

## **Grievance Policy**

### **Aim**

The Organisation aims to ensure that as far as possible grievances are dealt with and resolved as soon as possible. Grievances may include concerns, complaints or issues relating to the employee's terms and conditions at work, disputes with colleagues and incidents of harassment or bullying. Where possible employees should try to resolve these issues on an informal basis, however, where this is not successful or where the concern, complaint or issue is more serious the formal grievance procedure should be used. The purpose of the policy is to clearly set out the grievance process and detail the rights of individuals who are involved. This policy applies to all employees.

### **PRINCIPLES**

- The procedure is designed to deal with grievances fairly, consistently, objectively and as quickly as possible.
- The employee will have the right to present his/her grievance and can be accompanied at any stage of the formal grievance procedure, either by a work colleague or a trade union representative.
- Where more than one individual has lodged his/her grievance and the grievance is similar in nature, the grievances will normally be dealt with together.

### **GRIEVANCE ISSUES**

The type of issues that an employee may wish to raise a grievance about could include:

- Terms and conditions of employment
- Health and safety
- Work relations
- Bullying and harassment

- New or revised working practices
- Organisational change
- Equal opportunities

## **INFORMAL PROCEDURE**

Where an employee has a grievance against another employee or employees, he/she should in the first instance try to resolve the grievance on an informal basis. This may be by speaking to the individuals concerned or asking a colleague to speak to them. If the matter remains unresolved the employee may wish to ask his/her line manager to speak to the individuals concerned. Notes will normally be taken of any informal meeting and retained on the individual's personal file.

If the employee's grievance concerns issues in relation to his/her terms and conditions of employment, health and safety or any other working practice or relations, the individual should approach his/her manager on an informal basis asking the manager if he/she can resolve the issue.

If after any informal action taken to try to resolve the grievance the employee is still dissatisfied or if the grievance is deemed more serious, the employee should raise the grievance in accordance with the formal procedure detailed below.

## **FORMAL PROCEDURE**

### **Stage One**

If the grievance has not been resolved at the informal stage, or the employee wishes to move straight to the formal procedure the employee must set out in writing the nature of his/her grievance and where applicable why he/she is dissatisfied with the outcome of the informal stage.

The grievance should be made to the individual's manager, where the grievance concerns his/her manager; the employee should make the complaint to the next most

senior manager in the Organisation. The Organisation may appoint another manager or a third party to deal with the grievance.

The employee will be invited to attend a meeting normally within five working days upon receipt of the written grievance, to discuss his/her grievance, the employee will have the right to be accompanied at this meeting either by a work colleague or a trade union representative, the manager conducting the meeting may also be accompanied.

Following the meeting it may be necessary for the Organisation to carry out an investigation into the grievances which have been raised, as part of the investigation the Organisation may interview, where it is appropriate, any relevant individuals and/or witnesses to any events. Witness statements may be taken and evidence relating to the issues will be gathered. Where possible an independent Investigating Officer will be appointed to conduct the investigation.

Following the investigation the manager dealing with the grievance will write to the employee with his/her decision and the reason for the decision, if an investigation was not warranted the manager will write to the employee following the grievance hearing.

The manager will endeavour to write to the employee within five working days either following the outcome of the investigation or the grievance hearing where an investigation has not taken place.

The manager will also include details of the employee's right to appeal against the decision. The appeal should be made within five working days from the date of receiving written confirmation of the decision and must be made to the manager detailed in the written confirmation. The manager hearing the appeal will be of an appropriate level to overturn, if necessary the original decision. The Organisation may appoint a third party to hear the appeal.

## **Appeal**

Where an employee wishes to appeal against the outcome of stage one of the formal procedure he/she must do so in writing as detailed above. An appeal will usually be made on the following grounds:

- Reasons related to the fairness of the decision
- Procedural irregularities
- New evidence

The employee will be invited to attend an appeal hearing normally within five working days upon receipt of the written appeal, at which he/she may be accompanied either by a work colleague or a trade union representative. The manager hearing the appeal may also be accompanied.

At the beginning of the meeting the manager conducting the hearing will introduce all those present and explain the role of his/her companion. Notes of the meeting will be made and the employee will be sent a copy of the notes following the hearing.

Following the appeal hearing the Organisation may feel that an investigation into the issues is required. Where such an investigation is warranted an independent investigating officer may be appointed. Once an investigation has been conducted the manager dealing with the appeal will write to the employee with the appeal decision, if an investigation is not warranted the manager will write to the employee following the appeal hearing with the appeal decision.

The manager will endeavour to write to the employee within five working days either following the outcome of the investigation or the appeal hearing where an investigation has not taken place.

The appeal decision will be final.

## **THE RIGHT TO BE ACCOMPANIED**

All employees have the right to be accompanied at a grievance hearing either by a work colleague or a trade union representative. The Organisation does not have to formally recognise a trade union for the employee to have the right of accompaniment by a trade union official providing that the trade union official has been trained or certified by their union to act as an employee's companion.

You must tell the manager chairing the hearing who your chosen companion is, this information must be provided in good time before the hearing.

The companion has the right to address the hearing but does not have the right to answer questions on behalf of the employee. The employee can ask to postpone the grievance or appeal hearing for up to five working days, where his/her companion is unable to attend.

## **MEDIATION**

In some instances it may be appropriate to deal with the issues raised by the employee through mediation. An independent mediator will normally be appointed to conduct the mediation. Mediation is a voluntary process and all parties involved in the grievance must agree to mediation before it can begin. Once mediation has started the grievance procedure will be suspended. Where the grievances are resolved through mediation the grievance will be deemed to have been resolved in respect of the formal grievance procedure. Where the grievances continue to exist following the mediation, the grievance process will continue.

## **DELIBERATELY FALSE OR MALICIOUS COMPLAINT**

The Organisation will treat all grievances in accordance with the procedures as detailed above. If, however it is discovered during an investigation or at any point during the grievance procedure that an employee's complaint which has been made against another employee or employees is unfounded, and that the complaint was deliberately false and/or malicious, then the disciplinary procedure will be invoked against the employee who made the grievance.

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