

GRIEVANCE POLICY AND PROCEDURE

In any organisation employees may have problems or concerns about their work, working environment or relationships that they wish to raise and have addressed. A grievance procedure provides a mechanism for issues to be dealt with fairly and speedily, before they develop into major problems. It is impossible to provide a comprehensive list of all the issues that might give rise to a grievance but some of the more common include: terms and conditions of employment, health and safety, relationships at work, new working practices, organisational change and equal opportunities.

The Foundation's Grievance Procedure is as follows:

1. If you have a grievance about your employment you should discuss it informally with your line manager, or the Chief Executive. We hope that the majority of concerns will be resolved at this stage.
2. If your grievance concerns another employee you should first discuss and try to resolve it with that person, where possible.
3. If a grievance cannot be settled informally you should raise it formally with your line manager. The procedure for doing this is as follows:

Step One: Statement of Grievance

- You must set out your grievance in writing together with an explanation of the basis for your grievance and send the statement or a copy of it to your line manager or, if it is not appropriate to raise the complaint with your line manager or in the absence of that person, the Chief Executive. A response within five working days must be given, in an endeavour to resolve the matter.

Step Two: Meeting

- If the matter cannot be resolved, you will be invited to attend a meeting to discuss the grievance, within a reasonable period of raising the matter. The meeting will only take place if you have first followed the procedure under Step 1 above and after the Foundation (as employer) has had a reasonable opportunity to consider its response to that information. The meeting will be conducted by your line manager or, if appropriate, the Chief Executive.
- You must take all reasonable steps to attend the meeting.
- After the meeting the Foundation will inform you of its decision and notify you of the right of appeal against the decision if you are not satisfied with it.
- You have the right to be accompanied at the meeting.

Step Three: Appeal

- If you wish to appeal you must inform the Foundation in writing within five working days of the decision being communicated to you.
- You will be invited to attend a further meeting.
- You must take all reasonable steps to attend the meeting.

- Where reasonably practical the appeal will be dealt with by a more senior manager than attended the first meeting (unless the most senior manager attended that meeting) or, if appropriate, the Chairman.
- You have the right to be accompanied at the appeal meeting by a fellow employee or union representative.
- You will be informed within seven working days of the Foundation's decision, which will be final.

Outlined below is a summary of the key points relating to the Foundation's grievance procedure.

Raising a Grievance

- Staff should normally raise a grievance with their line manager. If the complaint is against the person with whom the grievance would normally be raised, that person's line manager can be approached (this could include the Chairman in the Chief Executive's absence or if the complaint relates to the Chief Executive).
- Managers should deal with all grievances raised, whether or not the grievance is presented in writing. However, staff should be aware that, under current legislation, they will not subsequently be able to take the case to an employment tribunal unless they have first raised a grievance in writing and waited a further 28 days before presenting the tribunal claim.
- Where an employee finds it difficult to formulate a grievance in writing, for instance if they are disabled or have a problem in expressing themselves on paper, they should be encouraged to seek help, for example from a work colleague.

Grievance meetings

- On receiving a formal grievance, the line manager should invite the staff member to a meeting as soon as possible and inform them of their right to be accompanied. A time and place for the meeting should be agreed, together with those attending (which, in addition to the employee and companion could include, where appropriate, the line manager, the manager's line manager, Chief Executive and/or Chairman). If an employee's companion cannot attend on a proposed date, the employee can suggest another date so long as it is not more than five working days after the date originally proposed. However, this five day time limit may be extended by mutual agreement.
- Staff should be allowed to explain their complaint and say how they think it should be settled. If the point is reached in the meeting where the Foundation is not sure how to deal with the grievance or feels that further investigation is necessary, the meeting should be adjourned to get advice or make further investigation.
- Variation from this procedure will only be allowed for circumstances beyond the control of either party that prevent one or more steps being followed within a reasonable period – long term illness for instance.
- The Foundation should respond in writing to the grievance within a reasonable time and should let the employee know that they can appeal against the Foundation's decision if they are not satisfied with it. Five working days is generally considered as 'reasonable'. If it is not possible to respond within this time the staff member should be given an explanation for the delay and told when a response can be expected.

Appeals

- If a staff member is unhappy with the decision after a grievance meeting, the Foundation should arrange an appeal and remind them of their right to be accompanied at the appeal meeting. As far as is reasonably practical the appeal should be with a more

senior manager than the one who dealt with the original grievance. This may involve the Chairman.

Records

- It is important to keep written records during the grievance process. Records should be treated as confidential and kept on the employee's personal file (held by the Chief Operating Officer) in accordance with the Data Protection Act 1998 which gives individuals the right to request and have access to certain personal data.
- Copies of meeting records should be given to the employee. In certain circumstances (to protect a witness for example) the Foundation might withhold some information.

Right to be accompanied

- All employees have the right to be accompanied at a disciplinary or grievance hearing. The companion can be a fellow employee or a trade union official.
- Staff must make a reasonable request to the Foundation to be accompanied. The request does not need to be in writing. Whether the request is reasonable will depend on the circumstances of the case, for instance it would not be reasonable to insist on being accompanied by a colleague whose presence would prejudice the hearing or who might have a conflict of interest.
- Where possible the companion should be allowed to have a say in the date and time of a hearing.
- The Foundation should be told who the chosen companion is.
- The companion can have a say at the hearing but cannot answer questions for the employee.

Reviewed: April 2024