

# GRIEVANCE PROCEDURE

## GLOSSARY OF TERMS

*The word “employee(s) or colleagues” includes more than just the Groups’ employees and covers all individuals working at any of the companies’ premises, irrespective of status, level and grade. It includes employees, managers, directors, consultants, contractors, trainees, homeworkers, part-time, fixed-term, casual, agency staff and volunteers.*



# CONTENTS

<b>1. Aims and Objectives</b> .....	<b>4</b>
<b>2. Benefits of a Grievance Procedure</b> .....	<b>4</b>
<b>3. The Grievance Process</b> .....	<b>5</b>
<b>Making a complaint</b> .....	<b>5</b>
<i>Collective Group Grievance</i> .....	<b>7</b>
<i>Confidential Grievance</i> .....	<b>7</b>
<b>Stages to Resolve a Grievance</b> .....	<b>7</b>
<i>i, Informal Action</i> .....	<b>7</b>
<i>ii, Formal Investigation Process</i> .....	<b>8</b>
<i>iii, Formal Grievance Meeting</i> .....	<b>9</b>
<b>Right to be Accompanied</b> .....	<b>10</b>
<b>Grievance Outcomes</b> .....	<b>10</b>
<i>iv, Appeal Process</i> .....	<b>11</b>
<b>4. Grievance about Co-Workers or Line Managers</b> .....	<b>11</b>
<b>5. Keeping Records</b> .....	<b>11</b>
<b>6. Malicious Allegations</b> .....	<b>12</b>
<b>7. Complaint made against you</b> .....	<b>12</b>
<b>8. Resignation or Post Termination Grievances</b> .....	<b>12</b>
<b>9. Advice and Confidentiality</b> .....	<b>13</b>
<b>10. Status Quo</b> .....	<b>13</b>
<b>11. Mediation</b> .....	<b>14</b>
<b>12. Grievances and the Disciplinary Process</b> .....	<b>15</b>
<b>13. Procedure for Collective Grievances</b> .....	<b>15</b>

## APPENDIX

Appendix 1. <i>Employee Assistance leaflet</i> .....	<b>18</b>
Appendix 2. <i>Complaint Resolution Flowchart</i> .....	<b>19</b>
Appendix 3. <i>Informal Grievance Checklist</i> .....	<b>20</b>
Appendix 4. <i>Informal Grievance File Note</i> .....	<b>21</b>
Appendix 5. <i>Invite to Informal Mediation Meeting (Complainant)</i> .....	<b>22</b>
Appendix 6. <i>Invite to Informal Mediation Meeting (Alleged Perpetrator)</i> .....	<b>23</b>
Appendix 7. <i>Formal Complaint Form. (Grievance)</i> .....	<b>24</b>
Appendix 8. <i>Collective Complaint Form (Grievance)</i> .....	<b>26</b>
Appendix 9. <i>Formal Grievance Procedure Checklist</i> .....	<b>28</b>
Appendix 10. <i>Grievance Procedure – Manager Script</i> .....	<b>29</b>

Appendix 11. *Invitation to Formal Grievance Meeting (Complainant)*.....**31**  
Appendix 12. *Invitation to Collective Grievance Hearing (Complainants)*.....**32**  
Appendix 13. *Attendees at a Formal Meeting*. ....**33**  
Appendix 14. *Outcome of Formal Grievance Meeting (Complainant)*. ....**34**  
Appendix 15. *Outcome of Formal Grievance Meeting (To the Alleged Perpetrator)*..... **35**  
Appendix 16. *Outcome of Formal Collective Grievance Meeting (Complainant)*.....**36**  
Appendix 17. *Questions and Answers* .....**37**

# 1. Aims and Objectives

The Group is committed to an environment that promotes equality, embraces diversity and respects human rights both within our workforce and our customers/tenants. This document should be implemented with due regard to this commitment.

The group treats all complaints seriously and recognises the importance of dealing with grievances at the earliest opportunity so they can be resolved. The aim is to limit any distress that it may be causing and dealing with your complaint sympathetically, fairly and quickly in the most appropriate manner.

The grievance procedure is not a substitute for day-to-day communication so we are all encouraged to keep the channels of communication between our colleagues and managers open and working well. Many problems can be solved on an informal footing very satisfactorily. This procedure is designed to deal with minor issues before they escalate and those issues that need to be approached on a more formal basis. The grievance process will explore options and positive actions so that a satisfactory solution can be found and where possible, relationships restored.

The main purpose of the grievance process is to provide you with ready access to a safe and effective means of reporting a matter of concern, this may be something about our Group or something another colleague does. You will be protected against any detriment providing you use the procedure.

## Grievances relate to:

- issues about terms and conditions of your employment
- health and safety concerns
- work/ colleague relations (including complaints about harassment from 3<sup>rd</sup> parties)
- environment issues
- new working practices
- organisational change
- equal opportunities issues

If you come forward with a genuine concern, you can be confident that you will be protected from reprisals or victimisation. This applies equally if you come forward in good faith with a concern which later turns out not to be justified unless it had malicious intent.

Under no circumstances should you approach a commercial organisation or the media in preference to raising a grievance within the Group. We may consider this an act of serious misconduct, unless the issues are protected by the Public Interest Disclosure Act 1998 and you had justifiable reasons under the Act to do so.

# 2. Benefits of a Grievance Procedure.

Raising a grievance can benefit both yourself, your colleagues and the Group. As a manager you can learn and improve the working practices and relationships within your teams and individuals. You may get opportunities to change the way your department operates and develop better working methods.

**For the employee:**

- An opportunity to gain resolution of problems in the workplace at an early stage- before performance or morale is affected.
- Provides a transparent process for addressing concerns
- An opportunity to escalate issues not dealt with effectively by a line manager.
- An opportunity to be listened to.
- Ensures all complaints are treated consistently and fairly.

**For the Group:**

- Opportunity to find out about problems before they escalate
- Because it is a contractual obligation.
- Can help to reduce turnover and improve morale
- Improves confidence of employees in the management.
- Prevents employees seeking external support.

All employees connected to the grievance will usually continue normal working arrangements and maintain normal working relationships throughout the use of this procedure, until either the individual or collective grievance procedure has been exhausted or there is a need to suspend or amend duties of individuals.

The operation of the grievance procedures shall be followed free from any threat of industrial action (involving a stoppage of work or any action short of a stoppage i.e. any form of variation to the normal working practice) of any type by either party.

## 3. The Grievance Process

The procedure will be applied in such a way as to promote the best possible relations between management and employees, while respecting each other's dignity and point of view. Both parties are required to adopt a reasonable and responsible attitude in the operation of this procedure. Where a party is deemed as not doing so this may impact the use of this procedure.

The Group takes all allegations and grievances seriously, therefore the employee must think carefully about the consequences of making a complaint before actually doing so.

If they are in any doubt as to whether an incident or series of incidents which have occurred constitute i.e. harassment or bullying, then they should initially contact their line manager on an informal basis. Managers will be able to advise them how their concerns should be dealt with.

They can access support from the Group throughout this process by speaking to their line manager or contacting the Employee Assistance Programme. ([Appendix 1](#))

### Making a complaint

Employees should always be encouraged to raise concerns at the earliest opportunity so that corrective actions can be made or solutions found. This should form part of the normal communication between managers and employees, however sometimes complaints don't get addressed satisfactorily and the employee becomes concerned. This grievance process allows managers and employees to have a clear understanding of how these complaints can be addressed if the usual communication processes between them have not achieved the desired result or the issue the employee is raising is serious or seems to be having no positive effect.

Who the concerns are reported to, irrespective of their managerial position within our organisation, should be respectful towards the complainant. As a manager you should attempt to resolve the issue to the satisfaction of all parties as quickly as possible. However, although informal resolution will be considered in appropriate minor cases, a more formal investigation may be required.

Where a grievance is raised about an outside worker or contractor, the Group will work in partnership with the other organisation to resolve the issues. Contact the [HR helpline](#) for further advice.

Below are some examples of the types of complaints that may be made within the workplace under the topics that a grievance procedure may cover.

## ***Examples of grievances***

### **Terms and conditions of Employment**

An employee may believe that their fundamental contractual rights have been affected by either being changed without consent or finding they have been treated unfairly regarding other employees entitlements.

### **Health and safety Concerns**

A workplace malpractice may be taking place that could have a detrimental impact on the health and safety of employees. There may be a lack of provision of Personal Protective Equipment (PPE) for a certain task, disregard may be given to blocked fire exit access, the use of chemicals is not being monitored correctly etc.

### **Environment issues**

The Group aims to respect environmental issues and where possible encourages employees to consider how we can reduce harm to the environment and protect it. An employee however may feel that there is something that the Group is doing which undermines these aims and wishes to raise awareness through a complaint process.

### **New Working practices**

If the complaint is regarding a new process or system that has been or is about to be implemented and an employee believes that it has/will impact adversely on their role or them or as individual then they may consider raising a complaint.

### **Organisational Change**

This relates to the way the Group has managed the effect of new business processes on employees, and the impact of changes in organisational structure or cultural changes within the Group on employees.

### **Equal opportunities**

Equality is about ensuring everybody has an equal opportunity, and is not treated differently or discriminated against because of their characteristics.

### **Work or Colleague Relations**

If an employee considers that they are being discriminated against, harassed, bullied or victimised by another colleague, they should initially attempt to resolve the problem informally with the person responsible. If they feel able to discuss their concerns with the alleged perpetrator, encourage them to explain that to them that their behaviour is not welcome or makes them uncomfortable. If this is too difficult or embarrassing to do on their own, they should seek support from their line manager. They are encouraged to put this in writing either by an email or a written document, however it is not always necessary so long as they have made their line manager aware and have made it clear how they wish to proceed with the informal process and stating any support they want from their line manager at that point.

## ***Collective Group Grievance***

A grievance may be brought by either a single employee or a group of employees who all share the same concerns on an issue. Usually a spokesperson is nominated to speak on behalf of the individuals collectively. Once the joint complaint/ grievance has been raised it will follow a similar process as for an individual grievance. The manager should determine with the collective group how they wish to proceed in terms of communication, attendance/ representation at meetings etc.

## ***Confidential Grievance***

If an employee makes a 'confidential' grievance and does not wish to make a written statement or have their name mentioned as the complainant, you may be unable to take any formal action. However, on occasions you have an obligation to deal with the issue despite the employees request for confidentiality. Advice should be sought from the [HR Helpline](#) in these circumstances. All employees are reminded that they have obligations under health and safety regulations and Group policies to report matters of concern.

## **Stages to Resolve a Grievance.**

There are 4 optional stages to resolving a grievance:

- i. Informal action
- ii. Formal Investigation Process
- iii. Formal Grievance Meeting
- iv. Appeal

Refer to [Appendix 2](#) for a flowchart representation of the process.

### ***i, Informal Action***

In all instances an informal conversation with the employee's line manager may be able to resolve the issue by e.g. providing further information surrounding the decision as to why something is the way it is, giving background information relating to it. [Appendix 3](#).

It is acknowledged that it is never easy to report a concern. This is particularly the case where it relates to serious misconduct or an unlawful act. However, employees are urged to refer any such matter at the earliest opportunity. This allows it to be dealt with promptly and effectively before any problem potentially worsens.

The line manager may need to undertake a preliminary investigation into the complaint by gathering information and possibly talking to potential witnesses. The level and depth of the investigation will depend on the i.e. circumstances surrounding the complainant, the seriousness of the allegation, and the effect that it is having on the complainant. If it is appropriate to conduct a more thorough investigation then a more formal process should be adopted (see below). For minor complaints at an informal level, as a manager ensure you briefly record the facts you gather so you can reference back to them whilst making any decisions or offering guidance to the complainant or alleged perpetrator. [Appendix 4](#).

***You may consider an informal approach:***

- ***If the complaint is not serious.***
- ***If no extensive investigation required.***

Informal grievances should normally be dealt with at the level of management closest to the employee raising the grievance. However, if you are addressing the issue you need to have the decision making authority to be able to resolve the grievance.

In instances where the grievance has been raised against another colleague then a facilitated meeting such as mediation maybe the most appropriate method to use in solving such disputes.

- Informal mediation - which means getting both parties together with an independent third party.
- Formal internal/external mediation – this would entail a commitment from those involved to participate and work towards a resolution.

(Refer to [Appendix 5 & 6](#) for sample invite to mediation letters.)

Following informal interventions to resolve the issue, if the poor behaviour ends or the issue is resolved satisfactorily, no further action should need to be taken. However the line manager should periodically check that there is no future reoccurrence and/or the issue is not reoccurring. However if the incident is of a serious nature or the inappropriate behaviour has been escalating or not been resolved despite previous discussions and interventions, the employee may feel it is necessary to proceed to a more formal approach.

If an employee is subjected to discrimination, bullying or harassment they may seek advice or support in complete confidence without being obliged to make a formal complaint. As a general principle, the decision to progress a complaint rests with them. However, we have a duty to protect all employees and may decide to pursue the matter independently and instigate the formal stage if in all the circumstances, it is considered appropriate to do so. A colleague, against whom a grievance has been raised, has the right to be told the specific nature of the grievance in order to be able to respond. Remember that they will also need support as they may be; unaware of the impact of their actions, be innocent of the allegation, find the process distressing etc.

Decisions as to who needs to be updated and when will be made by the line manager involved in the process. They may need to seek advice, especially if it is a complex situation

### **Progressing the Complaint to the Formal Stage.**

To progress the complaint to the next stage they will need to complete the Complaint Form ([Appendix 7](#)) and 'give' (email, hand it etc.) it to their line manager or a more senior manager if it is more appropriate to do so. A collective group of employees can submit the form in [Appendix 8](#). The written complaint should set out full details of the conduct or issue in question. If the complaint is against another colleagues then it should include their name, the nature of the complaint, the date(s) and time(s) of occurrence, the names of any witnesses and any action that has been taken so far to attempt to stop it.

The complainant should ensure they have proof of delivery and/or that the manager has read the completed Complaint Form (ensuring they are not on holiday etc.). They will then respond to the complainant promptly, with details of the investigation process that will be conducted in the first instance.

## **ii. Formal Investigation Process**

To ensure a fair process, a thorough and proportionate investigation will take place prior to a formal meeting being held. This will be held in accordance with the Groups Guide to Conducting Investigations and the Groups Conduct & Capability Management Policy and accompanying procedure. (*Sample letters and guidance relating to the investigation process are covered within*



*these documents*.) If the proposed timescale will not be met, the Investigation Officer will communicate this, the reason why and the expected timeframe to the aggrieved employee.

The Investigating Officer will carry out the necessary process of collating and gathering information relating to the raised grievance. This may involve reviewing processes or systems and questioning other colleagues to understand the issue more fully.

In cases where there is a risk of further misconduct affecting the complainant whilst at work, such as in bullying or harassment cases, then the Group may consider the following actions against the alleged perpetrator, to limit risk and protect the complainant from further harm:

- redeployment temporarily
- suspension on full pay
- altering reporting lines or other managerial arrangements
- other suitable options may be considered

Please note that any of these outcomes does not in any way suggest that the alleged perpetrator is guilty of any of the allegations made at this point. It is solely in order to advance the investigation, remove risk and ensure that the business continues to operate effectively.

The line manager of the accused employee will usually undertake the investigation (where appropriate) whilst the complainant's line manager offers support and guidance throughout the process and remains impartial in the formal decision making process. They may however become involved in making suggestions on how to resolve the issue and may even be called as a separate witness to events.

All parties involved must be identified in order to conduct a thorough and meaningful process.

Upon completion of the investigation, the Officer conducting it will make recommendations on whether to proceed to a Formal Conduct Management meeting, dismissal of the case as unfounded, or on how to progress the case by other informal means. (Refer to the [Groups Guide to Conducting Investigations](#) for sample report forms and investigation outcome letters.)

### ***iii, Formal Grievance Meeting***

The investigation outcome will inform the next stage of the grievance procedure. (Checklist and managers script at [Appendix 9 & 10](#)).

If the Investigating Officer finds that there are grounds for the complaint and that it is recommended to instigate a formal grievance meeting to assess the outcomes and/or actions required to resolve the complaint, then this will be arranged by the appointed Chair. [Sample letters Appendix 11 & 12](#).

It will be treated as a serious disciplinary infringement if anyone tries to discourage the complainant from expressing their concern. Equally, the Group will deal with anyone who criticises or victimises the complainant for raising a concern by applying the Conduct & Capability Management Policy.

[Appendix 13](#) outlines who may be present at the grievance meeting and their role within it.

There may not be an outcome decision made on the day of the Grievance Meeting. The outcome can be conveyed to the employee/s in writing after the hearing should further investigations be required. A further hearing may be required if the Chair of the panel requests that certain parties investigate further and feels a second hearing is required to hear the additional information. When the Chair is satisfied that they have undertaken a thorough review of the evidence and has listened to all the relevant information, the panel will convene to make their decision in private. The decision making process should take as long as necessary for each of the panel members to discuss the proven facts of the case and those which they believe could have taken place based on their reasonable belief. If the decision to uphold or not uphold the grievance complaint can be delivered following a reasonable adjournment then it should be done in person to the complainant

within the reconvene meeting. If this is not possible then the complainant should be informed and a decision given by letter within 5 working days.

The outcome letter should be sent 1<sup>st</sup> class, recorded delivery and ideally also emailed (*encrypted and marked confidential if appropriate*) to the employees personal email account. For collective grievances, it is suggested that individual letters are sent to avoid any doubt that the group spokesperson has not conveyed the outcome effectively or it is open to misinterpretation. At any stage of the process, further letters may be required depending on the circumstances and whether an action plan is proposed etc.

Where an employee has not received a letter by the end of timescale they must contact their line manager in case a problem can be identified. Once letters have been sent out there will be an assumption that the letters have reached the employee unless the employee raises that this is not the case.

In cases involving bullying, harassment or victimisation there will be an alleged perpetrator (another employee who has allegedly caused the issues to occur due to their poor conduct). Where the grievance is upheld by the Chair/panel, there is a case to answer, then the perpetrator (individual) will be referred to the Capability & Conduct Management Policy. The same Chair/panel should hold the Formal Conduct Management meeting (outlined in the policy and its procedures), to ensure the evidence obtained from the investigation process, and evidence gathered from the Formal Grievance Meeting can be presented to them. (Ensure copies of the grievance meeting are included with sensitive or personal information removed to protect individuals if necessary. Seek advice from HR.)

The alleged perpetrator should be given a fair hearing, be allowed to review all the evidence that they will have been given as 'a pack' and to fully state their case. They have a right to representation as per the Capability & Conduct Management Policy.

As well as using our formal procedure set out in this procedure, in cases where an employee has been physically attacked or intimidated or another serious criminal act has been performed against them, they may consider it appropriate to report the incident to the police.

### **Right to be Accompanied**

All employees have the right to be accompanied by a Trade Union Representative or work place colleague during all formal stages of the grievance procedure.

Where employees have difficulty in expressing themselves because of language or other difficulties reasonable adjustments may be needed to ensure they are supported throughout the procedure.

### **Grievance Outcomes**

It is imperative to stress the responsibility on both you and the employee involved to attempt to implement actions agreed from a Formal meeting. Specific action plans resulting from the discussions that take place will be proposed or agreed at the end of any stage in this procedure and both the manager and the employee will have a responsibility to work towards the proposed agreed actions.

There may be actions required by the Group or by other team members or managers and these will be reviewed to ensure compliance and/or effectiveness.

Where the grievance is upheld and involves misconduct by a perpetrator, then the matter will be viewed separately under the Groups Conduct & Capability Management Policy. Specific to the grievance procedure, (*relating to discrimination, harassment, bullying or victimisation*) there may be outcome options available which can offer the perpetrator (or the complainant) another role or

location, change in duties or reporting lines, formal mediation, and regular reviews to check the poor behaviour has ceased etc.

Even where a complaint is not upheld, consideration will be given to how the ongoing working relationship between the complainant and the alleged perpetrator should be managed.

In exceptional circumstances there may not be a decision made on the day of the Formal Meeting. The outcome can be conveyed to the employee in writing after the meeting should further investigations be required. A further meeting may be required if the Chair of the panel requests that certain parties investigate further and feels a second meeting is required to hear the additional information.

Sample outcome letters are at Appendix 14,15 & 16.

#### **iv, Appeal Process**

Should the complainant or an accused employee be dissatisfied with any decision as a result of an investigation or the Formal Conduct Management meeting they may pursue the matter through the Groups Appeal Procedure. Refer to the Groups Guide to Appeals.

## **4. Grievance about Co-Workers or Line Managers**

Where a grievance is about you (their immediate line manager), the employee may raise the issue with the next line manager or another appropriate manager.

If a grievance is raised which concerns an employee's co-worker or yourself, which indicates that the working relationship between parties has broken down, it may be necessary to temporarily transfer one or both of the parties to another place of work pending resolution of the issue. This must be given very careful consideration and must not take place without advice from HR.

## **5. Keeping Records**

It is important and in the interests of both employee and employer, to keep written records during the grievance process. Records should include:

- The nature of the grievance raised
- A copy of the written grievance
- Notes of any investigation or inquiries
- The response
- Action taken
- Reasons for the action taken
- Where there was an appeal and if so the outcome, and
- Subsequent developments.

The Complaint/ Grievance Form ([Appendix 7 & 8](#)) should assist in recording some of the information, but managers are expected to ensure that all the above points are covered during the course of the grievance being raised.

Records will be treated as confidential and kept in accordance with the Data Protection Act 1998 and General Data Protection Regulations 2017 (GDPR), which gives individuals the right to request and have access to certain personal data. A copy of the outcome letters will be kept on the personnel file.

## 6. Malicious Allegations

If we identify that you deliberately made a complaint that you know to be untrue or you supported malicious allegations, then the matters will be investigated through our disciplinary procedure. It may lead to disciplinary action being taken against you, which may be considered as gross misconduct and can result in dismissal.

## 7. Complaint made against you.

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others. You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence. Provided that you do not repeat the behaviour that has caused offence that may well be the end of the matter.

The Group recognises that it can be a distressing and difficult time for you if you believe you have not demonstrated any poor behaviours and the allegations are malicious or unfounded, and if you have unwittingly upset another colleague through your actions, or if you accept that your conduct was inappropriate or unprofessional. Your line manager will offer support to you however you can also access the Employee Assistance Programme for professional guidance. [Appendix 1](#).

If the complaint against you is not upheld, your manager will support you, the complainant and your manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. The Group may consider making arrangements to avoid you and the complainant having to continue to work alongside each other, if either of you do not wish to do this.

You must not victimise a colleague who has made a complaint in good faith against you or anyone who has supported him/her in making the complaint or given evidence in relation to such a complaint. Formal action will be taken against you if the Group has good reason to think that you may have victimised the complainant or someone else.

Some types of discrimination, harassment and bullying may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of the Group's Conduct Management procedure. ***You should therefore always take complaints seriously however trivial they may appear in the first instance.*** You could be personally liable to pay compensation to the complainant if a successful claim in the employment tribunal or other courts was brought against you. Criminal proceedings could lead to conviction and criminal penalties.

## 8. Resignation or Post Termination Grievances

Occasionally an employee raises an issue upon resignation or during an Exit Interview Process or after they have left employment with the Group. Where an issue is raised in such circumstances, for example, during an Exit Interview, you will need to ask for confirmation as to whether or not the employee wishes the issues raised to be treated as a grievance. Employees are therefore encouraged to be clear and specific when writing their resignation etc.

In these situations a grievance may be dealt with under the following two stage process.

### Step 1 Statement of Grievance

The resigned employee/former employee must set out in writing the grievance and the basis for it. A copy must be sent to you as their current/previous line manager or a more senior manager if appropriate.

### Step 2 Response

You must set out your response in writing and send this to the resigned employee/former employee by a secure method. The Group will endeavour to respond within 28 calendar days of receipt of the statement of grievance. Refer to the Groups Data Protection Policy.

There is no right of appeal.

*No further action will be taken unless the issues raised are of such a serious nature that they cannot be ignored. At the discretion of the Group an investigation may take place where the Group deems that the information supplied warrants such action. An individual has no right to expect an investigation to take place or a formal meeting.*

On rare occasions, depending upon the nature of the grievance, you may need to consider the impact upon the employee during their notice period e.g. grievance relates to a work concern and that it is significant enough to warrant a discussion as to whether changes need to take place during the notice period.

## 9. Advice and Confidentiality

At any stage you may seek advice on this procedure from the [HR Helpline](#). There are some questions and answers at [Appendix 17](#) to assist you.

Anything dealt with through the grievance procedure should be kept entirely confidential by those involved. However, in some instances this may not be possible, where in order to investigate the grievance, obtain action or make a decision, a manager may need to explain, discuss or describe the contents of the grievance.

Any grievance meetings should be arranged in a meeting room that should not be interrupted and where the employee feels that their grievance is being treated confidentially.

## 10. Status Quo

In some circumstances, whilst the grievance procedure is being followed, it may be appropriate to maintain the "status quo". This will be most relevant where the reason for the grievance being submitted is in connection to a proposed change that would impact the individual concerned. Therefore, in cases such as these, it may be appropriate to maintain the status quo i.e. not enact the change until the grievance has been dealt with.

There are occasions when maintaining the status quo may not be appropriate as determined by the senior management team (or equivalent) with advice from HR. These examples are only examples and not an exhaustive list or an automatic reason not to maintain the status quo. You must demonstrate that there is a strong and genuine case e.g. it would not be enough to state that it would cause financial pressures, you would need to provide clear information as to what the financial pressure would be and demonstrate that it would be as a direct consequence of

maintaining the status quo. Areas where you may submit a case in relation to changing the status quo could be:

- Where to maintain it would have a detrimental effect on customers/suppliers
- Where to maintain it would cause concerns regarding Health and Safety (either that of employee concerned or other employees)
- Where the detriment to other employees may be greater if the status quo is maintained than the detriment to the employee concerned if it was not maintained
- Where to maintain it would cause financial pressures
- Where to maintain it would cause difficulties in meeting KPIs, meeting the demands of compliance/governance etc. which could cause longer term problems for the Group.

Where the status quo is not maintained the outcome of the grievance may result in the status quo being reinstated.

Reference to and application of the above status quo sections of the grievance procedure removes neither the employee's nor the Group's legal or contractual rights, responsibilities, obligations or remedies.

## 11. Mediation

Mediation can be used at any stage of the Grievance Procedure and may be part of an outcome from a Formal Conduct Management meeting as recommended by the Chair.

Mediation is a voluntary process where the mediator helps 2 people or a group of people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do. The mediator facilitates the process of seeking to resolve the problem but not the outcome.

Mediators may be employees trained and accredited by an external mediation service who act as internal mediators in addition to their day jobs or they may be from an external provider. They can work individually or in teams as co-mediators.

There are no hard and fast rules for when mediation is appropriate but it can be used:

- For conflict involving colleagues or between a line manager and their employees
- At any stage in the conflict as long as any ongoing formal procedures are put on hold or where mediation is included as a stage in the procedure themselves
- To rebuild relationships after a formal dispute has been resolved
- To address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment.

### ***Mediation may not be suitable if:***

- It is a Collective Grievance

- Used as a first resort – because employees should be encouraged to speak to each other and talk to you before they seek a solution via mediation
- It is used by you to avoid your managerial responsibilities
- A decision about right or wrong is needed, e.g. where this is possible criminal activity
- The parties do not have the power to settle the issue
- One side is refusing to compromise and using mediation will only raise unrealistic expectations of a positive outcome.

Mediation can be arranged by contacting your HR lead.

## 12. Grievances and the Disciplinary Process

Grievances around disciplinary matters may be dealt with as part of the disciplinary process. Raising a grievance during the disciplinary process will not normally postpone any formal Conduct or Capability Management process, investigation and/or procedures that are underway. Usually they run concurrently unless it is deemed fundamental to the outcome of the formal process.

## 13. Procedure for Collective Grievances

The collective grievance procedure follows the same 4 stage procedure as described previously.

Collective grievances arise where a work group or a number of employees (a minimum of two) express dissatisfaction in connection with their employment.

Employees should be aware that when they raise grievances collectively, information in relation to each of the staff members may be divulged during the investigation process should it be relevant to the case.

An appropriate employee representative or a trade union representative may raise the grievance on behalf of the collective employees and act on their behalf in all proceedings throughout the procedure. A representative of the collective employees may also attend formal stage meetings with the trade union representative.

In the Stage 4 (Appeal) hearing the panel will consist of a Chairperson acceptable to both sides and two further members. Should the panel be unable to achieve a settlement, the dispute may be referred by:

- i) Either party to the dispute for conciliation; or
- ii) Joint agreement of the parties to the dispute for mediation

In the unfortunate situation where the grievance procedure and the appeal and conciliation have been exhausted without agreement and if, as a last resort, industrial action is considered necessary by the employee organisation involved; close links will be maintained between the two parties to ensure that critical business disruption is avoided.

Trade Unions will be required to comply with the statutory requirements of the Trade Union and Labour Relations (Consolidated) Act 1992 and the Trade Union Reforms and Employment Rights Act 1993. Management will negotiate agreement with full time officers of unions to ensure that maintenance of supplies and services essential to the health and safety of tenants throughout any period of industrial action.



# 14. APPENDIX



Care first

# Valuable support and information that's always there

## Thrive: Mental Wellbeing app

Mental health conditions don't work to a timetable. Anyone could need a helping hand to prevent, build resilience against and cope with life's stresses and strains at any time of the day or night.

Our new app – Thrive: Mental Wellbeing – is designed to not only help you manage common mental health conditions but also to detect the early signs and often prevent them from happening in the first place. So, help is always there when you need it.

### THRIVE: MENTAL WELLBEING

**Thrive: Mental Wellbeing**  
NHS-approved app for the prevention, early detection and self-management of common mental health conditions.

### CARE FIRST LIFESTYLE

**Care first Lifestyle**  
Advice, articles and webinars on a range of every day topics including relationships, childcare and bereavement.

### 24/7 COUNSELLING

**Direct access to 24/7 counselling**  
Provided by Care first's BACP accredited counsellors, if deemed clinically appropriate.

### ACCESS TO CARE FIRST

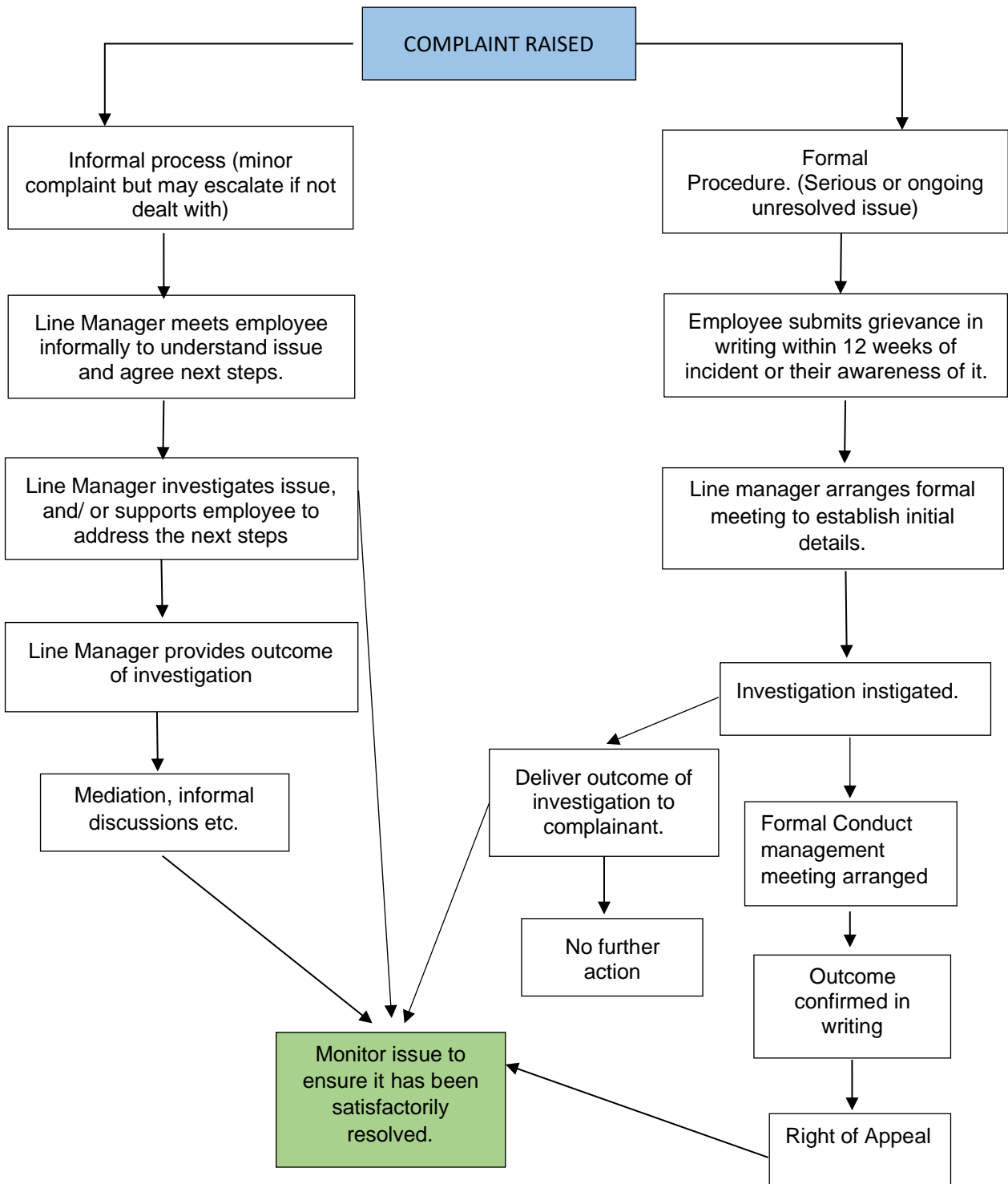
**Access to Care first's Information Specialists**  
Contact them through the app for help and practical advice on a range of subjects either work related or personal.

## Find out more

View a demo of the app at [eap-carefirst.com](http://eap-carefirst.com).

Username: **lifestyle1234** Password: **carefirst**

## Appendix 2. Complaint Resolution Flowchart.



## Appendix 3. Informal Grievance Checklist

### *Informal Stage*

- Meet with the employee in order to discuss their concerns. Reassure them that you will deal with all matters confidentially and ask them to explain the reasons behind their concerns and to give you examples of particular incidents which they are unhappy with. Ask them to provide any documentary evidence if that is relevant.
- Ask the employee what might help resolve their concerns and what they would like to achieve from the grievance process.
- If you feel it necessary to carry out some discreet, informal investigations inform the employee of this and agree when you will meet again to discuss the matter. Do not allow timescales to drag on unnecessarily though.
- When you are ready to conclude the process confirm what you have done to consider their complaint and agree any action points going forward. Be constructive and non-confrontational.
- Confirm the outcome of your discussions in writing by providing the employee with a copy of your notes from the meeting. Advise the employee that if they are unhappy with the action you have taken that they can raise a formal grievance if they wish to do so.

## Appendix 4. Informal Grievance File Note

### INFORMAL GRIEVANCE/COMPLAINT FILE NOTE

Your name:

Job Title:

Name of complainant:

Job Title:

Date first became aware of issue:

Nature of complaint:

Brief Summary of complaint:

What is the outcome of the discussion?

Support offered/ agreed next steps:

Complainant reminded of the Groups Employee Assistance Programme      Yes/No

Next date to review issue:

***Have you explained that you are putting a confidential personal file note together in case the situation escalates or if you need to refer back to the next steps agreed to be actioned by either of you.***

## Appendix 5. Invite to Informal Mediation Meeting (Complainant)

### Private & Confidential

[Insert Name]

[Insert Address]

[Insert Date]

Dear [Insert Name]

### Invitation to an informal mediation

I am writing to request that you attend an informal mediation meeting with myself and your work colleague (name) so we can work together to resolve the issue which is causing you (distress, difficult working conditions, poor communications between you & your colleague) The issue you raised is (enter brief details of the complaint being made) It is hoped that by openly and confidentially discussing both your views, that together you can come to a satisfactory solution and begin to develop a good working relationship going forward.

I will be able to facilitate and assist in guiding you both through the process. If at any time either of you wish to have a short break or remove yourself from the process, then this is acceptable. No minutes will be taken of the discussion however a record of next steps may be agreed, if appropriate.

Please can you therefore attend a meeting on [insert date] at [insert venue]. It is anticipated that the meeting may take up to an hour.

We appreciate that this can be a very stressful time for individuals. If you feel you need support during this period, you can access the Employee Assistance Programme by calling 0800 015 5630, or speak to your line manager.

Would you please confirm that you are available to attend the meeting on the date and time stated above and that you are willing to engage with the process. In the meantime, if you have any questions or concerns please do not hesitate to contact me.

Yours sincerely

**For and on behalf of Places for People**

[Name]

[Title]

Enclosed: Employee Assistance Leaflet.

## Appendix 6. Invite to Informal Mediation Meeting (Alleged Perpetrator)

### Private & Confidential

[Insert Name]

[Insert Address]

[Insert Date]

Dear [Insert Name]

### Invitation to an informal mediation meeting.

I am writing to request that you attend an informal mediation meeting with myself and your work colleague (**name**) so we can work together to resolve the issue which is causing them (**distress, difficult working conditions, poor communications between you & your colleague**) The issue raised is (**enter brief details of the complaint being made**) It is hoped that by openly and confidentially discussing both your views, that together you can come to a satisfactory solution and begin to develop a good working relationship going forward.

I will be able to facilitate and assist in guiding you both through the process. If at any time either of you wish to have a short break or remove yourself from the process, then this is acceptable. No minutes will be taken of the discussion however a record of next steps may be agreed, if appropriate.

Please can you therefore attend a meeting on [**insert date**] at [**insert venue**]. It is anticipated that the meeting may take up to **an hour**.

We appreciate that this can be a very stressful time for individuals. If you feel you need support during this period, you can access the Employee Assistance Programme by calling 0800 015 5630, or speak to your line manager.

Would you please confirm that you are available to attend the meeting on the date and time stated above and that you are willing to engage with the process. In the meantime, if you have any questions or concerns please do not hesitate to contact me.

Yours sincerely

**For and on behalf of Places for People**

[Name]

[Title]

Enclosed: Employee Assistance Leaflet.

## Appendix 7. Formal Complaint Form. (Grievance)

### Employee Formal Complaint Form. (Grievance)

Your Name:

Your Job Role:

Department/ Division:

Date completed:

**COMPLAINT (Grievance)** relates to e.g. (Mark as appropriate)

- *issues about collective terms and conditions of employment*
- *health and safety concerns*
- *team relationships*
- *environment issues*
- *new working practices*
- *organisational change*
- *equal opportunities issues*

Describe briefly what your complaint/ grievance is:

The outcome I am hoping for is-



**How have you fulfilled the informal Stage of the Behaviour at Work Policy? (refer to Policy) Please provide details:**

**Any other details you wish to be considered at this stage:**

***Signature of Complainant:***

***Name & title of manager this form is being submitted to:***

## Appendix 8. Collective Complaint Form (Grievance)

### Collective Complaint Form (Grievance)

**COMPLAINT (Grievance) relates to-** (Mark as appropriate)

- *issues about collective terms and conditions of employment*
- *health and safety concerns*
- *team relationships*
- *environment issues*
- *new working practices*
- *organisational change*
- *equal opportunities issues*

**Date Form submitted:** .....

<b>Name of Complainant</b>	<b>Job Title</b>	<b>Department/ Division</b>	<b>Contact information</b>

**Brief description of the complaint.**

**The outcome we are hoping for is-**

**How have you fulfilled the informal Stage of the harassment and bullying process?  
(refer to Policy) Please provide details:**

**Any other details you wish to be considered at this stage:**

**Signature of Complainants:**

Name:	Signature:
Name:	Signature:
Name:	Signature:
Name:	Signature:
Name:	Signature:

**Name & title of manager form submitted to:**

## Appendix 9. Formal Grievance Procedure Checklist

### Formal grievance procedure checklist

No.	Grievance procedure	Confirm actioned/notes
1.	Has the employee raised their complaint in writing (email, letter, form etc)?	
2.	Has the grievance been made within 12 weeks of the incident or when the employee became aware of the issue. (If not, why not?)	
3.	Has the employee been invited to a formal meeting to discuss their grievance and informed of their right to be accompanied	
4.	Is an investigation/ further information required to consider the grievance fully?	
5.	Is it appropriate to appoint an independent investigator to conduct an investigation/compile a report? This is especially relevant in grievances relating to bullying and harassment.	
6.	<i>If appropriate, has both the employee raising the grievance and the individual(s) who is the subject of the grievance been made aware that they can come to you or their HR lead for ongoing support, as required?</i>	
7.	If there is a delay in concluding an investigation, has the employee ( <i>and alleged perpetrator</i> ) been updated?	
8.	Has the employee received an outcome to their grievance in writing and been informed of their right of appeal?	
9.	<i>If appropriate, has the individual(s) who is the subject of the grievance also received confirmation of the grievance outcome?</i>	
10.	<i>If appropriate, has the alleged perpetrator been referred to the formal conduct management meeting?</i>	
11.	Has the employee appealed the grievance outcome?	
12.	Has the employee been invited to a grievance appeal hearing in writing and been informed of their right to be accompanied?	
13.	Is any additional investigation required to consider the employee's appeal?	
14.	Has the employee been provided with an appeal outcome in writing and been informed that the process has been concluded?	

### *Formal stage – Grievance Hearing*

The following procedure should be followed at each formal meeting with all the parties present. Witnesses will only be present when giving their evidence. Panel members can intervene at any stage in the hearing in order to seek clarification on any points raised by the parties or witnesses.

- If the employee is not accompanied at the meeting ask them if they are comfortable to proceed on that basis. If they do wish to be accompanied adjourn the meeting and re-schedule it to allow them to bring a companion with them.
- At the outset of the meeting go through the employee's grievance and confirm with the employee that it contains all the issues the employee wants to raise. They may be questioned by the Chair. Members of the panel will also question the employee or their representative. If there are additional issues, make a note of these.
- Ask the employee to explain their concerns, whether they have any further supporting documentation they wish to be considered and also if they want any particular employees interviewed. If it is not immediately apparent, ask the employee to explain the relevance of the documents they have submitted or witnesses they have asked to be present.
- The employee may then call any witnesses, who can be questioned by the employee or their representative, followed by the manager and the members of the panel. All parties may re-examine a witness for further information or clarification.
- Once the employee has presented their case, the Investigating Officer will be asked to present their findings. They can be questioned in the same manner as above.
- Ask the employee what they wish to achieve from the grievance process and what they would like the outcome to be.
- Inform the employee of the next steps in the process e.g. additional investigation to be carried out or a separate manager to be appointed to investigate and prepare a report.
- Ensure the employee has said everything they want to say during the meeting.
- Neither party is permitted to present any further new evidence during summing up.
- Once all the evidence has been presented, the manager will have the opportunity to sum up their case, if they wish, followed by the employee or their representative.
- After summing up the panel will adjourn to consider the case in private. They may call the parties back in order to clear any points of uncertainty.
- In exceptional circumstances the panel has the discretion to adjourn the hearing in order for further evidence to be gathered by either party or for any other reason for example to consider the evidence from both sides produced at the hearing.

- The panel may give their decision after the adjournment or, in more complex cases, where more time is needed to come to a decision, may write to the parties involved with the outcome.
- All decisions must be confirmed in writing within **7 calendar** days of the hearing. Where this will not be possible the parties will be made aware of this at the end of the hearing including the reasons why the deadline will not be met.
- Inform the employee whether a further meeting will be held or whether the outcome will be delivered in writing. Ensure the employee is clear on future timescales and that they are happy with those.
- Send a grievance outcome letter to the employee.

## Appendix 11. Invitation to Formal Grievance Meeting (Complainant). Sample letter.

### Private & Confidential

[Insert Name]

[Insert Address]

[Insert Date]

Dear [Insert Name]

### Invitation to a formal grievance meeting

I am writing regarding the complaint you raised on [insert date] relating to [give a brief description of the complaint – use the exact same wording from the complainant's written complaint/form to ensure there is no misunderstanding].

Please can you attend a meeting on [insert date] at [insert venue] to discuss your complaint in more detail and to decide how it can best be resolved.

The meeting will be held in the [insert location] with [insert names of those attending] at [insert time].

You are entitled to be accompanied at this meeting by either a work colleague or a Trade Union Representative.

We appreciate that this can be a very stressful time for individuals. To support you during this period, you can access the Employee Assistance Programme by calling 0800 015 5630 or speak to your line manager.

Would you please confirm that you are available to attend the meeting on the date and time stated above and also confirm if you intend to bring a companion. In the meantime, if you have any questions or concerns please do not hesitate to contact me.

Yours sincerely

**For and on behalf of Places for People**

[Name]

[Title]

Enclosed: Employee Assistance Leaflet.

## Appendix 12. Invitation to Collective Grievance Hearing (Complainants)

### Private & Confidential

[Insert Name]

[Insert Address]

[Insert Date]

Dear [Insert Name]

### Invitation to a formal collective grievance meeting

I am writing regarding the collective complaint you raised on [insert date] relating to [give a brief description of the complaint – use the exact same wording from the collective written complaint/form to ensure there is no misunderstanding].

Please can you attend (OR nominate a spokesperson to attend to speak on all your behalf's) a meeting on [insert date] at [insert venue] to discuss your collective complaint in more detail and to decide how it can best be resolved.

The meeting will be held in the [insert location] with [insert names of those attending] at [insert time].

Collectively you are entitled to be accompanied at this meeting by either a work colleague or a Trade Union Representative.

We appreciate that this can be a very stressful time for individuals. To support you during this period, you can access the Employee Assistance Programme by calling 0800 015 5630 or speak to your line manager.

Would you please confirm that you are available to attend the meeting on the date and time stated above (or if there is a nominated spokesperson attending on your behalf) and also confirm if you intend to bring a companion. In the meantime, if you have any questions or concerns please do not hesitate to contact me.

Yours sincerely

**For and on behalf of Places for People**

[Name]

[Title]



## Appendix 13. Attendees at a Formal Meeting.

### Who may be present at a Grievance Meeting (not exhaustive)

Who	Purpose
Chair of the Panel	To chair the Grievance Meeting and make the decision
HR representative	To support and assist the Chair of the Panel and ensure HR process is followed
Union representative / work place colleague	To represent or accompany the employee who raised the grievance
The employee/s/ spokesperson who raised the grievance	To go through the points raised in their grievance
Witnesses	Witnesses may be invited to hearings by either of the parties involved. Each party must make their own arrangements, as appropriate, to ensure their witnesses can attend hearings
A senior advisor	A senior advisor (or equivalent) may be co-opted at any stages of the formal procedure to advise the panel, as circumstances require
Note Taker	To take notes as a record of the hearing

## Appendix 14. Outcome of Formal Grievance Meeting (Complainant). Sample letter.

### Private & Confidential

[Insert Name]

[Insert Address]

[Insert Date]

Dear [Insert Name]

### Outcome of formal grievance meeting

I am writing regarding the complaint you raised on [insert date] and the subsequent grievance meeting which took place on [insert date] at [insert venue]. Present at the meeting were [insert the names of those present and in what capacity they attended]. You were accompanied by [insert name] **OR** [you confirmed at the meeting that you did not wish to be accompanied – please delete as required.]

Your complaint related to your view that [give a brief description of the complaint – use the wording from the complainant's written complain/form to ensure there is no misunderstanding.]

Having reviewed all the evidence presented to me and having listened to your comments, I have [upheld/part upheld/not upheld – amend as required] your grievance.

The reason for my decision is as follows:- [insert reasons - If the grievance is multi factorial you might want to run through each point separately and state which parts of the grievance are upheld or not]

The agreed action points were [list action points and/or expectations].

You have a right of appeal against my decision and you should write to [insert name of person] within 5 working days of receipt of this letter clearly setting out the basis of your appeal.

In the meantime, if you have any questions or concerns please do not hesitate to contact me.

Yours sincerely,

For and on behalf of Places for People.

[Name]

[Title]

## Appendix 15. Outcome of Formal Grievance Meeting (To the Alleged Perpetrator). Sample letter.

**Private & Confidential**

[Insert Name]

[Insert Address]

[Insert Date]

Dear [Insert Name]

### **Outcome of formal grievance meeting**

I am writing to you regarding the outcome of the formal grievance meeting during which an allegation made against you for (state the complaint as per the complainant's initial written grievance) was considered.

Having carefully reviewed all the evidence put forward myself and the panel have made the decision that the grievance is not upheld. This means that you will have no formal sanctions placed against you and there will be no record attached to your personal file in relation to this complaint.

I understand that this will have been a difficult and stressful time for you and appreciate your cooperation throughout these formal proceedings. If you need any support or have any queries or questions relating to this complaint process, please contact your line manager or myself.

Yours sincerely,

For and on behalf of Places for People.

[Name]

[Title]

## Appendix 16. Outcome of Formal Collective Grievance Meeting (Complainant) Sample letter.

### Private & Confidential

[Insert Name]

[Insert Address]

[Insert Date]

Dear [Insert Name]

### Outcome of formal collective grievance meeting

I am writing regarding the collective complaint you raised on [insert date] and the subsequent collective grievance meeting which took place on [insert date] at [insert venue]. Present at the meeting were [insert the names of those present and in what capacity they attended]. Collectively you were accompanied by [insert name] **OR** [you confirmed at the meeting that you did not wish to be accompanied – please delete as required.]

Your collective complaint related to your view that [give a brief description of the complaint – use the wording from the complainant's written complain/form to ensure there is no misunderstanding.]

Having reviewed all the evidence presented to me and having listened to comments forwarded by yourself and the other complainants, I have [upheld/part upheld/not upheld – amend as required] your grievance.

The reason for my decision is as follows:- [insert reasons - If the grievance is multi factorial you might want to run through each point separately and state which parts of the grievance are upheld or not]

The agreed action points were [list action points and/or expectations].

You have a collective right of appeal against my decision and you should write to [insert name of person] within 5 working days of receipt of this letter clearly setting out the basis of your appeal.

In the meantime, if you have any questions or concerns please do not hesitate to contact me.

Yours sincerely,

For and on behalf of Places for People.

[Name]

[Title]

## Appendix 17. Questions and Answers

### 1. Who can take out a grievance and what can it be about?

- Any employee or group of employees can raise a grievance. Agency workers or self-employed contractors cannot raise a grievance under the Groups' grievance procedure.

### 2. Can a grievance be made against an individual?

- Yes, any employee or group of employees can raise a grievance relating to the action(s) of another employee.

### 3. What are the formal stages of a grievance?

- Most complaints and grievances are best resolved informally in discussion with the employee or employees concerned and the line manager.
- If this is not possible then it may be necessary to progress to the formal procedure.
- The formal stages involve the following:
  - The employee must raise a formal grievance using the complaint form.
  - The manager must acknowledge the grievance and invite the employee to a grievance meeting.
  - A formal grievance meeting must be held to discuss the grievance.
  - Further investigation to be carried out (as applicable).
  - The employee must be advised of the grievance outcome in writing within **5 days** of the grievance meeting.
  - If the employee appeals they must be invited to an appeal meeting.
  - The employee must be notified of the appeal outcome within **5 days** of the appeal meeting.

### 4. An employee says they have the right to be accompanied to the formal grievance hearing. Is that right?

- Yes, an employee has the right to have someone accompany them at all formal stages of the grievance procedure.
- This person can either be a Trade Union representative or a fellow employee within the Group.

### 5. Are there any subjects that are excluded from the grievance procedure?

- Yes, the policy excludes the resolution of the following issues:
  - Conduct issues /disciplinary for which a separate procedure exists
  - Whistleblowing issues for which a separate procedure exists
  - Complaints arising out of other processes for which there is a right of appeal
  - Statutory and Government Policy decisions, for which the organisation has no control (e.g. Income Tax, National Insurance, Pension)

### 6. An employee has said they want to raise a grievance about another employee. What does the line manager need to do first?

- The line manager should try to resolve the matter informally by meeting with the employee and discussing their concerns in confidence with them.
- If necessary, the manager should make discreet investigations, as appropriate, and attempt to address their concerns fairly and promptly. If an informal resolution is reached the manager should notify the employee of the outcome which would normally take the form of a summary note of the discussion and its outcome.
- If this does not resolve matters, then the line manager may speak to the employee about proceeding under the formal Grievance Procedure.

**7. A line manager's manager has told them that an employee has taken a grievance out against them. What should they do?**

- The manager who is the subject of the grievance should continue to act in a professional manner towards the employee. It may be worth considering alternative, temporary line management arrangements.
- The employee may ask to omit the informal stage of the procedure. If so, the grievance would go straight to the formal stage of the procedure where it should be heard by a manager who is more senior than the line manager. It is advisable to get HR helpline support in grievances of this nature.

**8. An employee has asked their line manager for advice about appealing against the outcome of the grievance. Can they appeal?**

- Yes, an employee should submit their grounds of appeal in writing to the person named in the grievance outcome letter within **5 days of receipt** of the grievance outcome letter.
- An appeal hearing will be convened at which a different manager will consider the grounds of appeal.
- If the employee's line manager was involved at the first stage, then they may be asked to appear as a witness (or to provide written evidence) at the appeal stage of the grievance.
- The decision of the appeal hearing will be the final outcome in the process.

**9. An employee has taken out a grievance during an investigation under the conduct management procedure. Can they do that?**

- Yes they can. The Chair will consider whether to suspend the conduct management procedure until the grievance has been resolved, or to carry on with the process.
- Whether the conduct management process is suspended will depend upon the circumstances and whether or not there is overlap between the facts relating to the process and the nature of the grievance complaint(s).
- The main principle underpinning the manager's approach must be to deal with the grievance as quickly as possible.
- If the manager thinks that the issue raised under the grievance is likely to be resolved during the conduct management procedure, then they should continue with the process. If not, then the manager should suspend the conduct management process and deal with the grievance straight away.
- If the conduct management procedure outcome may result in dismissal, they may have to consider the grievance at the same time.
- The manager should seek advice from HR helpline in these circumstances.

**10. An individual left the organisation a while ago, but has now written in to say they want to lodge a grievance against their former line manager. Can they do that?**

- Yes, but the Group is not obliged to consider it.
- Depending on the nature of the grievance the Group may decide that it warrants further investigation and may decide to consider the grievance further. It is not, however, under any obligation to do so and does not need to keep the ex-employee informed as to the progress of any resulting investigation/action taken.
- Ordinarily, a grievance raised more than 1 month after an individual has left the organisation will not be considered.

**11. Who should deal with grievances?**

- A grievance should normally be dealt with informally with the employee's line manager where possible. Where a grievance cannot be resolved informally the employee should complete the complaint/grievance form and this should be submitted to their manager.

- In cases where an employee does not feel comfortable submitting the grievance to their manager it may be more appropriate for another senior manager to consider the grievance further.

### **12. Should I insist that a grievance is submitted in writing?**

- All managers should be willing to deal with grievances irrespective of whether or not they are submitted in writing.
- It is more effective if managers seek a resolution to a grievance rather than insisting on a formal written document.
- Managers have a responsibility to deal with employee complaints in an open manner, encouraging the employee to discuss their concerns with them.

### **13. Why is it important for employers to tackle grievances effectively?**

- High performance and productivity is dependent on effective working relationships and the fair and reasonable handling of grievances is an important element in creating and maintaining those relationships.
- If managers view grievances constructively they will be in a better position to resolve genuine workplace problems thereby improving morale.
- Grievances can also help uncover unacceptable and bad practice.
- Resolving grievances can often improve efficiency and prevent damages to reputation.

### **14. Are employees who are potential witnesses obliged to provide a witness statement?**

- It is not possible to force an employee to provide a witness statement. However, the employer should seek to persuade the employee to cooperate with their employer and that their assistance is important in ensuring that we are able to consider all the relevant facts.

### **15. What should I do in cases when I feel that a grievance or allegation is malicious, frivolous or vexatious?**

- Any complaints from employees which appear to be malicious, frivolous or vexatious will be investigated under the Conduct Management procedure.
- If a grievance is felt to be malicious, frivolous or vexatious and the manager is considering not registering the grievance, then the advice from the HR helpline and the view of a more senior manager must be sought prior to any further action being taken.

### **16. How often should I keep in touch with the employee involved whilst an investigation is underway?**

- Manage expectations on the likely length of time this will take and keep in touch on a regular basis e.g. fortnightly. Most investigations should be concluded within 2 weeks unless they are complex.

### **17. Do I need to see every witness face to face?**

- An investigation should be fair and reasonable, in some cases asking the witness to complete a written statement can save time for the investigating manager and you have a written record to cross check against any allegations.
- Any follow up questions can be asked face to face or over the telephone.