Policy does not directly promote inclusivity, but provides a framework to settle grievances in the workplace. This should contribute towards eliminating discrimination</p>

## 5. Equality Impact Analysis: Assessment Test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
<b>Gender</b> (Men and Women)	✓			Considered and no evidence of a positive or negative impact.
<b>Race</b> (All Racial Groups)	✓			The CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups. Some national evidence has been produced to suggest BME staff are under-represented among senior management yet disproportionately involved in Employee relations processes. This is referenced in Roger Kline's report Snowy White Peaks 2014 which and could identify a potential negative impact. However this is mitigated with the reference in the policy to the CCGs obligations under the Equality Act. Training is also clearly available. As a new policy, there is no evidence of an adverse impact on BME staff, but in accordance with Equality and HR good practice all aspects of the policy implementation will be monitored to establish any emerging trend.
<b>Disability</b> (Mental and Physical)	✓			Considered and no evidence of a positive or negative impact.
<b>Religion or Belief</b>	✓			Considered and no evidence of a positive or negative impact.
<b>Sexual Orientation</b> (Heterosexual, Homosexual and Bisexual)	✓			Considered and no evidence of a positive or negative impact.
<b>Pregnancy and Maternity</b>	✓			Considered and no evidence of a positive or negative impact.
<b>Transgender</b>	✓			Considered and no evidence of a positive or negative impact.
<b>Marital Status</b>	✓			Considered and no evidence of a positive or negative impact.
<b>Age</b>	✓			Considered and no evidence of a positive or negative impact.

## 6. Action Planning

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
None				

## 7. Equality Impact Analysis Findings

<b>Analysis Rating:</b>	<input type="checkbox"/> Red	<input type="checkbox"/> Red/Amber	<input type="checkbox"/> Amber	<input checked="" type="checkbox"/> Green
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		Actions	Wording for Policy / Project / Function
<b>Red</b> <b>Stop and remove the policy</b>	<b>Red:</b> As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	<p><b>Remove the policy</b></p> <p>Complete the action plan above to identify the areas of discrimination and the work or actions which needs to be carried out to minimise the risk of discrimination.</p>	No wording needed as policy is being removed
<b>Red Amber</b> <b>Continue the policy</b>	As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.	<p><b>The policy can be published with the EIA</b></p> <p>List the justification of the discrimination and source the evidence (i.e. clinical need as advised by NICE).</p> <p>Consider if there are any potential actions which would reduce the risk of discrimination.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason exists which justifies the use of this policy and further professional advice.</p> <p><b><i>[Insert what the discrimination is and the justification of the discrimination plus any actions which could help what reduce the risk]</i></b></p>

**Equality Impact Findings (continued):**

		Actions	Wording for Policy / Project / Function
<p><b>Amber</b></p> <p><b>Adjust the Policy</b></p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>	<p><b>The policy can be published with the EIA</b></p> <p>The policy can still be published but the Action Plan must be monitored to ensure that work is being carried out to remove or reduce the discrimination.</p> <p>Any changes identified and made to the service/policy/ strategy etc. should be included in the policy.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p><b><i>[Insert what the discrimination is and what work will be carried out to reduce/eliminate the risk]</i></b></p>
<p><b>Green</b></p> <p><b>No major change</b></p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>	<p><b>The policy can be published with the EIA</b></p> <p>Another EIA must be completed if the policy is changed, reviewed or if any discrimination is identified at a later date</p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

<b>Brief Summary/Further comments</b>	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage. Monitoring the use of the policy will be essential in order to ensure it is implemented equitably
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<b>Approved By</b>		
Job Title:	Name:	Date:

**SUSTAINABILITY IMPACT ASSESSMENT**

Staff preparing a policy, Governing Body (or Sub-Committee) report, service development or project are required to complete a Sustainability Impact Assessment (SIA). The purpose of this SIA is to record any positive or negative impacts that this is likely to have on sustainability.

<b>Title of the document</b>	Grievance Policy
<b>What is the main purpose of the document</b>	All employees have recourse to a publicised and well defined grievance procedure. This policy and procedure covers both collective and individual grievances concerning terms and conditions of service.
<b>Date completed</b>	25 April 2015
<b>Completed by</b>	Y&HCS Workforce

<b>Domain</b>	<b>Objectives</b>	<b>Impact of activity</b> Negative = -1 Neutral = 0 Positive = 1 Unknown = ? Not applicable = n/a	<b>Brief description of impact</b>	<b>If negative, how can it be mitigated? If positive, how can it be enhanced?</b>
<b>Travel</b>	Will it provide / improve / promote alternatives to car based transport? Will it support more efficient use of cars (car sharing, low emission vehicles, environmentally friendly fuels and technologies)? Will it reduce 'care miles' (telecare, care closer) to home? Will it promote active travel (cycling, walking)? Will it improve access to opportunities and facilities for all groups?	n/a		

<b>Procurement</b>	<p>Will it specify social, economic and environmental outcomes to be accounted for in procurement and delivery?</p> <p>Will it stimulate innovation among providers of services related to the delivery of the organisations' social, economic and environmental objectives?</p> <p>Will it promote ethical purchasing of goods or services?</p> <p>Will it promote greater efficiency of resource use?</p> <p>Will it obtain maximum value from pharmaceuticals and technologies (medicines management, prescribing, and supply chain)?</p> <p>Will it support local or regional supply chains?</p> <p>Will it promote access to local services (care closer to home)?</p> <p>Will it make current activities more efficient or alter service delivery models</p>	n/a		
<b>Facilities Management</b>	<p>Will it reduce the amount of waste produced or increase the amount of waste recycled?</p> <p>Will it reduce water consumption?</p>	n/a		
<b>Workforce</b>	<p>Will it provide employment opportunities for local people?</p> <p>Will it promote or support equal employment opportunities?</p> <p>Will it promote healthy working lives (including health and safety at work, work-life/home-life balance and family friendly policies)?</p> <p>Will it offer employment opportunities to disadvantaged groups?</p>	0		
<b>Community Engagement</b>	<p>Will it promote health and sustainable development?</p> <p>Have you sought the views of our communities in relation to the impact on sustainable development for this activity?</p>	n/a		

<b>Buildings</b>	<p>Will it improve the resource efficiency of new or refurbished buildings (water, energy, density, use of existing buildings, designing for a longer lifespan)?</p> <p>Will it increase safety and security in new buildings and developments?</p> <p>Will it reduce greenhouse gas emissions from transport (choice of mode of transport, reducing need to travel)?</p> <p>Will it provide sympathetic and appropriate landscaping around new development?</p> <p>Will it improve access to the built environment?</p>	n/a		
<b>Adaptation to Climate Change</b>	<p>Will it support the plan for the likely effects of climate change (e.g. identifying vulnerable groups; contingency planning for flood, heat wave and other weather extremes)?</p>	n/a		
<b>Models of Care</b>	<p>Will it minimising 'care miles' making better use of new technologies such as telecare and telehealth, delivering care in settings closer to people's homes?</p> <p>Will it promote prevention and self-management?</p> <p>Will it provide evidence-based, personalised care that achieves the best possible outcomes with the resources available?</p> <p>Will it deliver integrated care, that co-ordinate different elements of care more effectively and remove duplication and redundancy from care pathways?</p>	n/a		