

SECTION E: GRIEVANCE POLICY AND PROCEDURE

1 Policy Statement

- 1.1 It is our policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.

2 Who is covered by the Procedure?

- 2.1 This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.

3 Using the Procedure

- 3.1 This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the Disciplinary Procedure.
- 3.2 We have a separate Bullying and Harassment Policy and Procedure that may be useful if you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people.
- 3.3 We operate a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this Grievance Procedure.
- 3.4 This procedure does not apply to grievances concerning two or more employees (collective grievances) raised by a representative of Unite, USDAW or another representative body. These will be dealt with as appropriate to the facts of the case.
- 3.5 Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process.

4 Raising Grievances Informally

- 4.1 Most grievances can be resolved quickly and informally through discussion with your manager. If you feel unable to speak to your manager, for example, because the complaint concerns him or her, then you should speak informally to a more senior manager. If this does not resolve the issue, you should follow the formal procedure below.

5 Written Grievances

- 5.1 If your grievance cannot be resolved informally, you should put it in writing and submit it to your manager, indicating that it is a formal grievance. If the grievance concerns him or her, you may submit it instead to a more senior manager.

- 5.2 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations, we may need to ask you to provide further information.

6 Investigation

- 6.1 In some cases, it may be necessary for us to carry out an investigation into your 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 you and any witnesses, and/or reviewing relevant documents. The investigation may be carried out by your manager or someone else appointed by us.
- 6.2 You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- 6.3 We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases, we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases, we will hold a further grievance meeting with you after our investigation and before we reach a decision.

7 Right to be accompanied

- 7.1 You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague. You must tell the person holding the grievance meeting who your chosen companion is, in good time, before the meeting.
- 7.2 At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
- 7.3 Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so, they will be allowed reasonable time off from duties without loss of pay to act as a companion.

7.4 If your choice of companion is unreasonable, we may ask you to choose someone else, for example:

- if, in our opinion, your companion may have a conflict of interest or may prejudice the meeting; or
- if your companion works at another site and someone reasonably suitable is available at the site at which you work; or
- if your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards.

8 Grievance Meeting

- 8.1 We will arrange a grievance meeting, normally within seven days of receiving your written grievance.
- 8.2 You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
- 8.3 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.
- 8.4 After an initial grievance meeting, we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.
- 8.5 Your companion at a grievance meeting may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
- 8.6 We will write to you, usually within ten working days of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal.

Possible outcomes from a grievance hearing

The possible outcomes are listed below:

- Uphold the employee complaint and put in place appropriate steps to address the problem, which may include the disciplinary procedure being instigated
- Not uphold the employee complaint
- Confirm there is insufficient evidence to make a decision on the complaint

9 Appeals

- 9.1 If the grievance has not been resolved to your satisfaction, you may appeal in writing to your manager or other appropriate person, stating your full grounds of appeal, within five days of the date on which the decision was sent or given to you.
- 9.2 We will hold an appeal meeting, normally within seven days of receiving your written appeal. This will be dealt with impartially by a more senior manager who has not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting.
- 9.3 We will confirm our final decision in writing, usually within seven days of the appeal hearing. This is the end of the procedure.