

Grievance Policy

Grievance Policy

Change Control

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1. Purpose

The aim of the grievance procedure is 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.

General Principles

This procedure aims to:

- Provide a clear and transparent framework to deal with concerns, problems or complaints raised by employees in the course of their employment in relation to:
 - matters affecting themselves as individuals; or
 - matters affecting their personal dealings or relationships with other employees
- Achieve an appropriate and prompt resolution to individual grievances.

If employees have a common grievance Petty Pool Trust may deal with them together and this grievance procedure will be used.

Employees must raise their grievance(s) without unreasonable delay.

This procedure cannot be used against decision made through collective bargaining where there are collective bargaining agreements with recognised unions.

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

This Grievance Procedure may be amended, withdrawn, suspended or departed from at the discretion of Petty Pool Trust. While it does not form part of any employee's contract of employment and is entirely non-contractual, all employees are required to adhere to the policy and any failure. Petty Pool Trust may also vary any parts of this procedure, including any time limits, as appropriate in any case.

Introduction

If you have any grievance relating to any aspect of your employment you should endeavour to have it settled in accordance with this procedure. This grievance procedure should not be used in relation to any disciplinary or capability procedures. The appropriate procedures for these are outlined elsewhere in the Staff Handbook.

Flexibility

Petty Pool Trust will follow a fair procedure in the event that you raise a grievance. However, there may be occasions when Petty Pool Trust considers it appropriate to change or omit parts of the procedure.

Disability

If you have difficulty at any stage of the procedure because of a disability or understanding English, you should raise this with your line manager or a with the HR Department as soon as possible.

We have a separate Bullying or Harassment Policy that should be referred to if you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people.

We operate a separate Procedure for Whistleblowing to enable employees to report illegal activities, wrong-doing or malpractice within Petty Pool. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of reporting a wrong-doing, you may raise the matter under this grievance procedure.

Confidentiality

It is our aim to deal with grievance matters sensitively and with due respect for the privacy of the individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation.

Timescale

All steps under this grievance procedure should be taken without unreasonable delay.

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. These will be processed in accordance with our Data Protection Policy.

Resolving Grievances Through Mediation

Mediation is voluntary and will take place only if both parties agree. However, Petty Pool hopes that staff will be amenable to any suggestion made to refer grievances to mediation and hope that staff will co-operate with all efforts to resolve a complaint.

If both parties agree to mediation, the grievance procedure will be put on hold whilst the mediation takes place. In the event that no mutually acceptable solution is reached through the mediation process, the procedure will be reconvened from where it was put on hold.

If the grievance is resolved through mediation, the mediator will assist the parties to draft a written agreement that will be signed by both parties as acceptance of its terms.

2. The Procedure

Raising a Grievance Informally

Most grievances can be resolved quickly and informally, therefore, attempts should always be made to resolve matters informally and promptly first. If this is not possible for whatever reason, where a staff member perceives that concerns relate to an immediate manager, the staff member may wish to discuss this informally with a more senior manager.

The relevant manager should allow the staff member to explain the complaint and ask the individual how they would like to see the matter resolved. The focus of informal resolution is on exploring whether the issue can be resolved through discussion/informal intervention and in particular on ways of avoiding similar issues arising in future.

Managers should make and retain notes of any issue(s) raised and discussed informally. Notes should include any agreed outcomes, support and timescales for the matter, these notes will be shared securely with HR in accordance with Data Protection.

If the staff member is not satisfied with the outcome, they may initially decide to pursue mediation as per above, or may move to the formal stages of the grievance procedure. Mediation may also be instigated at any stage of this procedure, with the mutual agreement of both parties (i.e. complainant and respondent), if appropriate.

Raising a Grievance Formally in Writing

If it is not possible to resolve your grievance informally, or exceptionally if the employee believes the matter is sufficiently serious, they should raise the matter formally in writing and submit it to your line manager without unreasonable delay, indicating that it is a formal grievance. If the grievance concerns your line manager, you may submit it instead to their line manager or the HR Department.

The written grievance should clearly outline the basis of the grievance, including evidence, any relevant facts, dates, and names of individuals involved and if possible, specify the remedies sought, and indicate what might be a reasonable outcome. In some situations, we may need to ask you to provide further information.

Investigation

In some cases, it may be necessary and appropriate 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.

An investigating officer will be appointed to investigate the grievance and provide a report to the manager and/or HR Department.

A summary or relevant points from the report and relevant recommendations will be detailed to the employee raising the grievance in writing.

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 investigative interviews if required.

Right to be Accompanied

You may be accompanied to the grievance meeting by a colleague or trade union official. Acting as a companion is voluntary and your colleagues are under no obligation to do so. A colleague will be allowed reasonable time off from duties without loss of pay to act as a companion, but they must provide their line manager with adequate notice of their intentions.

If your choice of companion is unreasonable as their attendance may prejudice the hearing or they are unable to attend at the time and date allocated and are not available within the next five working days and someone else suitable is available on site, we may use our discretion and ask you to choose someone else.

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.

Grievance Meetings

We will arrange a grievance meeting as soon as reasonably possible on receiving your written grievance. You will be informed in advance in writing of the timing and location of the meeting.

The Panel will vary depending upon the detail of the grievance and may be a single person hearing the grievance or a panel and the seniority of the staff involved. It would be a normal expectation for the Chair of the panel to be of a more senior position than the named respondent to the grievance. The panel member(s) shall be made known to the staff member in advance of the meeting, and the staff member should raise any concerns with regards to the panel in advance.

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.

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.

We may ask the other people involved to attend the meeting with a view to obtaining a resolution. After an initial grievance meeting and in some circumstances the panel may deem that it is appropriate to adjourn the meeting to undertake any necessary further investigation without unreasonable delay.

The panel shall discuss with you the scope of any investigation and the names of any potential witnesses or other staff who should be interviewed. The Chair of the panel shall explain proposed next steps and an estimate of the timescales involved.

If at any point in the grievance meeting or investigation the panel decides that the grievance is unfounded, vexatious or trivial it may decide to reject the grievance without further investigation of the facts and report the decision to the staff member.

We will write to you, wherever practicable, within one week 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 and who you should write to. Where appropriate we may also hold a meeting to give you this information in person.

3. Appeals

Initiating an Appeal

If the grievance has not been resolved to your satisfaction, you may appeal the decision by notifying a member of the Senior Management Team, or the allocated individual as specified at the grievance outcome meeting or in the grievance outcome letter in writing within 5 working days.

You must provide full details of why you wish to appeal. If you need more time, you should notify the HR Department within the 5-day period.

Appeal Procedure

We will investigate your appeal and hold an appeal meeting, as soon as reasonably practicable on receiving your written appeal. This will be dealt with impartially by a manager who has not previously been involved in the case (although they may ask anyone previously involved to be present as a witness). You have a right to bring a companion to the meeting.

You and your companion (if any) should make every effort to attend the appeal meeting. 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.

Appeals Outcome

We will write to you, wherever practicable, within one week of the appeal meeting, to inform you of the outcome of your appeal and any further action that we intend to take to resolve the grievance. Where appropriate we may also hold a meeting to give you this information in person. This is the end of the procedure and there is no further right of appeal.