

## **Arthur Hill – Save Our Swimming CIC Grievance Procedure**

### **1. Policy**

#### ***1.1 Purpose and scope***

Arthur Hill – Save Our Swimming CIC aims to provide a harmonious working environment for staff where each individual is treated fairly and with respect in all circumstances. Where work related complaints or disputes do arise the company expects that in the first instance staff will make every effort to solve problems arising in the staff group with the staff members concerned, or that managers will be able to resolve matters informally.

However, the company believes that any employee who considers s/he has a formal grievance should have it examined quickly, fairly and effectively. The purpose of the grievance procedure is to resolve any such issues before they escalate and is focused on resolving workplace difficulties, rather than apportioning blame or proving guilt or innocence.

The procedure applies to all employees (not to volunteers or interns), irrespective of their length of service, status and number of hours worked and will be practised at all times in a non-discriminatory manner.

#### ***1.2 Principles***

- Every effort will be made, in the first instance, to resolve employee problems or concerns informally through discussion with the line manager.
- Arthur Hill – Save Our Swimming CIC's grievance procedure is available to employees if it is not possible, or appropriate, to resolve the problem or concern informally, provided the grievance is set out in writing and raised without unreasonable delay.
- Grievances will normally be dealt with by the employee's line manager unless the grievance concerns that manager, or this is inappropriate or it is not possible for other reasons in which case it should be raised with the next level of management or the Company Secretary or Chair of the Board of Directors.
- All grievance matters will be dealt with as impartially as possible and no employee will be discriminated against for raising a grievance.
- Grievances will be investigated as speedily as possible and within specified time limits (which may be altered by mutual consent).
- Where more than one employee raises the same grievance, these will be dealt with at the same time and, with the agreement of the company, a representative may be appointed to act for staff collectively.
- The aim of the process will be to seek a mutually agreed outcome but, where this is not possible, differing views will be formally recorded. In any event the relevant manager (or other person) must inform the complainant what will happen next.
- Records of the grievance, the investigation, meeting(s) and outcome will be kept on the

employee's file, will be treated as confidential and kept in accordance with the Data Protection Act 1998. Copies of documentation put on file will be provided to the employee(s) concerned.

- In cases of overlapping disciplinary and grievance procedures, one or other procedure may be suspended to allow the other to conclude. The circumstances and nature of the disciplinary and grievance cases and the stage(s) the processes have reached will each have an effect on which procedure will be the most appropriate to follow first.

### ***1.3 Informal discussions***

To help ensure concerns are heard and responded to as soon as possible, employees should initially raise these informally with their immediate line manager, or where this is not possible or appropriate, the Company Secretary or Chair of the Board of Directors.

Most concerns should be able to be resolved informally, but if a situation is not dealt with to the employee's satisfaction or circumstances make this route inappropriate for the individual then the matter should be taken up as soon as possible through the Grievance Procedure.

### ***1.4 The right to be accompanied***

An employee raising a formal grievance has the right to be accompanied by another member of staff or a trade union or other representative at all meetings held under the procedure provided the presence of such person is not prejudicial to a fair outcome. The companion shall be allowed to play a full part in the meeting, including representing the employee's concerns, responding to views expressed or conferring with the employee in private. S/he shall not answer questions on behalf of the employee or behave in a manner prejudicial to a fair outcome.

## **2. Procedures**

### ***2.1 Stage 1***

2.1.1 The employee will raise the grievance in writing with the appropriate manager, the Company Secretary, or a member of the Board of Directors, setting out the nature of the grievance and the outcome the employee is seeking at the earliest opportunity.

2.1.2 The responsible manager will arrange a meeting to discuss the grievance with the employee, who may be accompanied by an appropriate person, to normally take place within 10 working days of receipt of the written complaint at a time, normally during working hours, convenient to the employee and their companion.

2.1.3. The manager will be accompanied by a colleague who will take notes of the meeting.

2.1.4. The employee will be allowed to explain their grievance, the outcome they are seeking and shall answer all reasonable questions from the manager to enable him/her to understand the matter and the means to resolving it.

2.1.5. If necessary, the meeting will be adjourned to allow the manager to investigate the complaint. At the end of meeting(s) the manager will tell the employee what will happen next.

2.1.6. Following the meeting(s) and investigations, the manager will consider the facts of the case, decide what action (if any) should be taken and will normally communicate their response to the

grievance in writing no later than 20 working days after receipt of the original written grievance.

2.1.7. The written notification of the outcome should set out the employer's response to the grievance, the reasons for this and the action (if any) to be taken as well as the employee's right to appeal and the timescale for this.

2.1.8 If the investigation of the grievance requires a longer period, then the manager will advise the employee in writing of the likely timescale.

## ***2.2 Stage 2 – Appeal***

2.2.1. Where the employee believes the management decision is unfair or unreasonable, then an appeal, which must be in writing, may be made within 5 working days. The appeal must set out which aspects of the management decision are contested and the reasons for this. Appeals may be made on various grounds including:

- The perceived unfairness of the judgement
- New evidence coming to light
- Procedural irregularities, which materially affect the outcome

2.2.2. An appeal panel will normally be convened within 15 working days to consider the employee's representations about the decision. If this is not possible then the employee will be informed in writing.

2.2.3. Employees will normally be given 10 working days notice of the date of an appeal panel meeting.

2.2.4. The appeal panel shall consist of no fewer than two people, wherever possible not involved in the original investigation, drawn from the company management and Board of Directors.

2.2.5. If an employee wishes to submit new evidence to the appeal panel this must be received in writing no less than 5 working days before the date of the panel meeting.

2.2.6. If either the employee or the panel wish to call a witness to the appeal meeting, including the manager originally involved in the investigation, then their names shall be provided to the other party no less than 5 working days before the panel meeting.

2.2.7. The employee shall be allowed to present the grounds for appealing the original decision, the outcome they are seeking and shall answer all reasonable questions from the panel to enable it to understand the appeal and the appropriate response to it.

2.2.8. If necessary, the meeting will be adjourned to allow the panel to investigate the grounds for appeal.

2.2.9. The decision of the appeal panel is final and there are no further stages to the grievance procedure. Appeal panel decisions and the reasons for them will normally be given in writing to the employee no later than 10 days after the panel meeting.

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