

PROPOSED AMENDMENT TO THE PSC Civil Service Regulations 2015

Ref:	PSC 15-123-PSC CS Regs B25 – B36 Grievance
Re:	Grievances
Proposal:	To replace existing text with a link to the PSC Harmonised Grievance Procedure.
Existing Regulation:	
Grievances B25-B36	
B25 – Aims of the grievance procedure	
The aim of the procedure is to settle any grievance as near to its point of origin as possible and without unreasonable delay in a fair and effective manner.	
B26 – Using the grievance procedure	
Civil servants who wish to use the Grievance Procedure shall:	
<ol style="list-style-type: none">a. be given a fair hearing by their line manager concerning any grievances they may wish to raiseb. have the right of appeal to a more senior manager against a decision made by their line managerc. have the right, if they wish, to be accompanied by a fellow civil servant of their own choice (who may be a recognised staff association representative) when raising a grievance or appealing against a decision	
The Grievance Procedures cannot be used to deal with disciplinary matters and any disciplinary matters should be dealt with in accordance with the Disciplinary Procedures outlined at Regulations <u>B1-15</u> .	
The handling of grievances and disputes using these procedures must operate fairly but the normal rules of evidence used in a court of law will not apply.	
B27 – Administration	
All stages in the handling of a grievance should be recorded on the form (GP 1) provided at <u>Annex B5</u> for that purpose. One copy should be retained by the line manager and one copy should be handed to the civil servant raising the grievance.	
B28 – The procedure	
A) Stage 1	
A civil servant who has a grievance on matters relating to his employment should discuss the same informally with his line manager. Where the grievance has arisen as a result of a decision taken by a more senior manager it may be more appropriate to discuss the same with that person, although whenever possible the grievance should be handled initially at the lowest appropriate level.	

If the civil servant is dissatisfied with the reply he may refer the matter to his recognised staff association representative who may then take the matter up with the line manager or other appropriate person before moving to Stage 2.

If the grievance has not been resolved satisfactorily, where practicable within 3 working days of being raised, it should be put in writing by the aggrieved civil servant using the form at Annex B5. One copy should be retained by the civil servant and the other copy should be handed to the person who dealt with stage 1 for transmission to a more senior manager who will conduct the second stage meeting. The aggrieved civil servant should be told which manager will deal with Stage 2 of the procedures.

B) Stage 2

Where practicable, the more senior manager, whose identity has been given to the civil servant (by name or by reference to his post) must arrange a meeting with the parties, normally within 4 working days. The civil servant may be accompanied, if he wishes, by a work colleague (who may be a recognised staff association representative) and should be reminded of this right when the meeting is being arranged.

The nominated more senior manager who is to conduct the meeting may seek advice on procedural matters from the HR Advisers in the Office of Human Resources, if necessary.

As soon as possible after the meeting the nominated senior officer should confirm the decision in writing to the parties (ie the civil servant and the manager who dealt with the grievance at Stage 1).

If the civil servant concerned remains aggrieved in respect of the original grievance he, (or his recognised staff association representative), may submit a written request to the Accounting Officer to move to the third and final stage in the procedure giving the reasons for this request

C) Stage 3

Where the Accounting Officer receives a written request for the third and final stage to be activated he shall arrange to hear the grievance personally or may delegate his authority to a panel of not more than 3 senior managers. The person or persons hearing the grievance should have had no previous direct involvement in handling it (even though they may have been aware of its existence).

The Accounting Officer shall invite the parties to attend the appeal hearing which shall be held, where practicable, within 7 working days of his receiving the written request.

The decision of the Accounting Officer or panel shall be notified to the parties as soon as possible after the hearing and shall be final.

B29 – Grievance against an Accounting Officer

Where a civil servant has a grievance against an Accounting Officer, it should be put in writing on form GP1 and forwarded to the Secretary of the Public Services Commission.

If the aggrieved party wishes to remain anonymous, he should state this clearly on the form and this request will be respected.

The Secretary of the Commission may see the civil servant concerned before deciding whether it is a matter which should be referred to the Commission. Where a grievance is referred to the Commission it should be dealt with in a similar manner to Stage 3 above.

B31 – Notes to the procedures

The foregoing procedures do not exclude the possibility that:

- a. a civil servant may choose to approach his line manager with his recognised staff association representative in the first instance
- b. a civil servant may be represented or be without representation if he chooses
- c. it may operate as a disputes procedure where a group of civil servants share a common grievance and where this occurs the grievance may be presented on their behalf by their recognised staff association representative

Further Information

Notes on Settling Grievances, can be found in the Public Services Commission Civil Service Regulations Handbook.

Note: Regulations B32 to B36 are blank.

Proposed Regulation:

Grievances

B25-B36

~~B25—Aims of the grievance procedure~~

~~The aim of the procedure is to settle any grievance as near to its point of origin as possible and without unreasonable delay in a fair and effective manner.~~

~~B26—Using the grievance procedure~~

~~Civil servants who wish to use the Grievance Procedure shall:~~

- ~~d. be given a fair hearing by their line manager concerning any grievances they may wish to raise~~
- ~~e. have the right of appeal to a more senior manager against a decision made by their line manager~~
- ~~f. have the right, if they wish, to be accompanied by a fellow civil servant of their own choice (who may be a recognised staff association representative) when raising a grievance or appealing against a decision~~

~~The Grievance Procedures cannot be used to deal with disciplinary matters and any disciplinary matters should be dealt with in accordance with the Disciplinary Procedures outlined at Regulations B1-15.~~

~~The handling of grievances and disputes using these procedures must operate fairly but the normal rules of evidence used in a court of law will not apply.~~

~~**B27—Administration**~~

~~All stages in the handling of a grievance should be recorded on the form (GP 1) provided at Annex B5 for that purpose. One copy should be retained by the line manager and one copy should be handed to the civil servant raising the grievance.~~

~~**B28—The procedure**~~

~~**D) Stage 1**~~

~~A civil servant who has a grievance on matters relating to his employment should discuss the same informally with his line manager. Where the grievance has arisen as a result of a decision taken by a more senior manager it may be more appropriate to discuss the same with that person, although whenever possible the grievance should be handled initially at the lowest appropriate level.~~

~~If the civil servant is dissatisfied with the reply he may refer the matter to his recognised staff association representative who may then take the matter up with the line manager or other appropriate person before moving to Stage 2.~~

~~If the grievance has not been resolved satisfactorily, where practicable within 3 working days of being raised, it should be put in writing by the aggrieved civil servant using the form at Annex B5. One copy should be retained by the civil servant and the other copy should be handed to the person who dealt with stage 1 for transmission to a more senior manager who will conduct the second stage meeting. The aggrieved civil servant should be told which manager will deal with Stage 2 of the procedures.~~

~~**E) Stage 2**~~

~~Where practicable, the more senior manager, whose identity has been given to the civil servant (by name or by reference to his post) must arrange a meeting with the parties, normally within 4 working days. The civil servant may be accompanied, if he wishes, by a work colleague (who may be a recognised staff association representative) and should be reminded of this right when the meeting is being arranged.~~

~~The nominated more senior manager who is to conduct the meeting may seek advice on procedural matters from the HR Advisers in the Office of Human Resources, if necessary.~~

~~As soon as possible after the meeting the nominated senior officer should confirm the decision in writing to the parties (ie the civil servant and the manager who dealt with the grievance at Stage 1).~~

~~If the civil servant concerned remains aggrieved in respect of the original grievance he, (or his recognised staff association representative), may submit a written request~~

to the Accounting Officer to move to the third and final stage in the procedure giving the reasons for this request

F) Stage 3

Where the Accounting Officer receives a written request for the third and final stage to be activated he shall arrange to hear the grievance personally or may delegate his authority to a panel of not more than 3 senior managers. The person or persons hearing the grievance should have had no previous direct involvement in handling it (even though they may have been aware of its existence).

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Grievances

B25-B36

B25 – Grievances

The Grievance Procedure is contained within Annex B5

Note: Regulations B26 to B36 are blank.

Last updated September 2020 – Amendment No 15-123

Agreed and authorised by:

Signed on behalf of
Prospect

M. C. Hewel

Date: 11-9-2020

Signed on behalf of Unite
the Union

S. Husain

Date: 11-09-2020

Signed on behalf of the
Commission

[Signature]

Date: 09/09/2020

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