



# Grievance procedure

## 1. About this procedure

- 1.1 We recognise that from time to time you may have a grievance relating to your employment. Most grievances can be resolved quickly and informally through discussion with your line manager. If the issue is not resolved or concerns your line manager then it can be discussed with your second line manager (your manager's line manager). If this does not resolve the problem you should initiate the formal procedure set out below.
- 1.2 This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.
- 1.3 This procedure is intended to incorporate the ACAS Code of Practice on Disciplinary and Grievance procedures (the 'Code'). If there is any conflict between the procedures set out within this handbook, and the Code, the Code will prevail.

<https://www.acas.org.uk/acas-code-of-practice-on-disciplinary-and-grievance-procedures>

## 2. Step 1: written grievance

- 2.1 If your matter is not resolved informally (as described in clause 1.1) you should put your grievance in writing and submit it to your line manager, without unreasonable delay. If your grievance concerns your line manager you may submit it to your second line manager (your manager's line manager).
- 2.2 The written grievance should set out the nature of the complaint, including any relevant facts, dates, and names of individuals involved so that we can investigate it.
- 2.3 You will receive a reply as soon as practicable, where possible within 5 working days.

## 3. Step 2: meeting

- 3.1 We will arrange a grievance meeting, normally within one week of receiving your written grievance. You should make every effort to attend.
- 3.2 You, any relevant witnesses and your line manager/Trustee or other such person as they may appoint will attend the meeting.
- 3.3 You may choose to bring a companion to the grievance meeting if you make a reasonable request in advance and tell us the name of your chosen companion. The companion will be a workplace colleague, who will be allowed reasonable paid time off from duties to act as your companion.
- 3.4 If you or your companion cannot attend at the time specified you should let us know as soon as possible and we will try, within reason, to agree an alternative time.

- 3.5 We may adjourn the meeting if we need to carry out further investigations, after which the meeting will usually be reconvened.
- 3.6 We will write to you, usually within one week of the last grievance meeting, to confirm our decision and notify you of any further action that we intend to take to resolve the grievance. We will also advise you of your right of appeal.

#### **4. Step 3: appeals**

- 4.1 If the grievance has not been resolved to your satisfaction you may appeal in writing to the Chief Executive, or if the matter concerns the Chief Executive, with a Trustee. You must state your full grounds of appeal, within one week of the date on which the decision was sent or given to you.
- 4.2 We will hold an appeal meeting, normally within two weeks of receiving the appeal. This will be dealt with impartially by a more senior manager who has not previously been involved in the case. You will have a right to bring a companion (see paragraph 3.2).
- 4.3 We will confirm our final decision in writing, usually within one week of the appeal hearing. There is no further right of appeal.

#### **5. Investigations**

- 5.1 We are committed to ensuring that all grievances are fully investigated. This may entail:
  - 5.1.1 carrying out interviews with the employee concerned and any third parties such as witnesses and colleagues, which may take place in person or remotely, using remote working platforms or technologies as appropriate;
  - 5.1.2 analysing written records and information.
- 5.2 The investigation report will normally be made available to all the parties concerned. Where necessary, the identity of witnesses will be kept confidential.

#### **6. Additional guidance**

- 6.1 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.
- 6.2 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.
- 6.3 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 Director of Operations. The Public Interest Disclosure Act 1998 (known as the Whistle-blowers' Act) details additional protection available for protected disclosures.
- 6.4 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.

- 6.5 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 disciplinary procedures.
- 6.6 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.
- 6.7 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.
- 6.8 We reserve 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.