



GRIEVANCE POLICY

Grievance procedure

1. Grievance Stages

1.1 The Grievance procedure has the following stages:

- Informal Stage
- Formal Stage
 - Raising a Grievance
 - Formal Meetings/Investigation
 - Decision
 - Appeal, if appropriate

2. Informal stage

2.1 Employees should raise any issues with the individual(s) concerned, or with their manager, in the first instance in order to try to reach resolution. Every effort should be made by all parties involved, including the employee who raised the concern, to resolve these matters without recourse to the formal procedures.

2.2 Where the employee's concerns relate to their manager, attempts should still be made to follow the informal process. This can include approaching an alternative or a more senior manager informally to seek early resolution.

2.3 If a manager is approached about an informal grievance regarding another employee, the manager should discuss ways in which the matter can be approached in order to resolve the concerns. Any action agreed at the informal stage may be recorded in the form of a note to those concerned.

3. Formal stages – raising a grievance

3.1 Once informal resolution has been exhausted, to make a formal grievance the employee must submit their grievance, ideally in writing, to their manager with a copy to the Director of Human Resources. If the subject of the complaint is the employee's manager or a decision by that manager, the grievance should be submitted to a more senior manager with a copy to the Director of Human Resources or directly to the Director of Human Resources.

3.2 The employee should provide as much information as possible in the written complaint, as it is on this information that the grievance will be considered. Therefore it should include:

- the details of the grievance, including a chronology of dates and events/incidents etc. where applicable;
- the details of attempts to resolve the matter informally – where applicable; and
- what outcome is sought.

4. Formal stages – meeting

4.1 On receipt of a formal written grievance, the manager (Grievance Manager) will invite the employee, in writing, to a formal meeting. The letter will remind the employee of their right

to be accompanied to the meeting; and advise that Human Resources will attend in an advisory capacity. The employee who has submitted the grievance must take all reasonable steps to attend the meeting.

4.2 The purpose of the meeting is to clarify the details of the concern and consider whether it is possible to resolve the grievance without recourse to an investigation. At the meeting the manager will:

- listen to the complaint;
- review the evidence;
- summarise the problem;
- discuss possible solutions.

4.3 If a resolution is found at this meeting, the Grievance Manager will write to the employee who has raised the grievance setting out what has been agreed.

4.4 If it has not been possible to resolve the grievance at the meeting, the Grievance Manager will carry out an investigation to establish the facts and gather information.

5. Formal stages - investigation

5.1 The Director of Human Resources will provide guidance on the format of the investigation but it will typically involve:

- examining the detail of the grievance, possibly through a further meeting;
- gathering and reviewing relevant documentation;
- speaking to the person(s) complained about (if that is the nature of the grievance);
- speaking to others (witnesses) who may have information about the complaint.

5.2 Witnesses statements may be made known to the employee raising the grievance if a case progresses to an Employment Tribunal.

5.3 Once the investigation is complete, and a decision has been reached, the Grievance Manager will invite the employee who raised the grievance to a further meeting in order to convey their decision.

5.4 In advance of the meeting the Grievance Manager will prepare a decision letter which will detail their conclusions and the reasons for the decision. The decision letter should contain:

- a statement as to whether the grievance is fully, partly or not upheld;
- the reasons for the decision;
- details of the evidence, on which their decision is based (including relevant details from witness statements);
- any further action; and
- how to appeal against the decision (if appropriate).

6. Formal stages - decision meeting

6.1 At the meeting the Grievance Manager will:

- advise the employee of the investigation findings, their conclusions and the reasons for them;
- give the employee a copy of the decision letter;
- ask the employee if they have anything further to add.

6.2 A note will be made of any additional comments made by the employee, or clarification given by the Grievance Manager.

- 6.3 The Grievance Manager will also write to any other employee named within the grievance, setting out the grievance findings as they relate to them and indicating any action which should follow.
- 6.4 If as a result of the investigation, disciplinary procedures are to be commenced, relevant details from the investigation will be provided to the Disciplinary Manager. However, for reasons of confidentiality, the person who raised the grievance will not be advised of specific actions taken.

7. Formal stages – appeal

- 7.1 The employee who raised the grievance has a right of appeal against the decision. An appeal should be submitted in writing within 10 working days of the date of the decision meeting, to the person outlined in the decision letter.
- 7.2 The letter should set out the full grounds of appeal; the content of this letter will be the basis on which the appeal is considered. All documentary evidence which the employee considers relevant to the appeal should accompany the appeal letter.
- 7.3 On receipt of the appeal an Appeal Manager will be appointed. The Appeal Manager will decide whether to hear the appeal through a meeting or to conduct a paper based review. If a meeting is to be held the Appeal Manager will write to the employee inviting them and reminding them of their right to be accompanied to the meeting.
- 7.4 At the appeal meeting, the Appeal Manager will consider the representations made by the employee. The purpose of the appeal is not to re-hear the case but to consider:
- whether the procedure has been followed;
 - any new evidence that was not available at the time of the grievance meeting;
 - whether the decision was reasonable in the circumstances.
- 7.5 The Appeal Manager will be supported through the process by Human Resources.
- 7.6 Following consideration of the evidence, the Appeal Manager will communicate their decision to the employee in writing. The letter will include:
- the outcome of the appeal and the reasons for the decision;
 - any actions agreed to resolve the situation if the appeal is upheld;
 - a reminder that there is no further appeal.

8. Right to be accompanied

- 8.1 All employees taking part in the formal stages of a Grievance procedure (including investigation meetings) can be accompanied to a meeting by a colleague or trade union representative. This applies to an employee:
- who has raised the grievance;
 - who is the subject of the grievance;
 - who is a witness during the investigation.
- 8.2 The colleague or trade union representative, may:
- address the meeting but not answer questions on behalf of the employee;
 - confer with the employee during the meeting, requesting an adjournment, if necessary.

9. Timescales

9.1 Timescales have largely been left open in order to allow a degree of flexibility. However, all those concerned in the Grievance procedure should strive to expedite the matter as quickly as possible.

9.2 The following timescales are suggested as guidance:

- a grievance must be raised within 3 months of the decision or action being complained about other than in exceptional circumstances;
- a manager is expected to acknowledge a grievance within 5 working days; and
- formal meetings should be arranged with at least 5 working days' notice.

10. Confidentiality

10.1 All participants in a Grievance procedure, including those accompanying employees, are required to observe the strictest confidentiality.

11. Grievance during Disciplinary or Capability procedures

11.1 Where a formal grievance is raised during a Disciplinary or Capability procedure, if it is relevant to that procedure, the aim will be to avoid unnecessary duplication and to ensure that the matter is dealt with speedily. In such circumstances it may be appropriate to deal with both matters at the same hearing/meeting. For example if a grievance is raised before a disciplinary hearing but it relates to the substance of the hearing, it may be appropriate to deal with the matter during the disciplinary investigation and any subsequent hearing. However, each case will be considered on its merits.

11.2 Employees should be aware that if a grievance is found to be vexatious or raised with the intention of disrupting the disciplinary process, they are likely to be subject to disciplinary action.

12. Sickness absence during the formal grievance procedure

12.1 The College aims to deal with grievances as quickly as is practicable. Brief periods of sickness absence may delay the process but if they are repeated or long absences then alternative arrangements may need to be made which may include continuing in the person's absence.

13. Grievance procedure after employment with College has ended

13.1 There is no legal requirement for the College to follow any grievance procedure in relation to an individual who is no longer employed with the organisation. However, the College will consider a formal grievance raised within 3 months of the last day of service and will follow a shortened grievance procedure. Former employees will not have a right of appeal against the grievance decision.

13.2 The ex-employee should write to the Director of Human Resources providing as much detail as possible. Following relevant enquiries, the Director of Human Resources will communicate their decision to the ex-employee in writing. The letter will include the following:

- the decision together with reasons;
- any actions agreed to resolve the situation, if the grievance is upheld;
- advice that there is no right of appeal.