

Grievance Policy

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### **Purpose of the policy**

The Grievance Policy enables employees to raise issues that they are unhappy about at work and to ensure they are quickly resolved.

### **Employee's responsibilities**

- To raise the grievance informally as soon as possible with their immediate manager or their manager's manager.
- To provide evidence for their case, for example, by keeping a log of the incidents that are causing the grievance.
- To seek advice and/or representation as soon as possible if needed.

### **Manager's responsibilities**

- To listen objectively to the grievance from the employee's perspective and recognise that no grievance is trivial to the employee raising it.
- To seek to resolve the issue as soon as possible.
- The manager is responsible for the application of this policy.
- Where there is evidence that a grievance is not justified, and it is considered frivolous, vexatious or malicious, this could lead to disciplinary action against the employee who raised it.

### **Process**

- – for the employee raising a grievance

### **First steps/informal process**

- ✓ If an employee wishes to raise a grievance, they should first try to resolve the issue informally. It is recommended that they try talking to the person whom the grievance is against as a first step. If that is not possible or too uncomfortable, they should talk to their line manager, another colleague or manager, or a representative.
- ✓ The representative will be able to help the employee with trying to resolve the issue quickly and informally. They may also help by organising a meeting with the person who has aggrieved them,

along with another objective person, and by helping to find ways to remedy the situation.

- ✓ If the aggrieved employee is not comfortable approaching the person directly the manager may need to act as a mediator between both parties to try to resolve the issue. In most cases it will be possible to resolve the issue informally without having to go through a formal process.

### **Formal grievances**

- ✓ If it has not been possible to resolve the grievance informally, employees have the right to lodge a formal grievance. It may be beneficial for the employee to take advice from a representative, manager or colleague as they will be able to help, and can advise on the likelihood of the proposed remedy being achievable. A proposed remedy cannot suggest that someone be subject to a formal process, lose their job, or that you be financially compensated, so people should think carefully about what will actually resolve the situation and what is achievable. The grievance form should be submitted to the HR.
- ✓ Where more than one person has a grievance concerning an organisational or employment matter the Disputes Policy and Procedure should be used.
- ✓ The employee will need to provide evidence to support their case. In most cases it is helpful to keep a log of incidents if the grievance relates to behaviour that has been on-going.
- ✓ It is important for someone to be clear about what the issues are that are concerning them and how they would like them resolved (the remedy).
- ✓ The HR dept will check that all possibilities for resolving the grievance informally have been exhausted, and may speak to the line manager (or their line manager if the grievance is against the employee's line manager) as part of that process.
- ✓ HR will also check whether raising a grievance is the appropriate process to resolve the issues.

### **Process for managers handling a grievance**

- If a grievance is accepted as requiring further action by HR, they will forward it to an appropriate manager to deal with, usually the line manager, unless that it was deemed inappropriate. They will advise the employee when this has happened, and who the manager is.
- The manager will be given a named HR contact, who will have an initial meeting with them to advise on possible courses of action to resolve the issue as quickly as possible.
- The manager will look into the facts of the situation. This will often involve speaking to the person who raised the grievance, and the person that they have raised the grievance against. When they are satisfied that they have enough information, they will take action to attempt to resolve the grievance

as soon as possible.

- A formal grievance meeting will be held and the employee advised that they can be accompanied by a representative or workplace colleague. The employee will be given the opportunity to explain their grievance and how they think it can be resolved. If the grievance can be resolved at this meeting, the manager will confirm the outcome in writing with appeal rights. The meeting will be adjourned if further information or an investigation is required. In some cases the manager may need to discuss with HR whether the investigation should be a grievance or disciplinary investigation and this should be confirmed with the employees involved
- If the employee's grievance is a counter claim against someone who has raised a grievance against them, or a reaction to another policy being applied to them (e.g. Improving Performance, Disciplinary, or Supporting Attendance) then the two may be dealt with together if appropriate. Any counter claim should not be allowed to stop the original proceedings.
- If the facts of the grievance are not clear, the manager will need to obtain further information or conduct or commission an investigation, following the Code of Conduct for Investigations. They must set up the investigation panel within 10 working days of receiving the grievance form. The manager must confirm in writing to the employee that they are conducting an investigation and who is on the investigation panel. They need to keep all parties informed of what is happening, update them regularly, and tell them the reason for any delays.
- If an employee is absent due to sickness while their grievance is being dealt with, they must follow the normal sickness absence reporting procedures. The manager will stay in touch with an employee if they are going to be absent for a long time. It is important for employees to understand that sickness absence will be dealt with in the usual way, and that it will not stop the grievance from being progressed. It is in everyone's interests to resolve it as quickly as possible.

### **The outcome**

- 1 When the fact-finding or investigation is complete, the complainant will be invited to a reconvened meeting with the manager. They will discuss the findings of the investigation with the employee, and whether or not they will be able to resolve the issue with the remedy suggested. Conclusions will be based on the balance of probabilities. If the remedy cannot be delivered in full, the manager should explain the reasons and may tell them what remedy they suggest. The manager must give the employee an opportunity to respond. A mutually agreeable outcome is preferable although will not always be achievable in practice. After the meeting the manager must confirm in writing whether the grievance



was upheld or rejected, and if it was upheld, what the remedy is and when this will happen. The employee will be reminded of their right to appeal.

- 2 Following this, the manager will see the person against whom the grievance was raised, to tell them the outcome and next steps. The manager must communicate to them any actions that they need to take in order to resolve the issue. This will be confirmed in writing to them.
- 3 If the outcome of the investigation into the grievance involves taking disciplinary action against the alleged perpetrator, the must follow the Disciplinary Policy. They can tell the person who raised the grievance that they will be taking formal action under the disciplinary policy, but they cannot give any further detail (e.g. the level of sanction), which is confidential.
- 4 If the employee wishes to appeal against the outcome of their grievance, they must do so within five working days of receiving their letter..
- 5 If at any time during the process the employee feels stressed or upset, they can inform their reporting manager.
- 6 Managers dealing with grievances should consider talking to either party individually about how they are feeling following this process if they think it may be of benefit to anyone struggling with the process. Grievances can be very stressful for both parties, managers need to recognise this and be ready to offer support to help them recover from the situation. This could include:
  - Thinking about what the rest of the team(s) needs to know and communicating this sensitively.
  - Looking at preventing further issues – do they need to change the way the team(s) works together?
  - Acknowledging that they may find work difficult for a few weeks, so being prepared for a slight temporary dip in performance, and a need for patience, help and support to get them back up to speed.

FOR SEPC LIMITED,



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Encl. Grievance Process

## Grievance process

