

Hope 4 (Rugby) Ltd. Grievance Policy and Procedure

Employers and employees should always seek to resolve grievance issues in the workplace. Where this is not possible an independent third party should be sought to help resolve the problem. This could mean an internal mediator, so long as they are not involved in the disciplinary or grievance procedure. Many potential disciplinary and grievance issues can be resolved informally. However, where this is not possible, then a formal process should take place. Employers should keep a written record of any disciplinary or grievance procedures they deal with.

The Policy: This Policy is designed to help employers, employees and their representatives deal with grievance situations in the workplace.

Grievances are concerns, problems or complaints that employees have with their employers. Fairness and transparency are prompted by using rules and procedures which are set down in writing, specific and clear in terms of disciplinary and grievance. Where any formal action is needed, what action is reasonable and justified will depend on all the circumstances of a particular case. Employers and employees should raise and deal with issues **promptly** and should not unreasonably delay meetings, decisions or confirmation of those decisions. Employers and employees should act **consistently**. Employers should carry out any necessary **investigations** to establish the facts of the case. Employers should **inform** employees of the basis of the problem and give them an opportunity to **put their case** in response before any decisions are made. Employers should allow employees to be **accompanied** at any formal disciplinary or grievance meeting. Employers should allow any employee to **appeal** against any formal decision.

Purpose and scope of the procedure: To ensure that any grievance is addressed promptly and appropriately. This procedure applies to all Hope 4 (Rugby) Ltd. employees.

Principles of the procedure:

This policy and procedure does not form part of any employees' contract of employment.

The procedure applies to all employees regardless of length of service. It does not apply to self-employed contractors.

Any steps taken under this policy and procedure will be taken promptly unless there is good reason for delay.

Any employee raising a grievance will be informed in writing of the final outcome of their grievance.

Information and proceedings related to grievances will remain confidential as far as it is possible. Because, however, it is not always possible to deal with issues which are raised in a confidential matter where this *is* the case, this will be explained to the person raising the grievance.

This procedure applies to any grievance of an employee relating to their employment apart from the following:

The basis of pay or salary grading of their employment/working arrangements

Hope 4 (Rugby) Ltd. policies, unless the grievance is about how the policy has been applied to that employee

Decisions under any procedure which states that the employee has no right of appeal

Matters outside of Hope 4's control - for example income tax, statutory sick pay.

General requirements/considerations:

All employees have the right to proceed with the grievance procedure providing the following conditions are adhered to:

- This grievance procedure should not be used to complain about disciplinary action that Hope 4 has taken against any employee. If dissatisfied with any disciplinary action taken against an employee, an appeal must be submitted under Hope 4's disciplinary policy procedure.
- An employee cannot pursue the same grievance more than once
- If a grievance is shared by more than one employee, the grievance may be presented by one or more representatives of that group. Collective grievances will be dealt with in a manner appropriate to the facts of the case and will not necessarily follow the process outlined in this policy.
- Any employee should not delay in formally making a grievance as the timescales set out in this procedure must be adhered to.
- Some cases may need extra time for either party to seek advice or for the person hearing the grievance to undertake an objective analysis of all the facts, so the parties may, by mutual agreement, modify the time limits set out in this procedure.
- Any employee may withdraw a grievance at any stage by informing their Line Manager in writing.

Raising a grievance informally: Most grievances can be resolved quickly and informally through discussion with the employee's Line Manager. If an employee feels unable to talk to their Line Manager, for example because the grievance concerns that Manager, then the employee should speak to the Company Secretary of Hope 4.

Mediation:

Every effort will be made to resolve any issues which form the grievance informally as early as possible. However, it is recognised that it is not always possible to resolve grievances at an informal stage.

If a grievance is not resolved at the early stage, or if either party feels that the informal stage is not appropriate, either party should request mediation. Grievance may be referred to mediation at any stage in this procedure.

Mediation will only take place if both parties agree that they wish to enter into mediation. If mediation takes place, the timescale for initiating action under this procedure will be suspended while the mediator tries to resolve the matter.

Where both parties have indicated that they wish to engage in mediation, an independent person will be appointed. This person will have no connection with any of the parties involved in the grievance which damages impartiality.

The mediator will not make any decisions or seek to impose any solution. Their role will be to work with both parties to try and resolve the matter informally.

The mediation including any preliminary steps, will be conducted in a manner which the mediator considers appropriate. This may include:

- the exchange and provision to the mediator of brief written outlines of the matter in dispute and any supporting evidence and
- preliminary discussions with one or both parties with the mediator before the mediation meeting.

Provided that it is agreed by all parties, an employee may bring either a trade union representative or colleague to the mediation. All information shared during the mediation will be on a confidential and without prejudice basis.

Initiating the formal grievance process:

If a grievance cannot be resolved informally, it should be put in writing and submitted to the Line Manager. If the grievance concerns a Line Manager, then the grievance will be submitted to the Company Secretary.

The written grievance should state formally that the grievance process is being invoked and should also include the following:

- A description of the reasons for the grievance
- Any relevant facts, dates and names of any individuals involved.

In some situations employees may be asked to clarify the subject matter of the grievance in advance of any meeting or to provide further information.

Investigation: In some cases it may be necessary to investigate the grievance—this will depend upon the nature of any allegations and will vary from case to case. This may also involve interviews and taking statements from any employee and any witnesses. All parties are expected to co-operate fully and promptly with any investigation. This may include information about relevant witnesses, disclosing any relevant documentation and attending interviews. An investigation may be initiated before a grievance meeting or a grievance meeting may be held before any investigation. If the latter is the case a further grievance meeting will be held before any decision.

Next steps and timescales:

All parties must make every attempt to attend any meetings. A grievance meeting will normally take place no more than fourteen working days after the person hearing the grievance has received the written grievance. Any employee can bring a representative to a grievance meeting. Anyone unable to attend a grievance meeting should inform the person hearing the grievance immediately and will make reasonable efforts to agree an alternative time.

The purpose of an initial meeting is for the employee to explain the grievance. Representatives can make representations to the person hearing the grievance, but should not answer questions on behalf of the employee. Employees can confer with their representative during the meeting or request an adjournment for a short time to confer.

After the initial grievance meeting, the person hearing the grievance may carry out further investigations and/or hold further meetings as that person considers appropriate. Employees will be informed of the action the person hearing the grievance intends to take and, if appropriate, your suggestions may be sought on this. Many issues are resolved speedily after one meeting, whilst more complex cases may require more extensive investigation.

The person hearing the grievance will inform the employee of their decision and of the right to appeal within ten working days of the final grievance meeting. If the necessary investigations require a longer timescale, then both parties will be informed.

Appeals procedure:

If any employee is not satisfied with the grievance meeting and its outcome then appeal is available.

The employee should appeal in writing to a Trustee Board member within five working days of the date in which the decision was given to the employee. The appeal should contain as much detail as possible about why the employee is dissatisfied with the decision.

An appeal meeting will be held, normally no more than ten working days after an appeal is received. The appeal has the following key features:

- Any employee can bring a representative to the appeal meeting
- The appeal meeting will be heard by a Board member who has had no involvement in the previous grievance process.
- The procedure to be followed at the appeal hearing will be:
- The employee will present their appeal, setting out clearly the reasons for appeal and why the employee does not agree with the findings of the grievance hearing.
- The appeals Board member concerned may ask questions.
- The employee will have an opportunity to sum up.
- The appeals Board member will then if necessary withdraw to consider the evidence.
- The appeals Board member's final decision will be notified to the employee within ten working days of the appeal meeting and full reasons will be given. There is no further internal right of appeal.

The right to be accompanied: Any employee may bring a representative to any meetings held under this procedure. The representative may be a trade union official or a colleague. The employee must tell the person holding the meeting who their chosen representative is no less than three working days before the meeting. The employee may be asked to choose another representative if any meeting has to be delayed for over five working days. If any employee has a particular difficulty because of a disability, Hope 4 will have the discretion to agree a representative who may not be a trade union representative or a colleague.

Grievance after employment has ended: If an employee wishes to raise a grievance after their employment has ended, it should be submitted in writing as normal. In order to be considered, the grievance must arrive within fifteen calendar days of the termination of employment. If a grievance is raised after employment has ended, or if a grievance is raised before employment ends and the standard procedure has not been completed at the termination of employment, the person hearing the grievance will: as determined by the Board of Trustees, **either** follow the standard procedure (as above) **or** write to the employee with a proposed adapted procedure. The following modified procedure will apply if agreed in writing by the [former] employee:

- A Board member will carry out any investigations that are considered appropriate
- No meetings will be held with the [former] employee
- The [former] employee will be notified of the decision in writing, normally within ten working days of agreeing to use the standard or adapted procedure.
- There will be no right of appeal.

The grievance outcome: The outcome of the grievance, at whatever stage determined [either the hearing or appeal stages] may take various forms. It may state:

- That on the basis of the findings, the grievance is not well founded
- That the grievance is upheld in part and provide an appropriate solution
- That the grievance is upheld in full and provide an appropriate solution
- Any other relevant decision

Agreed by the Board of Trustees, June 2015.

Review date: **Annually.**

Reviewed June 2016. June 2017.