

GRIEVANCE PROCEDURE

Section B – Non Contractual Policy

Grievance Procedure

We seek to foster an environment of open communication in which complaints and grievances are resolved fairly, consistently, objectively and promptly.

We encourage all problems to be dealt with at the earliest opportunity through open and honest discussion. However, we recognise that not all problems can be resolved satisfactorily through informal discussion and in such cases grievances should be dealt with according to the formal procedure.

The following procedure provides guidance on how grievances in the workplace should be dealt with, if and when they arise.

The Grievance Procedure is intended to be an escalation process and therefore each stage of the procedure should be fulfilled prior to issues being raised at a more advanced stage. No stage should be by-passed when managing a grievance issue.

The Grievance Procedure should not be used to complain about dismissal or disciplinary action. If the employee is dissatisfied with any disciplinary action they should submit an appeal under the Disciplinary Procedure.

Informal grievance procedure

Most grievances can be resolved quickly and informally through discussion between the employee and their manager. If the employee feels unable to speak to their manager, for example, because the complaint concerns him or her, then the employee should speak informally to a more senior manager if possible. If this does not resolve the issue the employee should follow the formal procedure below

Formal grievance procedure

Stage one – formal grievance meeting

1. If the grievance cannot be resolved informally, the individual should raise their grievance in writing to their manager giving full details of the nature of the grievance including any relevant facts, dates and names of individuals involved. In certain circumstances the employee may be asked to provide further information.
2. If the manager is directly involved in the issue, the grievance should be raised with the next level of management or the HR Department. If there are any doubts as to the appropriate level for the grievance to be dealt with, the HR Department will be able to offer advice.
3. On receipt of a formal grievance letter, the manager should immediately notify the HR Department detailing the nature of the complaint.
4. Should the complaint be against a particular individual or be in connection with acts of discrimination or harassment then the manager should seek advice from the HR Department who will advise on the best procedure for dealing with the complaint. In certain circumstances the complaint may be raised directly with the HR Department who will then deal with the matter as appropriate.
5. In some cases it may be necessary to carry out an investigation into the employee's grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and any witnesses, and/or reviewing relevant documents.

6. Where the Company undertakes an investigation it should provide, where appropriate:
 - a) a summary of relevant information gathered during the investigation;
 - b) a copy of any relevant documents which may be referred to at the Grievance Meeting; and
 - c) a copy of any relevant witness statements, except where a witness' identity is to be kept confidential, in which case the Company will give the employee as much information as possible while maintaining confidentiality.
7. Subject to any investigation that is required, the manager should invite the employee to attend a Grievance Meeting, usually within 14 calendar days of receipt of the formal written grievance letter. The employee should be advised that the purpose of the meeting is to discuss the grievance. The manager should notify the individual of their right to be accompanied. Please see the section entitled 'The Right to be Accompanied at a Grievance Meeting'.
8. The employee and their companion (if any) should make every effort to attend Grievance Meetings. If the employee or their companion cannot attend at the time specified they should inform the manager immediately who will try, within reason, to agree an alternative time.
9. The purpose of a Grievance Meeting is to enable the employee to explain their grievance and how they think it should be resolved and to assist the Company to reach a decision based on the available evidence and the representations the employee has made.
10. If the employee has a companion with them then that companion may make representations and ask questions, but cannot answer questions on the employee's behalf. The employee may confer privately with their companion at any time during the meeting.

11. Whilst it is essential that grievances are dealt with quickly it will not always be appropriate to provide an immediate response. Further investigation may be appropriate prior to any decision.
12. A formal decision should normally be given in writing within 14 calendar days of the Grievance Meeting. If it is not appropriate to respond within this timescale than the employee should be given an explanation for the delay and told when a response can be expected.
13. The manager should also notify the employee of their right to escalate the grievance to Stage Two – Appeal Meeting.

Stage two – appeal meeting

1. If the matter is unresolved or the employee is dissatisfied with the outcome of Stage One of the Grievance Procedure they should refer the complaint to the Head of Office (or the next most senior person to the manager who heard the Stage One hearing) within 7 calendar days of receipt of the outcome of Stage One.
2. On receipt of an appeal the HR Department should be immediately notified.
3. The individual facilitating the Grievance Appeal should ensure that they are fully conversant with the initial reasons for the grievance and are aware of any investigations that have been carried out, including any witness statements taken. They should also ensure they are fully aware of the initial Grievance Meeting and the reasons why the employee is dissatisfied with the outcome. Further investigation may be necessary.

4. A Grievance Appeal Meeting should usually be arranged with the employee within 14 calendar days of being notified of their dissatisfaction with the outcome of Stage One of the Grievance Procedure.
5. The employee should be advised that the purpose of the meeting is to discuss the appeal. The employee should be notified of their right to be accompanied.
6. The employee and their companion (if any) should make every effort to attend the Appeal Meeting. If the employee or their companion cannot attend at the time specified they should inform the senior manager immediately who will try, within reason, to agree an alternative time.
7. If the employee has a companion with them then that companion may make representations and ask questions, but cannot answer questions on the employee's behalf. The employee may confer privately with their companion at any time during the meeting.
8. The employee should ordinarily be notified of the outcome of their appeal within 14 calendar days of the formal Grievance Appeal Meeting. In certain circumstances, and in order to ensure total objectivity and impartiality, it may be appropriate for another senior manager to review the complaint.
9. This decision will be final and there will be no further opportunity to appeal.

The right to be accompanied at a grievance meeting

During all formal stages of the Grievance Procedure, including the appeal process, an employee has the right to be accompanied by:

- a fellow worker; or
- a trade union representative.

Please note that these are the only individuals that will ordinarily be allowed to accompany employees at Grievance Meetings. Any individual whose presence would prejudice the meeting or may have a conflict of interest will not be permitted to attend the meeting.

Neither an employee nor their companion may make any electronic recordings of any meetings or hearings conducted under this procedure.

Misuse of the grievance procedure

The Company wishes to encourage employees to raise concerns and issues with their managers at the earliest opportunity to ensure prompt resolution and to avoid ongoing dissatisfaction. However, if, following investigation, the grievance is found to have been used maliciously or knowingly without grounds for complaint, the individual raising the grievance may be subjected to disciplinary proceedings.

The purpose of the Grievance Procedure is to provide an opportunity and procedure for individuals who have a genuine cause for complaint or concern.

Record of the grievance procedure

Written grievances will be placed on the employee's personnel file along with a record of any decisions taken and any notes and other documents compiled during the Grievance Procedure.