Grievance Policy and Procedures

1.0 PURPOSE & SCOPE

1.1 Grievances are concerns, problems or complaints that employees raise with their employers.

1.2 The purposes of the grievance procedure is to reach a resolution on matters affecting employment, for example terms and conditions of employment, health and safety, work relations, working environment, new working practices, organisational change, equal opportunities and discrimination (this list is not exhaustive).

1.3 This policy is designed to resolve individual grievances raised by staff in relation to their employment. It aims to provide means by which individual grievances can be settled as quickly and as close to the point of origin as possible.

1.4 This policy applies to all staff of Peat Rigg.

1.5 This policy aims to ensure good practice by applying the standards set out in the relevant sections of the ACAS Code of Practice on Disciplinary and Grievance Procedures.

1.6 In small firms such as Peat Rigg that are run by a Director on a day to day basis, initially, there may be no alternative manager to raise a grievance with. In this situation, the grievance will be dealt with by the Director and will be treated fairly and objectively even if it about something the Director has said or done.

2.0 PRINCIPLES

2.1 If a member of staff has a grievance, he/she should first endeavour to resolve the matter informally by a direct approach to, and discussion with other member(s) of staff concerned.

2.2 If it is a matter that relates specifically to the Managing Director - Ian Thorpe, it may be necessary for the matter to be dealt with by other members of the Board of Trustees of Peat Rigg Charitable Foundation. The names and contact details of all Trustees are available in the Peat Rigg office.
If the matter remains unresolved by informal procedures the formal procedure may be followed.

2.21 At each stage of the formal process, individuals have the right if they wish, to be accompanied by a fellow employee.

2.2.2 During the hearing the companion should be allowed to address the hearing in order to:

- put the employees' case forward
- sum up the employees' case
- respond on the employee's behalf to any view expressed at the hearing

The companion can also confer with the employee during the hearing. The employer will allow the companion to participate as fully as possible in the hearing.

2.3 No member of staff will suffer detriment for raising a grievance in good faith, or for assisting a colleague to do so.

2.4 Employees may raise issues about matters not entirely within the control of Peat Rigg Charitable Foundation, such as client or customer relationships (for example where issues arising from a course have an impact on an employee). These should be treated in the same way as grievances within Peat Rigg Charitable Foundation, with the employer investigating as far as is possible and taking action if required. Peat Rigg Charitable Foundation should make it very clear to any third party that grievances are taken seriously and action will be taken to protect their employees.

2.5 Harassment or bullying should normally be raised in accordance with the Harassment and Bullying Policy. If the situation cannot be resolved by following guidelines in the above named policy, a formal complaint may be made under this (grievance) procedure

3.0 RECORD KEEPING

Employers should keep a written record of any grievances they deal with. Records should include:

- The nature of the grievance
- The date(s) of the grievance(s)
- What was decided and actions taken
- The reason for the actions
- Whether an appeal was lodged
- The outcome of the appeal
- Any subsequent developments

Records should be treated as confidential and kept no longer than necessary in accordance with the Data Protection Act 1998.

Copies of meeting records should be given to the employee including copies of any formal minutes that may have been taken. In certain circumstances (for example to protect a witness) the employer might withhold some information.

4.0 FORMAL PROCESS

If it not possible to resolve a grievance informally employees should raise the matter formally and without unreasonable delay. This should be done in writing and should set out the nature of the grievance.

Employers should arrange for a formal meeting to be held without unreasonable delay after a grievance is received.

Employers, employees and their companions should make every effort to attend the meeting

Prior to a grievance hearing an investigation will normally take place to establish the facts on the misconduct / complaint / allegation. Investigations should be conducted without unreasonable delay. On occasions, it may not be necessary to conduct an investigation meeting; the facts may be collated and progressed straight to a grievance hearing

4.1 Conduct of the Meeting

Managers should:

- 4.1.1 remember that a grievance hearing is not the same as a disciplinary hearing and is an occasion when discussion and dialogue may lead to an amicable solution
- 4.1.2 make introductions as necessary
- 4.1.3 invite the employees to re-state their grievance and how they would like to see it resolved
- 4.1.4 put care and thought into resolving grievances. They are not normally issues calling for snap decisions, and the employee may have been holding the grievance for a long time
- 4.1.5 consider adjourning the meeting if it is necessary to investigate any new facts which arise
- 4.1.6 sum up the main points
- 4.1.7 tell the employee when they might reasonably expect a response if one cannot be made at the time

4.2 Right to Be Accompanied

Employees have a statutory right to be accompanied where they are required or invited by the Company to attend a grievance hearing.

4.2.1 The statutory right is to be accompanied by a fellow employee, or another suitably qualified or experienced individual. Employers must agree to

an employee's request to be accompanied by any companion from one of these categories.

4.2.2 Employees may also alter their choice of companion if they wish. As a matter of good practice, in making their choice employees should bear in mind the practicalities of the arrangements. For instance, an employee may choose to be accompanied by a companion who is suitable, willing and available on site rather than someone from a geographically remote location.

4.2.3 To exercise the statutory right to be accompanied, employees must make a reasonable request. What is reasonable will depend on the circumstances of each individual case. A request to be accompanied does not have to be in writing or within a certain time frame. However, an employee should provide enough time for the employer to deal with the companion's attendance at the meeting. Employees should also consider how they make their request so that it is clearly understood, for instance by letting the employer know in advance the name of the companion where possible and whether they are a fellow worker or other suitable individual.

4.2.4 If an employee's chosen companion will not be available at the time proposed for the hearing by the employer, the employer must postpone the hearing to a time proposed by the worker provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.

4.2.5 The companion should be allowed to address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and asking any witnesses questions and confer with the employee during the hearing. The companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

4.2.6 The Company would not allow any other individual to attend the meeting for example a member of the legal profession or a family member. The Grievance Procedure is an internal process.

4.2.7 An employee who has agreed to accompany a colleague will be entitled to take a reasonable amount of paid time off from their duties to fulfil that responsibility. Time away from their duties will include time for the companion to familiarise themselves with the details of the case and confer with the employee before and after the hearing.

5.0 FOLLOWING THE MEETING

Once the meeting has concluded if a decision could not be made immediately the employer will communicate with the employee to advise and, where appropriate the employer will set out what action they intend to take to resolve the grievance. Additionally, the employee is given the right of appeal if they are not content with the action to be taken.

6.0 APPEALS

Where an employee feels that their grievance has not been satisfactorily resolved they should appeal. They should let their employer know the grounds for their appeal without unreasonable delay and in writing.

Appeals will be heard without unreasonable delay and at time and place which should be notified to the employee in advance.

The appeal should be dealt with impartially and wherever possible by a of Trustees or Senior members of staff who have not been previously involved in the case.

Employees have a statutory right to be accompanied at any such appeal hearing.

The outcome of the appeal should be communicated to the employee in writing without unreasonable delay.

The result of the appeal will be the final decision of Peat Rigg Charitable Foundation.