



Policy Name	Grievance Policy
Version	0.1
Name of originator/ author	HR Manager
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## 1. Policy

The Trust aims to encourage employees with grievances relating to their employment to use the procedure below to seek satisfactory solutions. We will endeavour to resolve grievances as quickly as possible to the satisfaction of the individual(s) concerned. Where this is not possible, every effort will be made to explain the reasons for the decision and, where employees are not satisfied with the outcome, they have the right to appeal. It is hoped that most grievances will be resolved during the informal discussion. Employees who have raised grievances will be treated fairly at all times before, during and after the conclusion of the grievance hearing(s).

The Trust intends to follow the provisions of the ACAS Code of Practice on Disciplinary and Grievance Procedures (the 'Code'). If there is any conflict between the Trust's grievance procedure (set out below) and the Code, the Code shall prevail.

## 2. Procedure

### Informal

We recognise that from time to time you may have a grievance relating to your employment. Most routine complaints and problems are best resolved informally in discussion with your line manager. If the issue is not resolved or concerns your line manager then it can be discussed with a member of the Senior Leadership Team.

Most routine complaints and problems are best resolved informally in discussion with your line manager, the Chief Executive or another Trustee (as above). However where an issue cannot be resolved in an informal way it should be dealt with under the following procedure that complies with statutory requirements.

### Formal

Stage 1 - If you feel that the matter has not been resolved satisfactorily through informal discussions, you should raise the matter formally and without unreasonable delay with your line manager if they are not the subject of the grievance. This should be done in writing and should set out the nature of the grievance. You will receive a reply as soon as practicable, where possible within five working days. A named individual will investigate your grievance initially and then a grievance meeting will be arranged. You, any relevant witnesses and your line manager/a Trustee or such other person as they may appoint will attend the meeting. You may choose to be accompanied by a workplace colleague. Your

line manager/a Trustee or such other person as they may appoint will give a response as soon as practicable, where possible within five working days of the meeting, and will inform the employee of the appeals procedure.

Stage 2 - If you are not satisfied with the response, you may raise the matter, in writing, with the Chief Executive, or if the matter concerns the Chief Executive, with a Trustee. A meeting will be arranged, constituted as in Stage 1, except another Trustee or an authorised deputy will replace the line manager. The Trustee or the authorised deputy will give a response within five working days of the meeting. This decision will be final.

If the Chair has been involved in Stage 1 of the formal procedure a Trustee of the Earth Trust or such other person as they may nominate will be appointed to hear the appeal and again their decision will be final.

### **3. Investigations**

The Trust is committed to ensuring that all grievances are fully investigated. This may entail carrying out interviews with the employee concerned and third parties such as witnesses and colleagues as well as analysing written records and information. The investigation report will normally be made available to all the parties concerned. Where necessary, the identity of witnesses will be kept confidential.

#### Notes

1. You may raise a complaint directly with a Director, the Chief Executive or a Trustee if it concerns your line manager or is of too personal or sensitive a nature to raise with your line manager.
2. Thus, complaints concerning discrimination, bullying or harassment by your line manager may be raised directly with a Director, the Chief Executive or a Trustee. This may be done informally or formally, i.e. at Stage 2 of the formal procedure.
3. If your complaint concerns an alleged wrongdoing or criminal offence by persons within the Trust, you should raise it immediately with the Chief Executive and the Chair. The Public Interest Disclosure Act 1998 (known as the Whistle-blowers' Act) details additional protection available for protected disclosures.
4. The grievance procedure should not be used for appeals against disciplinary decisions, as that is the purpose of the disciplinary appeals procedure. If, however, you have a complaint against the behaviour of a person during the course of a disciplinary case, you may raise it as a grievance. If necessary, the disciplinary procedure may be suspended for a short period until the grievance can be considered.
5. Every effort will be made to ensure that employees will not suffer any detriment from raising a grievance. However, you should note that if your grievance is found to be malicious or to have been made in bad faith, then you would be subject to the Trust's disciplinary procedure.
6. We will aim to ensure that the confidentiality of any employee during the grievance process is maintained appropriately by your line manager and, where it is necessary to inform them, colleagues. However, it needs to be recognised that, in supporting employees and for the safe and effective operation of the organisation, some degree of information sharing is likely to be necessary.
7. The timescales listed above will be adhered to wherever possible. However, where there are good reasons, e.g. the need for further investigation or the lack of availability of

witnesses or companions, each party can request that the other agrees to an extension of the permitted timescale.

8. The Trust reserves the right to seek assistance from external facilitators at any stage in the grievance procedure, in the interest of seeking a satisfactory outcome for all concerned.
9. This procedure is for guidance only and does not form part of employees' contractual rights. The contents may be subject to revision from time to time.