



GRIEVANCE MANAGEMENT POLICY & PROCEDURES

FULL REVIEW TRACKING

A “Full Review” refers to a point when the whole document is reconsidered by appropriate stakeholder to establish if it is still fit for purpose and this is formally signed-off at the appropriate management level. This acts as assurance the Association’s position on key matters is up to date with legislation, regulation and good practice.

Policy Owner	Director of Finance & Corporate Services
Document Author(s)	Corporate Services Manager
Approved By	LT
Review Cycle	3 years
Last reviewed	December 2015
Next Review Date	February 2019
Communication & Training Methods	<i>Detail here how the key people who need to know about the policy are informed of its existence and content and how any skill required to carry out procedures or apply the policy principles/rules are going to be developed. (If no training of anyone is required state this here.)</i>
The Policy has a direct link to the following PoLHA policies and procedures	
This policy complies with the requirements of these legal and/or regulatory documents	
Equality & Diversity Impact (EI) Assessment Status	<p><i>This document was EDI Assessed by (Name) and (Name) using the organisation’s set procedure in (Month 20XX) and is considered to be free of anything which may lead to any unfair discrimination in its application.</i></p> <p><i>EI Assessment records are held by Corporate Services and can be accessed on request to the Corporate Services Manager.</i></p>

REVISION TRACKING

Revisions are minor changes which are made between Full Reviews which might be needed because of new ideas or changes

Revision Date	Part of doc revised	Reason for revision	Approved by

1. POLICY STATEMENT

- 1.1 This policy is designed to ensure that the Association deals with employee grievances in a timely and fair manner. The policy sets out how an employee should raise their grievance and what level of management will deal with their issue.
- 1.2 The Association recognises that misunderstandings or grievances may sometimes occur in the course of employment. Employees who feel that they have been unfairly treated by the Association or who feel they have been bullied, harassed or discriminated against should use this policy to raise their concerns with management. The Association will endeavour to deal with all such grievances quickly, fairly and sensitively.

2. CORE PRINCIPLES OF THE POLICY AND PROCEDURES

- All grievances will be taken seriously and, where appropriate, a full investigation carried out to ascertain the facts of the matter.
- All grievances will be referred to the Corporate Services Manager for advice, consideration and follow-up.
- At each stage the hearing will be conducted by the appropriate Manager, supported by the Corporate Services Manager or another member of the Management Team.
- Staff will have the opportunity to state their case, produce evidence or call witnesses.
- Employees and their representative should make every effort to attend a grievance hearing.
- Rights of appeal are provided at each stage of the procedure.

3. RIGHT TO ACCOMPANIMENT AT GRIEVANCE AND APPEALS HEARING MEETINGS

- 3.1 At Grievance and Grievance Appeal Hearing Meetings both the individual aggrieved and the individual who is being accused will have the right to be accompanied by a work colleague or trade union official.
- 3.2 This companion will be allowed to address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing.
- 3.3 The companion does not have the right to answer questions on an employee's behalf, address the hearing if the employee does not wish it or prevent anyone from explaining their case.

4. OVERLAPPING GRIEVANCE AND DISCIPLINARY CASES

- 4.1 Where an employee 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 for the Association to deal with both issues concurrently.

5. GRIEVANCE MANAGEMENT PROCEDURES

5.1 Mediated Grievance Resolution

- 5.1.1 Wherever possible, members of staff must first of all discuss any grievance informally with their Line Manager. The Manager will endeavour to provide a reply within 3 working days.
- 5.1.2 A written record of the grievance and any proposed solution/agreement will be recorded in the personnel file.

5.2 Formal Grievance Management Procedure

- 5.2.1 In cases where a mediated grievance fails or the grievance is deemed too serious to be managed by a less formal approach then the Formal Grievance Management Procedure should be initiated.

5.3 Step 1 – Documentation of a Grievance Submission

- 5.3.1 The individual holding the grievance will be required either to submit or agree, in the first instance, a written statement of the grievance to ensure clarity about what allegations are being made which should be submitted to their Line Manager, the appropriate Director or the Corporate Services Manager.
- 5.3.2 Either in conjunction with, or within 3 working days of the written statement of the grievance being submitted, reasons for and/or evidence to support the allegations must be submitted by the individual holding the grievance either to the individual's Line Manager the appropriate Director or the Corporate Services Manager.

5.4 Step 2 – Appointment of a Hearing Officer and Initial Actions

- 5.4.1 Senior management will appoint an appropriate manager as the Grievance Hearing Officer.
- 5.4.2 The Grievance Hearing Officer will review the written statement of grievance and any evidence or given reasons for the grievance and decide if further investigation is required or if a formal grievance meeting should be convened.
- 5.4.3 The Hearing Officer will ensure that the individual against whom the grievance is being made is informed of the nature of the grievance as

laid out in written statement of the grievance and what the ensuing process will involve.

5.5 Step 3 – Option 1 – Initiating a Grievance Investigation

5.5.1 In the event the Hearing Officer decides further investigation is required and s/he will appoint an appropriate manager to act as the Grievance Investigation Officer (GIO).

5.5.2 The role of the GIO will be to investigate if allegations made by the aggrieved party can be substantiated with evidence through documentary support and/or corroborating statements from witnesses to events relating to the grievance.

5.5.3 The GIO will interview whatever parties they deem necessary to gain clear evidence to substantiate or repudiate the allegations being made.

5.5.4 The GIO will write a report which will be submitted to the Hearing Officer which will review all the evidence submitted to and/or found during the investigation along with an analysis detailing what evidence supports the allegations made and what does not support or repudiates the allegations made.

5.5.5 The Hearing Officer will then convene and hold a Grievance Hearing Meeting in the manner described below including the Investigation Officers Report in pre-meeting documentation to be circulated to the aggrieved and the accused.

5.5.6 The Investigation Officer will be required to be available to the Hearing Meeting in the event that the Hearing Officer or the participants wish to ask questions to clarify any elements of their report.

Option 2 – Where a Grievance Investigation is not Required

5.5.7 Where the Hearing Officer deems the issue does not require any detailed investigation s/he can convene a Grievance Hearing directly.

5.6 Step 3 – Convening and Conducting a Grievance Hearing Meeting

5.6.1 All individuals the Hearing Officer may want to hear evidence from of question will be informed that their presence will be required at a specified date and time.

5.6.2 The Hearing Officer may appoint such support for themselves as they deem necessary to be present at the meeting, however all participants must be informed of who is going to be present and their role prior to the meeting.

5.6.3 The Hearing Officer will circulate to both the aggrieved and the accused individuals any documentation which will be considered at the Hearing at least 5 days before the meeting.

- 5.6.4 At the Hearing Meeting the Hearing Officer and the aggrieved individual (and their companion if used) and the person facing the grievance (and their companion if used) will be present at all times.
- 5.6.5 The Hearing Officer will question each individual as required to seek clarification of the issues.
- 5.6.7 The aggrieved individual and the accused will be able to ask questions to clarify points and/or present evidence which refute points made by others; however unsubstantiated statements disagreeing with the interpretation of others will not be acceptable.
- 5.6.8 The control of the meeting at all times will be the role of the Hearing Officer who will invite participants to speak and adjudged when they have made their point.
- 5.6.9 Once the Hearing Officer has adjudged s/he has established all the evidence they require to make a decision they will adjourn the meeting and inform the participants when their decision will be communicated to the parties involved.
- 5.6.10 While it may be acceptable to all parties to re-convene for the Hearing Officer to give their decision verbally written confirmation of the decision and the reasons for that decisions will be sent to both parties no later than 5 working days after the Hearing Meeting.

5.7 Grievance Appeals Management Procedure

5.7.1 Step 1 – Initiating the Appeal

- 5.7.1.1 If the employee is dissatisfied with the outcome of the Grievance Hearing they will have the right to appeal.
- 5.7.1.2 To initiate this they must submit their request for an Appeal Hearing to Chief Executive or Corporate Services Manager in writing within 5 working days of receiving the written decision of the Grievance Hearing Meeting.
- 5.7.1.3 Their written request must state the grounds for the appeal and the outcome of the previous stage.
- 5.7.1.4 Management will appoint an appropriate individual to act as the Appeal Hearing Officer who will in the first instance review the grounds of appeal given to establish if such grounds exist.
- 5.7.1.5 Grounds for appeal must go beyond simply disagreeing with the decision of the Hearing Officer and will be required to demonstrate why the appellant considers the decision of the Hearing Officer to be flawed for reasons other than wanting a different decision, for example: an error in the process, failing to take into account key evidence, bias which can be evidenced, new evidence the Hearing

Officer was unaware of, etc.

5.8 Step 2 – Decision if an Appeal is Justified and Notification of Appellant

- 5.8.1 The Appeals Hearing Officer (AHO) will obtain the records of the grievance and review these along with the appellant's Appeal Submission.
- 5.8.2 The AHO may choose to interview individuals involved in the Grievance Investigation and Hearing processes if they require clarification on any issues to assist them to reach a conclusion.
- 5.8.3 The AHO will, under normal circumstance, decide within 10 working days of receipt of the Appeal Submission if there are grounds for an Appeal Hearing Meeting.
- 5.8.4 In the event the AHO decides there are no grounds for appeal they will write to the appellant informing them of this fact and their reasons for this decision. In this eventuality the AHO's decision is final and any further action the aggrieved individual wishes to pursue will have to be done outside of the Associations processes for example through the employment tribunal service or other legal avenues.
- 5.8.5 In the event the AHO decides an Appeal Hearing is required to review the original evidence, process and/or decisions then an Appeal Hearing Meeting Will convened and conducted as detailed below.

5.9 Step 3 – Convening and Conducting an Appeal Hearing Meeting

- 5.9.1 The AHO will set a date time and location for the Appeal Hearing Meeting. This will normally be within 7 working days of the decision by the AHO to call one.
- 5.9.2 A written summary of the reasons for the appeal will be prepared and provided to the individuals the AHO decides need to be available to contribute to the Appeal Hearing Meeting.
- 5.9.3 The AHO will assemble such support as s/he feels they require to reach a fair decision and wish to have present at the Appeal Hearing Meeting.
- 5.9.4 The AHO will Chair the Appeal Hearing Meeting and call such people to the meeting as they deem necessary to ask questions and clarify points.
- 5.9.5 The purpose of the Appeal Hearing Meeting is not to recover ground already clearly understood from the Grievance Hearing Meeting but to delve into the reason/s for the appeal to see if these are correct.
- 5.9.6 The AHO will allow such questioning from the appellant as they deem appropriate to add to the information they require to reach a fair

decision.

- 5.9.7 The AHO will adjourn the Appeal Hearing Meeting once s/he is satisfied they have all the information required for them to review and come to a decision.
- 5.9.8 The AHO will deliberate, reach a decision and inform key participants of that decision within a maximum of 7 working days from the date of the Appeal Hearing Meeting.
- 5.9.9 The AHO's decision is final and any further action the aggrieved individual wishes to pursue will have to be done outside of the Association's processes for example through the employment tribunal service or other legal avenues.
- 5.9.10 A decision will be given in writing, normally within 5 working days from the hearing. This ruling will be final.

6. LINK WITH DISCIPLINARY PROCEDURES

- 6.1 Where a grievance is upheld the evidence indicates that misconduct has taken place, Disciplinary Policy & Procedures will be used to resolve the matter.

6.2 Misuse of Grievance Procedures

- 6.2.1 If a grievance is not upheld and management consider that an employee is misusing the grievance procedure to make unfounded malicious allegations, this will be treated as misconduct and dealt with through the Disciplinary Procedures.