

POLICY AND PROCEDURE



SoLO
Life
Opportunities

38 Walnut Close
Chelmsley Wood
Birmingham
B37 7PU

Charity No. 1102297
England Company No.
5025939

Grievance

Category: staff

Introduction

By law employers must set out a grievance procedure and share it in writing with all employees. SoLO makes its grievance procedure widely accessible by displaying it on the internet. It explains:

- who the employee should contact about a grievance
- how to contact this person
- that if the problem can't be resolved informally, there will be a meeting with the employee, called a grievance hearing
- the time limits for each stage of the process
- who to contact if the normal contact person is involved in the grievance
- how to appeal a grievance decision
- that employees can be accompanied in any meetings by a colleague or union representative
- what happens if a grievance is raised during disciplinary action?

Policy Statement

Grievances are concerns, problems or complaints that employees raise with their employers. SoLO wishes to deal with any grievances in a fair way that gives all parties equal opportunity to be heard and for their concerns to be expressed and dealt with appropriately.

Many potential disciplinary or grievance issues can be resolved informally. However, where an issue cannot be resolved informally then it may be pursued formally. This policy sets out the procedure to be followed to ensure fairness and compliance with legal obligations and best practice.

Stage 1 - Resolving grievances informally

If any member of staff has a grievance they should discuss it informally, as soon as possible, with their line manager. They may approach another manager if the grievance involves their own line manager or if the matter is sensitive for some reason. The manager receiving the grievance will take the

grievance seriously and sensitively and will ensure that everything is done to try and resolve the issue informally.

In the case of grievances relating to the Chief Executive Officer, the Chair of Trustees or a delegated Trustee will be responsible for dealing with this grievance.

1. The manager will meet with the employee to discuss the issue(s) and identify the desired outcome sought by the employee. Employees can be accompanied in any meetings by a colleague or union representative for support.
2. Notes should be made of the discussion and agreed as a correct record.
3. The manager should make discreet investigations in order to resolve the matter promptly and fairly. Where the grievance is about another employee, that individual should be given the opportunity to answer the grievance and put their side to the manager.
4. It may be appropriate for the manager to arrange a facilitated discussion between the two parties with a view to resolving the issue and agreeing a way forward.
5. Within 5 days, the manager will write to the employee (and if appropriate to relevant parties) to confirm the outcome and any actions that have been agreed.

If the grievance is resolved informally the manager and employee(s) involved will take forward actions as agreed. In the event of the grievance not being resolved informally, the aggrieved individual has the option to instigate the formal stages of the procedure.

Stage 2 – Resolving grievances formally

1. Where the grievance has not been resolved informally with the manager, the member of staff (employee) may submit a formal grievance in writing to the Chief Executive Officer (CEO) or Senior Manager within two weeks from the date of the manager's letter.

2. The CEO or Senior Manager receiving the grievance will: -

gather all the necessary facts and obtain an account from witnesses if appropriate.

update the employee with progress.

3. Inform any person(s) who are subject to the grievance and give them the opportunity to respond to the allegations.

4. Once all of the facts have been established, the CEO/Senior Manager receiving the grievance will: -

arrange a hearing, providing at least 5 days' notice The date of the hearing should be agreed for a mutually convenient date, but if the member of staff does not attend, their grievance would normally be treated as withdrawn.

5. Present at the hearing will normally be the:-

CEO/Senior Manager (who will chair the hearing);

The aggrieved member of staff, who has the right to be accompanied by a work colleague or trade union representative for support.

a note taker to keep a record

any witnesses or other individuals whom the manager chairing the hearing believes should attend. This should include the manager involved in the informal stage, who will explain the reasons for the decision taken at that time.

6. At the hearing, the member of staff will be given the opportunity to explain the grievance and outline their desired outcome/resolution.

7. Once satisfied that they have sufficient information the CEO/Senior Manager will adjourn to consider the grievance and their response.

8. The CEO/Senior Manager will reconvene the hearing to communicate the outcome of the grievance, which will be followed up in a letter.

9. If the grievance is: -

upheld, the potential action to be taken will be decided by the manager with reference to the appropriate SoLO policy.

not upheld, the volunteer who submitted the grievance will be advised how to make an appeal.

10. If, within 10 working days of the date of receipt of the written decision, the employee has not appealed, the grievance will be deemed to have been settled.

Stage 3 – Appeal

1. An employee who is aggrieved with the outcome of the Stage 2 hearing should, within 10 days of receipt of the written decision, submit an appeal in writing to The Chair of the Trustee Board.
2. Upon receipt of the appeal, The Chair of the Trustee Board will, with advice from SoLO's Chief Executive Officer (CEO), arrange an appeal hearing within a reasonable period, giving notice to all concerned.
3. The employee should take all necessary steps to attend the hearing. The hearing will be arranged for a mutually convenient date. If the volunteer does not attend, their grievance would normally be treated as withdrawn.
4. The appeal hearing will take the form of a review of the formal stage and not a complete re-hearing. The Chair of the appeal hearing has the authority to overturn a decision made by the manager following the formal grievance hearing (Stage 2).
5. Paperwork supporting the grounds of appeal must be submitted by the employee to the Chair in good time before the appeal hearing, and the manager of the stage two grievance hearing will provide a response at the appeal hearing.

Present at the hearing will be: -

- the Chair of the Trustee Board assisted by the CEO if appropriate
- a person to act as note-taker.
- the employee, who may be accompanied by a work colleague or Trade Union Representative to support them.
- any individuals whom the Chair considers to have information important/relevant to the case, usually the manager involved in the formal grievance hearing, who will respond to the employee's appeal and explain the decision they made.

The employee will be given the opportunity to explain the complaint and say how they would like it to be resolved. The Chair may adjourn the hearing to obtain further information if necessary, but will then close the hearing to consider their response.

The Chair should give their decision in writing within ten days of the hearing. Where requested, a copy of the meeting notes and supporting papers may be provided at the Chair's discretion.

If the appeal is: -

- upheld, the potential action to be taken will be decided by the Chair of the appeal hearing with reference to the appropriate SoLO policy.
- not upheld, the decision will be final and the matter will conclude.

The appeal stage of this procedure is the final stage of this process and the decision will be final.

Grievances and disciplinary cases

Where an employee 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 disciplinary cases are related it may be appropriate to deal with both issues concurrently.

Linked with Policies:

- Recruitment
- Capability
- Disciplinary
- Complaints
- Standards of Behaviour