
Grievance Policy and Procedure

Purpose

The purpose of this policy is to:

- Provide employees of the Company with a course of action should they have a concern, problem or complaint
- Provide points of contact and a procedure to resolve their grievance
- Ensure that an employees' grievance is dealt with appropriately, fairly, consistently and in a timely manner

Scope

This Policy applies to all employees of the Company.

Procedure

Informal Discussion

If you have a grievance about your employment you should discuss it informally with your immediate Line Manager or Human Resources. It is hoped that the majority of concerns will be resolved at this stage.

If your Grievance is regarding your Line Manager please refer straight to Human Resources.

Formal Discussion

If the matter is not resolved, and you do not believe it is appropriate to raise the matter informally, you should raise your grievance in writing, including full details of the concerns and how you would like to see them resolved, to your Line Manager or Human Resources. If an employee has certain difficulties with placing their Grievance in writing they must contact Human Resources for assistance.

Your Line Manager will liaise with Human Resources following receipt of a written grievance. A response will be sent as soon as reasonably practicable inviting you to a formal grievance meeting. All employees have the right to be accompanied by a fellow worker of their choice or a Trade Union Official (See *Right to be accompanied at grievance hearings* below).

During the meeting minutes will be taken as a record of the discussion.

Following the meeting the decision will be put in writing and the employee will be notified of the right to appeal.

Any action(s) needed to comply with the decision will normally be taken as soon as reasonably practicable.

Appeal

If the matter is not resolved to your satisfaction, you can appeal against the decision made at the Grievance meeting. It is an employee's responsibility to initiate the appeal process. If they wish to appeal they should notify their line manager, in writing, within 5 working days of the notification of the grievance decision, stating the grounds on which it should be heard.

- Where possible, the appeal will be heard by a manager who was not involved in the original meeting or decision. Where this is not possible, the Company will ensure the appeal is heard by someone with authority to potentially overturn the original decision.
- The appeal will usually take place as soon as reasonably practicable from the receipt of the appeal letter.
- The employee will have the right to be accompanied, by their Trade Union representative or an employee of choice (See *Right to be accompanied at grievance hearings* below).
- Where new evidence arises during the appeal the employee will be given the opportunity to comment before any action is taken. It may be more appropriate at this stage to adjourn the appeal to investigate or consider such points
- The appeal decision is final
- The outcome of the appeal will be confirmed in writing, as soon as reasonably practicable.

During the appeal hearing minutes will be taken as a record of the discussion. After the meeting we will, upon request disclose the minutes to you and will give you the opportunity to make any comments regarding their accuracy

Any action(s) needed to comply with the decision will be taken as soon as reasonably practicable.

If a grievance brought against another employee is found to be malicious or frivolous, it will be deemed a disciplinary offence.

Right to be accompanied at grievance hearings

During any formal hearing you have a statutory right to be accompanied by either another employee of the Company or a Trade Union official (on the basis that they have either certified experience or training in acting as an employee's companion).

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- In order for you to exercise your right to be accompanied you must make a reasonable request – i.e. not choose a colleague who might prejudice the hearing or have a conflict of interests. Where a fellow employee is chosen, it must be geographically reasonable for them to attend.
- There is no duty on a fellow employee or Trade Union Official to accept a request if they do not wish to act as a companion.
- The companion is allowed to participate as fully as possible and can address the hearing but has no legal right to answer questions on your behalf. The companion is also permitted reasonable time to confer privately with you, either in the hearing room or outside.
- Where the chosen companion cannot attend on the date proposed, you can offer an alternative time and date as long as it is reasonable and falls within a period not exceeding five working days from the original date proposed by the Company.
- Companions who are either a worker or a lay Trade Union Official are entitled to take a reasonable amount of paid time off to fulfil this responsibility.

Confidentiality

The Company will make all reasonable efforts to maintain confidentiality but the duty to investigate and remedy make absolute confidentiality impossible. Any information divulged will be done on a need to know basis. Employees assisting in an investigation are required to keep it confidential.

Records

Records will be kept in the Human Resources File detailing the nature of the Grievance, the action taken and the reasons for it, whether an appeal was lodged, its outcome and any subsequent developments. These records will be kept confidential and retained in accordance with the Data Protection Act 1998.

Revision of the policy

It is important to note that the Company may vary or amend this policy from time to time particularly to take account of changes in the law, best practice or business requirements. This document shall be revised by the appropriate person, the Human Resources Manager or nominated deputy. You will be notified of any changes.