

## **GRIEVANCE POLICY & PROCEDURE**

### **EXECUTIVE SUMMARY**

- The policy defines a grievance and how it will be handled
- Grievances will be handled sensitively and with due respect given to any party involved in the process
- Grievances should be resolved informally with the line manager wherever possible
- Investigation meetings and grievance hearings, outcome and right of appeal are covered in this policy.

### **POLICY STATEMENT**

The grievance procedure can be used for any matter that is directly related to the employee's employment. The Company does expect an employee to attempt to resolve their grievance via informal discussions with their line manager, prior to instigating the formal process.

Grievances should be raised as soon as practically possible following the occurrence of the matter of complaint / dissatisfaction. Failure to do this may result in the inability to fairly and accurately investigate the grievance, due to lapsed memories or unobtainable information to enable a thorough investigation process. Any employee found to be using the grievance procedure to make unfounded or vexatious complaints may be subject to the Company's formal disciplinary procedure.

### **PROCEDURE**

If attempts to resolve a grievance informally have failed, a formal written grievance should be raised.

Where a formal grievance relates to employment, the employee should submit the complaint to their line manager and provide HR with a copy. This must be in writing making clear that they wish to raise a formal grievance under the terms of this procedure and detailing the grounds for the grievance. The details of the grievance should include all relevant dates, full details of the complaint and names of any witness(es). Any available evidence should also be provided. Where the grievance is against the employee's line manager, the complaint should be addressed to the line manager's superior. This grievance procedure will not be invoked unless the grievance is raised in accordance with these requirements.

#### **The Grievance Hearing**

Wherever possible a grievance meeting will be held within 10 working days of the receipt of the formal complaint.

Dependent upon the nature of the grievance, a grievance hearing will be heard by a more senior manager within the employee's department, who can also be deemed as independent from the complaint. It is acknowledged that this may not always be possible where a site-based employee raises a grievance. There may also be occasions when a manager outside of the department is selected to hear the grievance. It should be noted that the Company will select the manager who it feels is the most appropriate to conduct the grievance hearing.

The employee should take all reasonable steps to attend grievance meetings. Failure to attend a meeting without a satisfactory reason may result in a decision being reached without a hearing.

The employee has the right to be accompanied by either a trade union official or a current employee, referred to as a companion. Employees are not permitted to be accompanied by a solicitor or any other third party at any meeting. In exceptional circumstances it may be permitted for a family member to accompany the employee where this will help overcome particular difficulties caused by a disability or

difficulty understanding English.

Every effort will be made to hold the grievance meeting at a time which is convenient for the employee and their companion to attend. If this means that the meeting cannot be held within a reasonable period (usually within five working days of the original date set), the Company will request that arrangements are made for another companion to attend who is available. Following the grievance meeting and any subsequent investigation, the Company will endeavour to respond in writing to the grievance within ten working days. If it is not possible to respond within this time period, the employee will be given an explanation for the delay and be told when a response can be expected.

### **The Right of Appeal**

If the employee feels that their grievance has not been satisfactorily resolved, he/she may appeal by submitting a written statement to the Group HR Director within five working days of the grievance decision.

This appeal letter must set out the grounds for the appeal to include why the employee is dissatisfied with the grievance hearing decision and what it is that the employee believes would constitute a satisfactory outcome.

An appeal hearing will be heard by a manager selected by the Group HR Director. Again the employee is entitled to be accompanied at the meeting by either a trade union official or a current employee, known as a companion. Every effort will be made to hold the appeal hearing at a time which is convenient for the employee and their companion to attend. If this means that the meeting cannot be held within a reasonable period (usually within five working days of the original date set), the Company will request that arrangements are made for another companion to attend who is available.

The employee should take all reasonable steps to attend grievance meetings. Failure to attend a meeting without a satisfactory reason may result in a decision being reached without a hearing.

After due consideration, the result of the appeal will be given in writing. The Company will endeavour to respond in writing to the appeal within ten working days or as soon as is reasonably practicable. If it is not possible to respond within this time period, the employee will be given an explanation for the delay and be told when a response can be expected.

There will be no further avenue of appeal following the outcome of the appeal hearing.

### **CONFIDENTIALITY**

The Company will endeavour to deal with any grievance matter sensitively and with due respect for the privacy of any individuals involved. All employees must keep confidential any information they receive in connection with an investigation or grievance. Employees and anyone accompanying them (including witnesses) must not make audio or electronic recordings of any meetings or hearings conducted under the grievance procedure.

### **RECORDING**

A copy of all letters, notes etc will be retained on the employee's file in accordance with our data protection and retention schedule.