



# Grievance Policy & Procedures

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## Document History

Version	Comments/amendments	Name	Date
1.0	Version 1	Lyndsey Jeffries	Nov 18
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## GRIEVANCE POLICY & PROCEDURES

### 1. Introduction

- 1.1 The object of our grievance procedures is to enable employees who consider that they have a grievance or complaint arising from their employment to have it dealt with fairly and resolved efficiently and to the satisfaction of all concerned.
- 1.2 Any employee wishing to use the grievance procedures can do so freely and without prejudice to their position. Employees are expected to raise any grievance in a timely manner so that investigations can be undertaken as soon as possible. The grievance procedures apply to all employees, irrespective of job or grade.
- 1.3 Grievances relate to a complaint about the way in which you have been treated by the Group or managers acting on its behalf. Grievances may include discrimination, the allocation of work, your working environment or conditions; the opportunities that you have been given for career development or the way in which you have been managed, health and safety etc.
- 1.4 Therefore, when issues arise relating to your employment, we want to ensure you have the opportunity and feel comfortable in bringing legitimate grievances to our attention, in order to secure resolution quickly and fairly. Often the best way to resolve a problem at work is to talk to your manager and we encourage people to try and settle any issues informally first. Many grievances are the result of a breakdown in communication and can be resolved quickly and informally through discussion with your manager. If you are concerned about anything to do with your employment, you should speak to your manager as soon as possible. Worrying about a grievance without talking to your manager is likely to make it worse and could affect your attitude and performance at work.
- 1.5 To this end, the following procedure should be adopted where an employee has a grievance arising from their employment, except where the matter constitutes an appeal against a disciplinary decision which should be taken up in accordance with the organisation's separate disciplinary appeals procedure.
- 1.6 The grievance procedure will be carried out in confidence, unless otherwise agreed with the parties involved and will not prejudice the aggrieved employee's current employment or future career prospects. Some grievances may be of a sensitive or controversial nature and therefore a balance must be drawn between the need to preserve this confidentiality and the need for informed discussion on the issues raised.
- 1.7 Our confidential Employee Assistance line (020 7173 7796) is also available as additional support during this time.

### 2. Responsibilities

2.1 You are responsible for ensuring that:

- You raise any concerns that you have in a timely manner;
- You use the informal stage wherever possible, prior to any formal action being taken;
- You attend meetings as required in order to secure a resolution; and
- You maintain confidentiality of any actions / outcomes from a grievance process.

2.2 The manager dealing with the grievance is responsible for ensuring that:

- The informal stage is used wherever possible prior to any formal action being taken; and
- They keep to the timescales within this policy to ensure that your concerns are dealt with quickly, reasonably, as fairly as possible, and ensure all information; including any outcomes / actions is dealt with confidentially.

### **3. Raising a Grievance Informally**

3.1 It is anticipated that most grievances will be resolved through informal discussion and the normal management channels without the need to invoke the formal grievance procedure, but whereby all parties are confident that the issue has been resolved. This is not part of the grievance procedure. Only if the matter is not resolved between them should the formal grievance procedure need to be used.

### **4. The Formal Grievance Procedure**

4.1 Where the informal procedure has failed to resolve the matter, the employee should initiate the formal grievance procedure. This consists of two steps;

#### **5. Step 1**

5.1 Employees should put their grievance in writing to their direct manager. Where the grievance is against the employee's immediate line manager the grievance should be addressed to your managers manager.

5.2 Your grievance should contain a brief description of the reasons for your complaint; including any relevant facts, dates, places and names of individuals involved. If necessary, you may be asked for further information or clarification ahead of any formal meeting.

5.3 Where you and your colleagues have grievances which are the same or the content is very similar, you may raise these together to allow them to be heard at the same time.

5.4 Where you and your colleagues submit individual grievances which are the same or the content is very similar, we may decide to hear your grievances together in order to bring about resolution in a speedy and effective manner.

- 5.5 On receiving the grievance, the manager will within 5 working days send a letter to acknowledge the grievance and to advise of the next steps in the process.
- 5.6 You will be invited to a grievance hearing (face to face meeting), which will normally take place within 10 working days of receipt of your written grievance. In some circumstances, this time period may be extended to allow investigation and collation of facts. In such an event you will be kept informed.
- 5.7 A note taker will normally attend the meeting to ensure there is a record of the meeting.
- 5.8 The purpose of the grievance hearing is to enable you to explain your grievance and to discuss it with us. During the meeting you will be given the opportunity to explain your grievance, how you think it should be resolved, and have the opportunity to respond to all information and evidence produced by the organisation.
- 5.9 If you are unable to attend your first arranged hearing, this will be usually be re-arranged within 5 working days prior to the meeting going ahead in your absence if you do not attend the re-arranged meeting. After the initial grievance hearing we may carry out further investigations and/or hold further meetings as we consider appropriate.
- 5.10 In cases where similar grievances are being heard together, you and your participating colleagues will be entitled to only one grievance hearing and (if applicable) one appeal hearing. You and your colleagues can agree to nominate one of you to act on behalf of you all. If there is no one nominated representative, you and your colleagues will be entitled to address concerns individually at the grievance hearing.
- 5.11 We will inform you of our decision and of your right of appeal within 7 working days of the final grievance hearing. This will be confirmed in writing. If there is a delay in providing this written response to you, we will inform you of the reasons for the delay.

## **6. Step 2**

- 6.1 If the employee wishes to appeal, this should be put in writing within 5 working days of the grievance outcome and state clearly the full grounds of the appeal. The appeal should be based on one or more of the following grounds:
- You believe the full facts were not given proper consideration by the manager;
  - There has been a breach in the grievance procedure; and/or
  - There is new evidence available.
- 6.2 In cases where a number of grievances have been heard together, the request for an appeal should clearly identify those wishing to pursue the appeal.
- 6.3 The appeal will be heard by an appropriate, more senior manager who has not been involved in the original decision. The manager will then make arrangements for a grievance appeal

hearing at which the employee will have the right to be accompanied (by a fellow employee or accredited Trade Union Representative).

6.4 The employee will be invited to attend a further meeting at which they will have the opportunity to explain the grounds of their appeal and to make submissions for consideration. The appeal investigating manager will make an appeal decision within 10 working days unless extended by notification and this will be confirmed to the employee in writing.

6.5 The decision of the manager holding the appeal will be final and there will be no further right of internal appeal.

**7. Grievances overlapping with disciplinary procedures**

7.1 Grievances raised while you are subject to disciplinary proceedings will usually be heard separately to the disciplinary process if they are not related. However, where a grievance has any bearing on the disciplinary proceedings, it is likely to be heard as a relevant issue in the course of those proceedings.

**8. Time limits**

8.1 If the employee’s chosen companion (a fellow employee or accredited Trade Union Representative) is not available on the day of the meeting the employee may reasonably request that the meeting be rescheduled on another day, within 5 working days of the selected date.

8.2 A working day is a day other than a Saturday, a Sunday or a bank holiday. For education staff, a non-working day would also include any school holidays.

8.3 The various steps of the procedure should be held within a reasonable time. Often the procedure will give an indication of these times (see below) but they should not be fixed as it may not be possible to meet them. For example, if an investigation is required, time will have to be extended.

Step 1	[5] working days
Step 2	[10] working days

8.4 In the absence, for any reason, of the appropriate management representative, the procedure may authorise any other executive of the organisation to take the necessary action on his or her behalf. At the request of the employee, however, consideration may be deferred until the return of the appropriate management representative.

8.5 Although the policy may set down time limits within which answers to grievances are to be given, it is important that grievances are dealt with as quickly as possible, and as close to the level of origin as possible.

**9. Right to be accompanied at a grievance meeting**

9.1 The employee may be accompanied at a grievance meeting by a fellow employee or Trade Union Representative whereby there is a complaint about a duty owed by the employer to the employee. You must tell the person holding the meeting who your chosen companion is in good time before the meeting. If you are asked to act as a companion for one of your colleagues, you are not obliged to agree to attend, but if you do attend, you are allowed reasonable time off from duties without loss of pay.

9.2 The chosen companion is able to address the hearing, respond on behalf of the employee or to confer with the employee during the meeting. The representative must not answer questions that are directed at the employee.

9.3 We may ask you to choose someone else if the meeting would be delayed for over 5 working days because your companion is unavailable.

9.4 Where cases are heard together you will have no additional right to be accompanied beyond having your colleagues who raised the same grievance present. If you or your colleagues wish to be represented by your trade union representative on an individual basis, we will arrange to hear your grievances under our normal grievance procedure.

**10. Action following the investigation**

10.1 If the investigator considers that your complaint is justified, prompt action will be taken to address it.

10.2 Whether or not your complaint is upheld, we will consider how best to manage your situation. It may be appropriate to arrange some form of mediation and/or counseling, or to change the duties, working location or reporting lines of you or other parties.

10.3 If it is found that you have deliberately provided false information or otherwise acted in bad faith as part of an investigation you may be subject to action under our disciplinary procedure.

10.4 Please note that the contents of your grievance and any action taken against another person as a result of your grievance are confidential. This means that while your manager will treat these matters as confidential, you must also regard them as such.

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