

## **Grievance Procedure**

### **Introduction**

The Place is committed to creating and sustaining positive working relationships with all employees. However, The Place understands that sometimes employees may have problems with or concerns about their work, working environment or working relationships. This grievance procedure enables any member of staff to raise a grievance with management regarding this.

This procedure aims to provide an open, fair and consistent mechanism by which grievances can be resolved quickly and efficiently in order to prevent major problems.

All grievance proceedings and records will be kept confidential.

Issues that may give rise to a grievance include but are not limited to:

- Terms and conditions of employment
- Health and Safety
- Relationships at work
- New working practices
- Organisational changes
- Equity, Diversity and Access
- Bullying and Harassment

Please refer to the Prevention of Bullying, Harassment and Sexual Misconduct policy for specific arrangements relating to those issues and the links to this policy.

This procedure applies to all employees of The Place including those on fixed-term and hourly paid contracts. The framework of this procedure may be used to resolve issues raised by freelance staff.

The Head of HR is available to assist and support with all matters relating to grievances.

These policies and procedures have been developed using the recommendations of ACAS and taking into account the Employment Act 2008.



## **Informal Procedures**

Many concerns can be raised and settled during the course of everyday working relationships and therefore be addressed quickly through informal discussions with the relevant staff member or line manager.

If the matter cannot be satisfactorily resolved through informal processes, it will be dealt with under the formal grievance procedure outlined below.

It is helpful to keep a note of any informal meetings.

## **Investigations**

The Place is committed to ensuring that all grievances are appropriately investigated. The nature and extent of the investigation will depend on the seriousness of the matter.

Investigations may include but are not limited to interviews with the member of staff and third parties such as witnesses, colleagues and managers, and the examination of written records and information.

Where necessary, the identity of witnesses will be kept confidential.

## **External Facilitators**

The Place reserves the right to call on external facilitators to act as conciliators, facilitators, investigators or arbitrators as we feel is appropriate.

## **Formal Grievance Procedure**

### **Raising a Grievance:**

Staff members wishing to raise a formal grievance should put this, in writing, to their immediate line manager. If the grievance is against their line manager, they should write their manager's line manager. If the grievance is against the Chief Executive, staff members should contact the Chair of the Board (via the Head of Governance and the Chief Executive's Office or the Chief Financial Officer) or their authorised deputy.

If the grievance is of a particularly sensitive nature it can be forwarded directly to the Head of HR.

Please note that verbal complaints deemed to be of a serious nature may also be dealt with under the formal grievance procedure.

### **Right to be Accompanied:**

Members of staff have the right to be accompanied by a fellow worker or trade union representative or official employed by a trade union to grievance and appeal hearings. A trade union representative who is not an employed official must have been certified as being competent to accompany a worker. Staff members do not have a right to be accompanied to informal discussions or counselling sessions or some investigatory meetings.

At meetings, companions can address the hearing to put forward and sum up a staff member's case, can respond to any views expressed at the meeting on behalf of the staff member and can confer with them during the meeting. They cannot, however, answer questions on the staff member's behalf, or act in a way that prevents the staff member from stating their case or prevents another person from contributing to the meeting.



In order to be accompanied, the member of staff must make a reasonable request to the Head of HR. The request does not have to be in writing or within a certain timeframe but should give The Place enough notice to accommodate the companion's attendance at any grievance or appeal meetings/hearings.

## **Grievance Hearings:**

### ***Preparation***

Once a staff member has raised a formal grievance, they will be invited to attend a grievance hearing as soon as reasonably practicable. The staff member must take all reasonable steps to attend the hearing.

### ***At the Meeting***

The purpose of the meeting will be to discuss the grievance in more detail and to explore the facts of the situation. The staff member who raised the grievance will have the opportunity to state their case, call witnesses as appropriate and state how they believe the grievance should be resolved.

The relevant manager will chair the meeting normally with a member of the HR Team acting as note-taker and observer. Permission will be sought in the meeting for the use of any AI transcription service, if appropriate. Another relevant manager may attend the hearing if appropriate or proportionate.

### ***Failure to attend a Grievance Hearing:***

A case is unlikely to be adjourned on more than one occasion if the staff member does not attend a grievance hearing, other than where compelling evidence is presented.

Staff members should be aware that in instances where they are persistently unable or unwilling to attend a grievance hearing without good reason, The Place reserves the right to make a decision regarding the outcome based on the evidence available.

It should be noted that non-attendance without a valid reason might constitute an act of misconduct.

### ***Grievance Outcome***

An adjournment will always take place during the hearing before a decision is made regarding the outcome of the grievance and possible further action. This will be communicated with the staff member in writing within seven working days of the hearing.

If it is not possible to respond within the time period specified above, the staff member will be informed of the reason for the delay and when the response will be provided.

## **Appeals**

If the staff member does not agree with the outcome of the grievance and feels that it has not been satisfactorily resolved, they have the right to appeal. Appeals must be put in writing to the Head of HR, stating the specific grounds, within five working days of receiving notification of the decision of the Grievance Hearing.

Appeals will be heard within 10 working days of receipt of the written appeal. The appeal hearing will be held, if possible, by managers not involved in the initial grievance hearing. There will be two people on the appeal panel and an independent third party to act as an observer to the proceedings and as note taker during the meeting.

Staff members have the right to be accompanied to Appeal meetings by a colleague, union representative or official employed by a trade union.

Staff members will be notified of the outcome of Appeal meetings, in writing, usually within two working days of the meeting.

There is no further right to appeal following this stage of the grievance procedure.

## **Overlapping Grievance and Disciplinary Cases**

Where a staff member raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and capability cases are related, it may be appropriate to deal with them simultaneously.