



GRIEVANCE PROCEDURE

Adopted: January 2024	Approved: January 2024
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1. GRIEVANCE PROCEDURE

We believe that if during the course of your employment, you have any grievances or complaints relating to your employment, they should be settled as quickly as is practicable using the grievance procedure. Although not legally binding, the ACAS Code of Practice of Grievance matters has been incorporated into our Procedures where appropriate. Most complaints and grievances are best resolved informally in discussion with your immediate line manager. However, if you feel that the grievance cannot be resolved informally or if you feel that you have not received a satisfactory response then you may need to take more formal action. A Grievance may be defined as 'a complaint by an employee about action which his/her employer has taken or is contemplating taking in relation to him/her' and covers the actions of fellow workers. In all circumstances we will endeavour to treat the employee fairly, consistently, and reasonably. We reserve the right to vary or amend these procedures by giving reasonable notice of such changes to the employee in writing. The section is provided for information only and does not form part of your contract of employment, although the procedure may be referred to in your Contract of Employment or Statement of Particulars. To ensure fair treatment during the process, you will be given the opportunity to state your grievance at a Grievance Hearing and to be accompanied at that Grievance Hearing by a fellow work colleague or trade union representative if you have one. If you or the person accompanying, you have a disability we will consider reasonable adjustments to enable you to attend the Grievance Hearing and present your case. If you wish to raise a grievance you should let your employer know the nature of the grievance in writing. If your grievance is against your line manager, then you may write to another manager with the details of your grievance. Once you have informed your employer of your grievance you will be invited to a Grievance Hearing to discuss your grievance and how you would like your grievance to be resolved. You should make every effort to attend the Grievance Hearing which will be arranged promptly. You will have the right of appeal if you are not happy with the actions agreed as a result of the grievance hearing to another manager, if at all possible.

1.1. LODGING A GRIEVANCE

You must: Put your grievance, in writing to the Chief Executive Officer stating that you wish the matter to be referred to the first stage of the formal procedure. If the grievance is against your line manager the matter should then be raised with a different manager or a more senior manager. If the grievance is against the Chief Executive Officer, the matter should then be raised with the Board of Directors.

1.2. THE GRIEVANCE HEARING / RIGHT TO BE ACCOMPANIED You will then be invited to attend a grievance hearing in order to discuss the grievance. You will be given the right to be accompanied by a fellow work colleague or a trade union representative if you have one, but no-one else and it is your responsibility to arrange this. You must take all reasonable steps to attend this grievance hearing, where you will be invited to outline the reasons for your grievance and how you wish the matter to be resolved.

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1.3. DECIDING ON THE APPROPRIATE COURSE OF ACTION Following the grievance hearing the Chief Executive Officer will respond to you, in writing, within 5 working days of the grievance hearing, outlining what action, if any, will be taken to resolve your grievance and providing details of the appeal process and timescales for appeal. If it is not possible to respond within 5 working days then you will be given an explanation for the delay and told when a response can be expected within a reasonable timescale.

1.4. GRIEVANCE APPEAL HEARING

If you feel the grievance has not been resolved to your satisfaction or a suitable compromise has not been reached at the Grievance Hearing then the following appeal process will apply:

You should escalate your grievance, in writing, to the Board of Trustees as directed in the response to the original grievance hearing.

If a Board member heard the original grievance, then you should raise the issue with a different member of the Board. You will be invited to a 'Grievance Appeal Hearing' at which you are entitled to be accompanied by a fellow work colleague or a trade union representative. The Grievance Appeal Hearing should take place within 5 working days of the escalation of the complaint being made. Following the Grievance Appeal Hearing the Board will respond to you, in writing, within 10 working days of the Grievance Appeal Hearing, outlining what action, if any, will be taken. If it is not possible to respond within 10 working days then you will be given an explanation for the delay and told when a response can be expected within a reasonable timescale. The outcome of this Grievance Appeal Hearing will be final and binding on all parties and no further appeal will be allowed. In certain circumstances, with mutual agreement, the Chief Officer may seek external advice and assistance during the procedure. For example, where relationships have broken down an external facilitator may be able to help resolve the problem. Although every effort will be made to reach a satisfactory conclusion both parties must recognise that there may be a need to compromise in order to solve the issue. If the grievance relates to any form of harassment or discriminatory behaviour, you should follow the Equal Opportunities Complaint Procedure. The internal grievance procedure may be followed for existing employees and ex-employees who have left the organisation not more than 28 days after lodging the grievance.

1.5. MEDIATION

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

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2. MODIFIED GRIEVANCE PROCEDURE

The Organisation reserves the right to modify the above process where the Organisation was not made aware of the grievance prior to the employee leaving the Organisation; where the internal grievance procedure had not been started or completed before the employment ended and where both parties agree to modify the procedure. The modified procedure shall consist of two stages:

- 2.1.** Stage One: The employee sets out their grievance in writing and sends it to the Organisation.
- 2.2.** Stage Two: The Organisation considers the matter and responds to the employee in writing by way of their final decision.

3. EXEMPTIONS FROM THE GRIEVANCE PROCEDURE

The Organisation's internal grievance procedure will not usually apply where the employee has already left the organisation either by termination or resignation and where neither the grievance procedure nor the modified procedure has been implemented prior to leaving and where it is not reasonably practicable to adopt the procedure e.g. due to ill-health/employee left the country or where one party is violent, threatening, abusive or unreasonable. The Grievance Procedure will not apply to grievance raised about a pending disciplinary or dismissal for which the disciplinary appeal process is the appropriate course of action.

3.1. RAISING A GRIEVANCE DURING A DISCIPLINARY PROCEDURE

If a grievance is raised about another matter whilst a disciplinary procedure is being held it may be appropriate to suspend the disciplinary proceedings whilst the grievance is dealt with unless the grievance and disciplinary matters are overlapping, in which case the issues may be dealt with concurrently.

The condition detailed within this document may only be amended following discussion and approval of the Board of Trustees which in turn should be properly recorded.

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