

Scope: Staff/Users	Effective Date: 24/07/2023	Responsible: Trustees
Last updated by/date: Trustees/Sept 21	Next Review Date: 01/07/2025	Jackie Evans



## **Grievance Procedure**

### **Policy Statement**

The Tang Hall Community Centre is committed to promoting effective working relationships and an environment in which staff feel able to raise work-related issues with their managers. One of the ways to achieve this is by providing a clear process which staff can seek to have their concerns responded to efficiently and effectively, and where possible, by informal means.

This procedure provides such a process and has been developed with reference to the principles and practice contained within the ACAS Code of Practice on Discipline and Grievance.

### **Aim and Scope**

The aim of this procedure is to provide a clear and transparent framework to deal with concerns, problems or complaints raised by staff in the course of their employment and to achieve as far as possible a fair and prompt resolution. Issues that may cause grievances are:

- Terms and Conditions of Employment
- Health & Safety
- New working practices
- Work environment
- Organisational change
- Discrimination resulting from any of the above

The procedure applies to all staff and is designed to deal with individual grievances.

Any complaint against another member of staff which involves an alleged breach of discipline will be investigated under the Organisation's Disciplinary Procedure. Any complaint relating to harassment, bullying or inappropriate behaviour will be dealt with under the Dignity at Work procedure.

This procedure cannot be used to challenge formal outcomes in other procedures which have an appeal process, such as:

- Disciplinary procedure
- Capability procedure
- Probationary procedures
- Dignity at Work procedure
- Redundancy

### **General Principles**

The following principles shall apply to the application of this procedure:

- All parties concerned should respect the confidentiality of the proceedings and should act in good faith to seek a successful resolution of the issue.
- Wherever possible, grievances should be resolved informally without recourse to formal procedures.
- Managers and staff should act consistently.



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### Raising a Formal Grievance

If a staff member does not consider that their concern has been dealt with effectively and resolved to their satisfaction at the informal stage or through mediation (where appropriate), they should raise the matter formally and without unreasonable delay with their line manager.

Where the grievance relates to the direct line manager the staff member should refer the matter to the next level of management/board of trustees.

The formal grievance must be submitted in writing clearly setting out the nature of the grievance, why it has been presented formally and what redress is sought.

If the grievance relates to the actions of another member of staff, then a copy of the grievance and supporting information will be sent to them.

If a staff member submits a formal grievance without firstly seeking informal resolution, they must provide a written explanation as to why they do not consider it possible or appropriate to seek redress via informal means.

### Formal Grievance Meeting

When a staff member raises a formal grievance the line manager, supported by an HR specialist if required, should arrange for a meeting to be held within 10 working days of receipt of the grievance. The staff member has the right to be accompanied by a work colleague or trade union representative at the meeting. The member of staff and a colleague should make every effort to attend the meeting.

At the meeting the staff member will be invited to explain their grievance and how it might be resolved. Consideration should be given to adjourning the meeting for any investigation necessary to ensure a thorough consideration of the grievance. For example, if the grievance relates to the actions of another member of staff, then they will need to be interviewed.

The staff member's companion will be allowed to address the line manager to put and sum up the staff members case, respond on behalf of the member of staff to any views expressed at the meeting and confer with the staff member during the meeting. The companion will not, however, have the right to answer questions on the staff member's behalf or address the line manager if the staff member does not wish.

Following the meeting the line manager will determine whether the grievance is justified and, if so, what action is to be taken/recommended to resolve it. They will confirm the outcome and the reasoning behind it to the staff member in writing within 10 working days of the meeting and also inform them of their right of appeal.

In exceptional circumstances or where further investigation is necessary it may not be possible to respond in this timescale. Where this is the case, the staff member should be notified of the reasons for the delay and when they can expect to receive a response.

### Appeal

Where a staff member is dissatisfied with the outcome of their formal grievance and feels that it has not been satisfactorily resolved they have the right of appeal. The staff member should write to the

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Board of Trustees setting out the grounds for their appeal within 10 working days of being informed of the outcome.

The manager will arrange for another more senior manager/trustee, supported by an HR specialist if required, who has not previously been involved in the case to hold an appeal hearing to make a final attempt to resolve the grievance, .

The appeal should be held within 10 working days with the staff member. The staff member will have the right to be accompanied by a work colleague or trade union representative.

The line manager who considered the formal grievance will also be invited to attend the appeal meeting to respond to questions about how they dealt with the grievance and arrived at their outcome.

The appeal will not normally be a rehearing of the original grievance but rather a consideration of the specific areas with which the staff member is dissatisfied in relation to the grievance outcome; this could be the outcome or how the grievance has been responded to and investigated. The manager conducting the appeal will confine discussion to the specific areas cited.

No 'new' evidence or allegations should be presented at the appeal stage.

The outcome of the appeal should be communicated to the staff member in writing within 5 working days. The decision following the appeal is final and there is no further right of appeal.

Overlapping grievance and disciplinary cases

Where a member of staff raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance.

Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently. The manager dealing with the disciplinary and in receipt of the grievance will subsequently seek agreement to the approach with the staff member who has raised the grievance.

Where a related grievance is raised by a staff member after they are notified of the disciplinary hearing, the grievance will be considered at the disciplinary hearing to avoid undue delay. If the staff member feels that this approach would have a detrimental or discriminatory effect, then they may object to this approach and consideration would be given to their concerns.

Records

If a staff member raises a formal grievance, a record will be kept of the grievance, minutes of any hearing, the outcome, any action taken and the reasons for it. These records are confidential and will be retained on the staff member's personnel file and subsequently destroyed after leaving.