

## **GRIEVANCE PROCEDURE**

This Procedure applies to all employees.

Whilst it is non-contractual, it should be complied with wherever possible.

The Company reserves the right to amend or withdraw this Procedure at any time and, of course, will give notice to this effect to all employees.

The Company reserves the right to decline to communicate with any person on an employee's behalf in respect of a grievance or concern raised by them for as long as this Procedure is being invoked in their case.

Wherever possible, the employee must work as usual whilst this Procedure is being invoked, and promptly discuss any difficulty about this with their immediate manager.

No employee will be victimised because for having invoked this Procedure provided that they are entirely sincere in doing so. Any victimisation will be regarded as gross misconduct, rendering the employee(s) concerned liable to disciplinary action which, in serious cases, may include summary dismissal.

Most routine work-related concerns which an employee may have will, of course, be best resolved informally in a discussion with their immediate manager.

If, however, they have unsuccessfully attempted to resolve their concerns in this way, or if they would prefer not to discuss their concerns with their immediate manager for whatever reason, then they should put their grievances or concerns in writing, and send these as soon as possible to the Employee Relations Consultant. Receipt will be acknowledged within five working days.

If an acknowledgment of receipt has not been received within five working days of sending their grievances in writing, the employee concerned should phone or email the Employee Relations Consultant as soon as possible to check receipt.

The Company may, if necessary, ask for clarification of any grievances received. This clarification should be provided as soon as possible afterwards.

A grievance may need to be investigated. Where this is necessary, all employees concerned will be expected to fully and promptly co-operate when requested to do so.

A Grievance Hearing will be arranged as soon as possible, and the employee will be notified of this in writing. He/she must take all reasonable steps to attend.

The outcome of a Grievance Hearing will be decided by either the employee's immediate manager or, if this is not appropriate or practicable, by another manager at or above the same level in the Company's organisation, or by an external party nominated by the Company.

An employee may be accompanied at the Grievance Hearing by either a work colleague or by an accredited union representative.

Notes will be taken at the Grievance Hearing. The employee and his/her companion may also take notes if they wish. No other method of recording the discussion is permitted.

An employee may liaise with their companion at the Grievance Hearing, but replies to any question asked of the employee must be given directly by him/her.

A Grievance Hearing may be postponed by the Company pending the outcome of an investigation.

The manager deciding the issues will adjourn the Grievance Hearing to consider his/her decision and will either resume that Hearing to announce the decision, or write to the employee as soon as possible afterwards for such purpose.

If that manager announces his/her decision at the Grievance Hearing, then that decision will be confirmed in writing as soon as possible afterwards.

Advice or confirmation of the decision in writing will be accompanied by full reasons together with notice of the employee's right to appeal, and how this may be exercised.

An employee may appeal against that decision.

## **GRIEVANCE APPEALS**

An employee has the right to appeal against the outcome or decision of a grievance hearing.

Notice of any appeal must be made in writing to the Employee-Relations Consultant and sent to ensure that it is received within five working days of the date of the Company's letter advising or confirming the grievance hearing outcome or decision

When giving notice of an appeal, the employee must state:

- a) the grounds of appeal; and
- b) the outcome sought.

The Company will confirm in writing receipt of the employee's grounds of appeal and, if appropriate, seek clarification of these where appropriate.

Any new relevant facts will ordinarily be investigated.

Arrangements will be made for the Grievance Appeal Hearing to be held as soon as possible afterwards. The Appellant will be notified of these arrangements in writing, and he/she must take all reasonable steps to attend.

The Grievance Appeal Hearing will normally be conducted by a Director of the Company or by an external party nominated by the Company. That person will consider any

representations made by the employee, the employee's companion (if any), those of any investigator, and of the manager who conducted the grievance hearing and who decided its outcome.

The Appellant may, if he/she wishes, be accompanied at a Grievance Appeal Hearing by a work colleague or accredited trade union representative. Whilst the Appellant may confer with their companion, he/she will be expected to reply directly to all questions asked of him/her. Notes will be taken at the time, and the Appellant or their companion may also take notes if they wish. The Appellant's companion may speak when invited to do so.

A Grievance Appeal Hearing may be postponed pending an investigation.

The person hearing the appeal will adjourn the Grievance Appeal Hearing to consider his/her decision and will either resume that Hearing to announce that decision, or write to the Appellant as soon as possible afterwards for such purpose.

If the decision is announced at the Grievance Appeal Hearing, that decision will be confirmed in writing as soon as possible afterwards.

Advice or confirmation of the decision in writing will be accompanied by full reasons.

The decision on appeal may be:

- to uphold any grievance as justified, wholly or partly; or
- to uphold the grievance hearing decision.

There is no further right of appeal.

For the avoidance of doubt, the grievance hearing decision made remains in full force and effect unless and until overturned on appeal.

### **Alternative Dispute Resolution**

Entirely without prejudice to the position of anyone concerned in any grievance proceedings, the Company may be prepared to consider an informal process for resolving the issues in any particular instance. Further details may be obtained from the Employee Relations Consultant.