

Grievance Procedures – Public Interest Grievances

1.1 Introduction

The Commission, as a public body, has a duty to conduct its affairs in a responsible and transparent manner. It is committed to the highest standards of openness and accountability. This part of the Grievance Procedures is intended to assist persons who are engaged by or to work in/with the Commission who believe that they have discovered improper practices or misconduct relating to the running of the Commission or work related activities of employees of the Commission to report these in a constructive manner.

The policy is designed to provide a framework which will assist persons who are engaged by or to work in/with the Commission so that they will feel confident about raising grievances or disclosing information which is believed to show malpractice or misconduct, and assist in investigating and acting on grievances raised.

1.2 Who does this policy cover?

This policy is for any person who has an employment contract with the Commission, is on secondment to the Comm

1.5 Procedures

1.5.1 Stage 1 – A person covered by this policy should prepare a written statement of his/her grievance and ensure that the Commission Secretary or the Chief Counsel receives it and also provide a copy to the Chief Operating Officer (COO). If the person requires assistance to prepare a written statement, he/she can approach the Commission Secretary or the Chief Counsel in the first instance for advice. The recipient will acknowledge receipt of the written statement normally within 5 working days. The recipient will:

- a) Explain this part of the Grievance Procedures to the person.
- b) Refer the case to the appropriate person (the *Case Handler*) for further consideration as set out below:

If it relates to an employee who is at the level of Senior Director or below, or if it concerns some matter which is not about an employee or member of the Commission¹, then the matter will be referred to a committee of all of the Executive Directors for further action.

If it relates to a member of the Commission, then the matter will be referred to the Audit Committee (excluding any Non-Executive Director about whom the grievance has been raised, if applicable) for further action.

1.5.2 Stage 2 – Process

- a) The Case Handler will conduct an initial review of the information provided and determine whether the grievance warrants further action. If it is decided that the grievance warrants further action, the Case Handler will decide on the type of investigation to be undertaken, e.g. internal investigation, independent inquiry and/or referral of the matter to the law enforcement and/or regulatory agencies. Once a decision is reached, the Case Handler will inform the person raising the grievance in writing whether further action is proposed.
- b) Where the Case Handler is the Committee of all of the Executive Directors but it considers that an independent inquiry is necessary due to the complexity or seriousness of the matter, then the grievance is to be referred to the Audit Committee to consider the scope of the inquiry, who should carry out such an inquiry and the terms of reference.

¹ See section 1 of Schedule 141.4056 9.4003 Tm(83474 9.4003 Tm(le141.4e6 Tw 12 0 0 12 367.56 iw 12 0 0 12 203.88 141

1.5.3 Stage 3 – Investigation

- a) If the matter is to be the subject of an internal investigation, the Case Handler may nominate members of staff or engage external cons

- c) Decisions made at the appeals stage shall be final.
- d) The person(s) concerned will be informed in writing of the decision with a copy to the COO.

1.5.6 Stage 6 – Reporting

A quarterly report will be made to the Audit Committee providing information on any grievances raised and any decisions taken in respect of them under this part of the Grievance Procedures. Any matter requiring immediate attention will be brought to the Audit Committee by the Case Handler as soon as possible.

The flow chart illustrating the procedures is at Annex for reference.

Remarks: