

## **GRIEVANCE POLICY**

### **1.0 Introduction**

This policy outlines the organisation's approach to dealing with all grievance issues that may arise. This policy sets out the responsibilities of both the organisation and its employees. All employees may seek redress for grievances relating to their employment.

It is to the mutual benefit of the individual and the organisation that any grievance should be settled as quickly as possible.

The purpose of this policy is to ensure that a fair and consistent approach is applied throughout The Caldecott Foundation in addressing grievances. This policy provides a step-by-step approach for staff and managers and outlines the recommended timescales for action to be taken.

Concerns relating to the Safeguarding of children should not be raised as a grievance but reported in line with our 'Safeguarding Children and Referring Safeguarding Concerns Policy'.

### **2.0. Overview**

The organisation believes that all employees should be treated fairly and with respect. If you are unhappy about the treatment that you have received or about any aspect of your work, you should discuss this with your manager, who will attempt to resolve the situation on an informal basis. If you feel unable to approach your line manager directly, you should approach the HR Manager, who will contact you to discuss ways of dealing with the matter.

Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure.

A formal grievance should be concerned with the way in which you believe you have been treated by the organisation or managers acting on its behalf, or about any aspect of your work. Complaints that amount to an allegation of misconduct on the part of another employee will be investigated and may be dealt with under the disciplinary procedure.

Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. Insofar as a grievance has any bearing on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings. Complaints that you may have about any disciplinary action taken against you should be dealt with as an appeal under the disciplinary procedure.

### **3.0 Mediation**

Depending on the nature of your grievance, it may be appropriate for the matter to be dealt with by way of mediation, which will be at the complete discretion of the organisation. This involves the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

### **4.0 The right to be accompanied**

You have the right to be accompanied by a fellow worker or trade union official at any formal grievance meeting or subsequent appeal. The trade union official need not be an employee of the organisation, but if he/she is not a fellow worker or an employee of his/her union, the organisation may insist on him/her being certified by the union as being experienced or trained in accompanying employees at grievance hearings.

The choice of companion is a matter for you; however, it is important that they have had no involvement in the issue or any other issue which may be related. Please note that individual workers are not obliged to agree to accompany you. Companions will be given appropriate paid time off to allow them to accompany colleagues at a grievance hearing or appeal hearing.

At any hearing or appeal hearing, your companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf; but cannot answer any questions put directly to you.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting or appeal can be rescheduled once, if you can propose an alternative time within five working days of the scheduled date.

### **5.0 Accessibility**

If any aspect of the grievance procedure causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with the HR Manager, who will be able to offer reasonable adjustments to the arrangements.

## **6.0 Conducting the grievance procedure**

The organisation recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated with respect. The organisation will not tolerate abusive behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

Confidentiality of the grievance process will be respected wherever possible. If any evidence is gathered during these investigations, you will be given a copy in advance of the hearing for you to consider your response. In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained to you and an appropriate summary of the evidence gathered will be given to you.

## **7.0 Process**

### **Stage 1 - Informal**

The first stage of the grievance procedure is for you to put your complaint in writing using the template at Appendix A. Once complete, this form should be sent to the HR Manager. Your grievance will normally be acknowledged within 7 calendar days.

Following this, a meeting will be arranged with the HR Manager to determine how the grievance is to be progressed. This discussion and your written statement will form the basis of any subsequent investigation process, so it is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking. If your grievance is unclear, you may be asked to clarify your complaint before any meeting takes place.

Every attempt will be made to resolve the matter informally, depending on the nature of your complaint. However, in some cases the HR Manager, at their sole discretion, deem an issue so serious that an informal process is not appropriate, and, in these circumstances, a formal process will commence. This will be clearly communicated.

### **Stage 2 - Formal**

If the grievance cannot be resolved informally, it will be necessary to carry out investigations of any allegations made by you. An Investigating Officer will be appointed. You will be informed in writing of the details of the process and timescales.

### **7.1 Investigation Process**

An investigation plan will be devised and implemented by the Investigating Officer, and all relevant parties will be invited to attend an investigation meeting, where appropriate.

Following this process, the Investigating Officer will complete an investigation outcome report, which will be sent to you.

If you are dissatisfied with the outcome, you may make a formal appeal.

## **7.2 Appeal**

Your appeal should be made in writing to the HR Manager. You should clearly state the grounds of your appeal (I.e., the basis on which you say that the result of the grievance was wrong or that the action taken as a result was inappropriate). This should be done within 14 calendar days of the written notification of the outcome of the grievance.

An appeal meeting will be arranged to take place at the earliest opportunity.

All appeal meetings will follow a set agenda (Appendix B). The employee must take all reasonable steps to attend the appeal meeting. Appeal hearings will normally take place within 21 calendar days of receipt of the employee's written notice of appeal.


You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform the HR Manager of this as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

Following the appeal meeting, you will be informed of the outcome within 7 calendar days, wherever possible. The outcome of this meeting will be final and there is no further right of appeal.

## **8.0 Review**

The principles laid down in this policy form part of all employees' contracts of employment. The Caldecott Foundation is committed to equal opportunities and fairness for all and will review this policy and process to ensure that it remains fit for purpose and updated in accordance with changes in the law.

## Appendix A

		<h2>Grievance Information</h2>
<b>Name:</b>		
<b>Date:</b>		
<b>Nature of Grievance:</b>		
<b>Submitted to HR Manager on (date)</b>		
<b>Meeting with HR Manager on</b>		
<b>Discussion:</b>		
<b>Decision</b>		

## **Appendix B - Appeals Meeting Procedure**

1. Person chairing the meeting will open the meeting. Each party present will introduce themselves, in the following order:

- Chair (senior manager).
- Appellant (Employee raising the appeal).
- Representatives.
- Note-taker.

**Person chairing the hearing will then confirm procedure as set out below:**

2. Appellant/representative will clarify their grounds for appeal. (E.g., what issue(s) they are seeking to resolve).

Presentation of the Appellant's case:

- a. Appellant/representative to present details of their case.
- b. Questions from the chair to the Appellant/representative.
- c. Questions from the other party/their representative to the Appellant/representative.
- d. (If required) Appellant can call a witness in support of their case.
- e. Questions to witness from panel, and other party/representative.
- f. Summary of Appellant's case.

3. Presentation of the other party's case:

- a. Other party/ representative presents details of case.
- b. Questions from the chair to the other party /representative.
- c. Questions from the Appellant/representative to the other party/their representative.
- d. (If required) Other party can call a witness in support of their case.
- e. Questions to witness from panel, and Appellant/representative.
- f. Summary of other party's case.

4. Person chairing the meeting to confirm if further clarification is required by any party on any of the details presented from:

- Chair.
- Appellant/representative.
- Other party/representative.

5. Closing submission from Appellant/representative.

6. Closing submission from other party/representative.

7. Chair adjourns to make decision.

8. The meeting will then be reconvened, and a verbal decision communicated, or the Chair can consider the matter and provide the outcome in writing. This decision will be confirmed in writing within 7 calendar days of the meeting. The chair will then close the meeting.

## **Appendix C -Bullying, Harassment and Victimisation**

Concerns relating to allegations of bullying and harassment will be dealt with via this grievances process

### **What is bullying?**

Bullying at work is behaviour that is:

- threatening, aggressive or intimidating
- abusive, insulting or offensive
- cruel or vindictive; or
- humiliating, degrading or demeaning.

Bullying will inevitably erode the victim's confidence and self-esteem. It normally relates to negative behaviours that are repeated and persistent, and deliberately targeted at a particular individual.

Bullying is often an abuse of power, position or knowledge, and may be perpetrated by the victim's manager, their peers or even by subordinates.

### **What is Harassment?**

Harassment is unwanted conduct related to relevant protected characteristics, which are: sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age that:

- Has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- Is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

### **What is Victimisation?**

Victimisation has a very specific meaning under discrimination law. In a legal context, victimisation occurs only where an employee is treated badly because they made (or it is thought that they might make) or supported, a complaint of discrimination. This is known as a "protected act". The following are protected acts:

- making an allegation of discrimination
- issuing employment tribunal proceedings
- giving evidence in someone else's discrimination case.

## Appendix D

Checklist	Complete Y/N	Date
Grievance from completed (Appendix A)		
Grievance acknowledged		
Meeting with HR Manager		
Decision communicated		
Investigating Officer appointed		
Process communicated to complainant		
Investigation plan complete		
Investigation meetings planned and communicated		
Outcome report complete and communicated		
Appeal		
Appeal acknowledged		
Appeal meeting arranged and communicated		
Appeal pack prepared		
Appeal meeting held		
Meeting outcome communicated		
Comments/Notes:		