**Grievance Policy and Procedure**

**Aims:**

* Understand what a grievance is
* Know how to make a complaint under the Grievance Procedure
* Know who to appeal to if you are not satisfied
* Know the different stages of the Grievance Procedure

We are committed to promoting and maintaining good employee relations and fostering the commitment and morale of all our staff. The purpose of the Grievance Procedure is to enable Employees to raise any complaints concerning work-related matters so that the issue may be addressed promptly and as close as possible to the point of origin without disruption to client care. It establishes a process for you to express and resolve concerns or grievances in relation to your employment in a fair, timely and equitable manner.

Complaints about matters not concerning your employment, such as the behaviour of other workers towards you, or about the way that unlawful, unethical or inappropriate behaviour within, or affecting [name of business], should be raised under our other policies for Bullying and Harassment, or Whistleblowing.

If someone makes a compliant against you, under this or any of our other policies, we will apply our Disciplinary Policy and/or Performance Improvement Policy if appropriate.

This policy applies to all employees.

It does not however form part of your employment contract. We may amend this policy at any time.

You are encouraged to raise your concerns openly and quickly so that they can be dealt with rather than left to develop into grievances.

**Scope of the Procedure**

This procedure should be used for the following types of grievance

* + Allocation of work
  + Assignment of duties
  + Granting of all forms of leave i.e. Annual Leave, Compassionate Leave etc
  + Health and safety issues
  + Conduct of disciplinary procedures
  + Relationships with colleagues
  + Organisational change/new working practices

**NB**. This list is not exhaustive

**Your right to be accompanied at grievance meetings**

During any grievance meeting that takes place under this policy, you may bring someone with you (normally referred to as a companion). That person is generally a colleague, a work colleague, or, if appropriate, a trade union representative.

We will remind you of this entitlement when we send you a meeting invite. You must then let us know if you intend to invite someone to accompany you and who that person is, as well as their relationship with you, if this is not known to us. You will be responsible for them attending the meeting, including making (if necessary) any travel arrangements and costs.

You are entirely free to choose a work colleague to accompany you. If you do choose a work colleague, please be aware that, on occasion, we may need to adjust scheduled meeting times to ensure that your colleague’s attendance (and absence from their usual work duties) does not cause any operational challenges.

**Speaking on your behalf**

If you would prefer them to do so, your companion may present the key points of your grievance and may also speak openly on your behalf at the meeting. You should feel free to seek their views and confer with them during the meeting and you are entitled to leave the room for a reasonable period of time to do so.

Your companion is not permitted, however, to answer questions put directly to you or try to prevent the Company asking you questions or outlining its views.

**Our Procedure for raising a grievance**

**Informal Procedure**

Most routine complaints are capable of being resolved on an informal basis without recourse to the formal Grievance Procedure. Before invoking the formal Grievance Procedure, we strongly encourage you to speak to the alleged perpetrator either alone or with a supervisor/manager. Alternatively, you can raise the matter with your [immediate Manager/specify contact person]. We believe that an informal discussion can often be the most effective and rapid means to resolve most concerns that employees raise.

If you do not feel comfortable raising a particular concern with the alleged perpetrator or with [immediate Manager/specify contact person], or your complaint is about [immediate Manager/specify contact person], then you should instead notify [specify contact person’s, line manager or somebody else holding the same level of responsibility as them].

If the matter cannot be resolved satisfactorily through informal discussions, you may raise a formal complaint under the Grievance Procedure below.

**Formal Procedure**

**Stage 1: Formal grievance action – written statement**

A formal grievance should be raised:-

* when an informal attempt to resolve the problem has failed
* for a single serious incident
* at any time at the request of the complainant.

You should provide written details of your complaint with your [supervisor/manager] [or HR Manager]. Make sure that your complaint includes the following details:

* What has happened
* The names of any individuals concerned
* The history and any relevant dates (at least approximate ones) relating to all the facts you describe
* Any materials (correspondence, screenshots of communications etc) that help to support what you have described
* What steps you have already taken to resolve your concern(s) (including whether you have already spoken with [the alleged perpetrator **OR** specify contact person]
* What action you want us to take in response to your complaint, and what outcome you would like. For example, you might request that a particular policy, procedure, practice or set-up within our business is changed, or perhaps that a warning be issued to a particular individual to whom your complaint might relate.

You should also clearly state within this written document that you want your complaint to be handled under [name of business]’s formal grievance procedure.

If your grievance is about your supervisor/manager, you should write to his/her manager [or HR Manager]. In cases of alleged sexual harassment, you may write to a supervisor/manager who is the same sex as yourself.

The supervisor/manager [or HR Manager} will acknowledge receipt of your grievance (in writing within 3 days) and will tell you how they intend to deal with it. He/she will arrange for a formal meeting to be held with you in order to discuss the grievance.

**Stage 2: Formal grievance action – the grievance meeting**

We will hold a formal meeting and invite you to attend. At this meeting, we will ask you to explain your concern(s) and how you think we should resolve it/them. It is an important part of our formal grievance process.

The meeting will usually take place within 5 working days of you lodging your grievance but may be dependent on the investigative process required. We ask that you make every effort to attend it. If you are unable to attend, we will make all reasonable efforts to reschedule the meeting to an alternative time that you are able to make.

Before the meeting, we will thoroughly examine all relevant facts and materials available to us and you will be required to co-operate with us so that we can ensure a fair and thorough investigation into the issue(s) you have raised in your written statement. We may also ask other people to attend interviews and/or provide statements too.

We will do our best to give you a timeframe of how long the investigations may take, if they cannot be completed within 5 working days.

If you wish to do so, you may bring someone with you to the meeting. You are free to determine who that person might be. Ordinarily, it will be a work colleague or a relevant trade union representative, for example, as you prefer. (See paragraph – “Your right to be accompanied at grievance meetings”)

[We will not record this meeting without your knowledge. Please do not record the meeting without our knowledge and consent. If at any time, you have concerns about our grievance process or the individual(s) leading it on our behalf, you should tell us promptly and openly, so that we can address your concerns.]

**OR**

[We may record this meeting, but we will not do so without telling you. You may of course record the meeting if you wish to do so; but please tell us and agree it with us beforehand if you intend to do so, as it would be discourteous and potentially unlawful to make a covert recording.]

Once the above meeting has been held, we will often need to further investigate the matters discussed. That may involve considering relevant documentation and speaking with other people, whom we may wish to formally interview or re-interview. It is not generally permitted for you to participate in these activities, including to ask direct questions of other people during an interview. But we will keep you informed of progress, and we may well ask you for more information for another meeting. It is also possible that we will not consider there to be a need for further meetings or follow-up after the above meeting.

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**Stage 3: Formal grievance action – our decision**

Following the meeting and any further investigations, we will set out in writing the outcome of the hearing and any action we intend to take to resolve the grievance (if appropriate).

**Stage 4: Formal grievance action – your right to appeal**

If you are not happy with our decision, you are entitled to appeal it. This must be done in writing to the [Managing Director/ specify person] within [7] days of receiving our decision.

Your appeal must be set out in writing and:

* Clearly set out why you are appealing against our decision
* Provide any new information or evidence on which you wish to rely since our earlier investigations were completed.

**Stage 5: Formal grievance action – the appeal hearing**

The [Managing Director], or an authorised deputy, will arrange a formal meeting to hear your grievance. The meeting will be held within [10] working days of receiving your written complaint. As before, you are entitled to be accompanied at this meeting.

The [Managing Director] or the authorised deputy will advise you of the timescale for his/her response.

**Stage 6: Formal grievance action – our final decision**

Following the appeal meeting, we will provide you with our written decision.

We aim, wherever we can, for you to receive this decision within two weeks of the appeal hearing.

Any decision is final and concludes our grievance process.

We will not consider any further appeals.

**Confidentiality**

Grievances will be handled with as high a degree of confidentiality as is practicable.

Confidential records of the grievance will be kept in the employee’s personnel file in accordance with the Company’s Data Protection Policy. Data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure.

**External Investigation**

In any situation where, because of the size of the business, seniority of a complainant or a person complained against, or for any other reason, it is not appropriate for a formal complaint, informal complaint or appeal to be investigated by an employee of the employer, then the employer reserves the right to appoint an appropriate external person to carry out the investigation. Any such external person will carry out his or her functions in accordance with the provisions of this policy and [the business] will give appropriate effect to the findings of such an external person.

**Special Cases**

Where a grievance is raised during the disciplinary process, the disciplinary process may be suspended so the grievance can be dealt with first. This is at the discretion of the person overseeing the disciplinary process.

Issues involving bullying, harassment, sexual harassment or whistle blowing will be dealt with in accordance with the Company’s relevant policies and procedures.

**Malicious Complaints**

If a grievance is found to be malicious, then the appropriate disciplinary action, up to and including dismissal, will be imposed.