



**people policies**

# Grievance Policy & Process





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# Policy

## Purpose of the policy

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The Grievance Policy enables employees to raise issues that they are unhappy about at work and to ensure they are quickly resolved. It follows the ACAS guidance on grievance and disciplinary.

## Employee's responsibilities

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- To raise the grievance informally as soon as possible with their immediate line manager or their manager's manager.
- To provide evidence for their case, for example, by keeping a log of the incidents that are causing the grievance.
- To seek trade union advice and/or representation as soon as possible if needed.

## Manager's responsibilities

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- To listen objectively to the grievance from the employee's perspective and recognise that no grievance is trivial to the employee raising it.
- To seek to resolve the issue as soon as possible.
- To promote the benefits of the Employee Assistance Programme where appropriate.
- The manager is responsible for the application of this policy in their work area.

## Trade union representative's role

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- To work with the manager and employee to facilitate a quick and satisfactory resolution.
- To support the trade union member raising the grievance and advise them on possible remedies, as well as helping them to clearly express the facts of their case.
- If the employee is not in a recognised trade union, this role may be carried out by another colleague.

Where there is evidence that a grievance is not justified, and it is considered frivolous, vexatious or malicious, this could lead to disciplinary action against the employee who raised it.

## Recording of meetings

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The audio recording of meetings will not normally be permitted. Recording could make running effective meetings more difficult if participants feel uncomfortable and therefore less willing to contribute. Knowledge that a meeting is being recorded could also lead to a more formal and adversarial approach than would be appropriate or necessary.

If an employee requests that a meeting is recorded they must provide their reasons for doing so for consideration. In some circumstances it may be appropriate to agree a request, or consider alternatives such as provision of a note-taker or allowing additional time for note-taking, particularly if the request is connected with a medical condition or disability.

At the beginning of a meeting the manager should remind the employee that the recording of it is not permitted and ask them to confirm that they are not recording the meeting. The recording of a meeting without permission would be grounds for disciplinary action and this should be made clear.

# Process

## – for the employee raising a grievance

### First steps/informal process

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- 1 If an employee wishes to raise a grievance, they should first try to resolve the issue informally. It is recommended that they try talking to the person whom the grievance is against as a first step. If that is not possible or too uncomfortable, they should talk to their line manager, another colleague or manager, or a representative from their trade union (TU), as appropriate.
- 2 The representative will be able to help the employee with trying to resolve the issue quickly and informally. They may also help by organising a meeting with the person who has aggrieved them, along with another objective person, and by helping to find ways to remedy the situation.
- 3 If the aggrieved employee is not comfortable approaching the person directly the manager may need to act as a mediator between both parties to try to resolve the issue.

In most cases it will be possible to resolve the issue informally without having to go through a formal process.

### Formal grievances

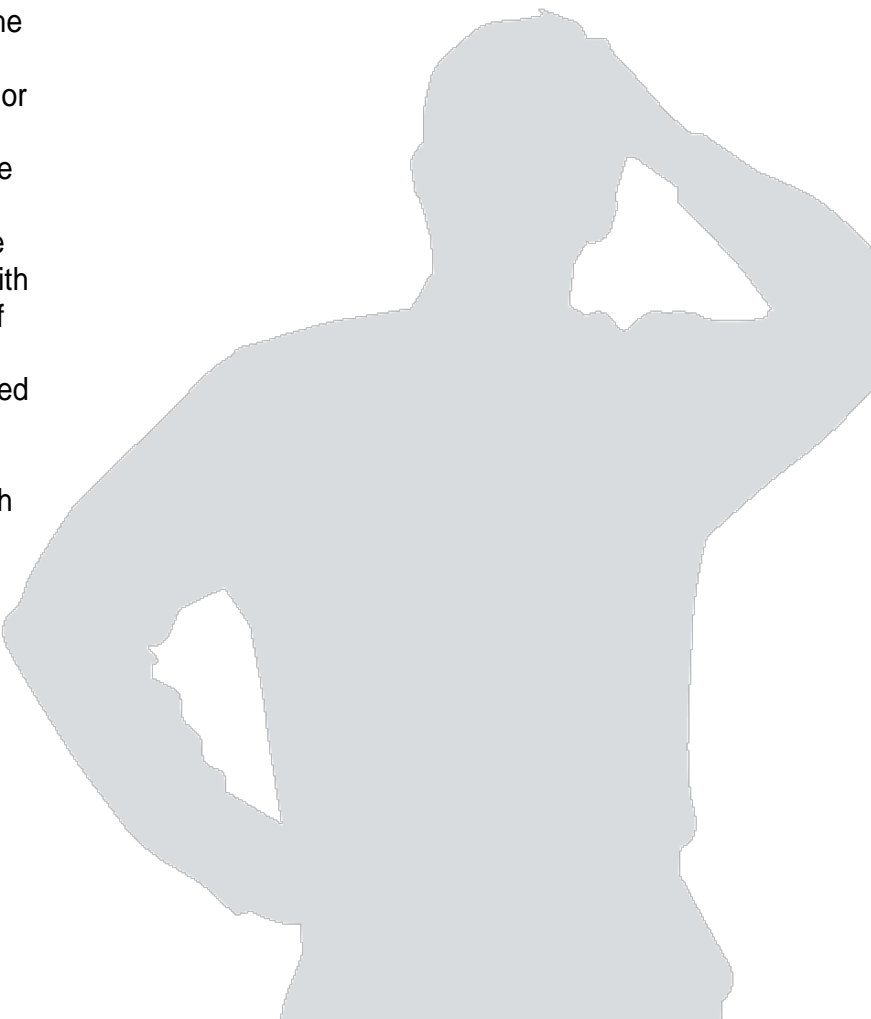
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- 4 If it has not been possible to resolve the grievance informally, employees have the right to lodge a formal grievance. They should complete the Grievance Form. It may be beneficial for the employee to take advice from a trade union representative, manager or colleague as they will be able to help complete the form, and can advise on the likelihood of the proposed remedy being achievable. A proposed remedy cannot suggest that someone be subject to a formal process, lose their job, or that you be financially compensated, so people should think carefully about what will actually resolve the situation and what is achievable. The grievance form should be submitted to the HR Advice Centre.

- 5 Where more than one person has a grievance concerning an organisational or employment matter the Disputes Policy and Procedure should be used.
- 6 The employee will need to provide evidence to support their case. In most cases it is helpful to keep a log of incidents if the grievance relates to behaviour that has been on-going.
- 7 It is important for someone to be clear about what the issues are that are concerning them and how they would like them resolved (the remedy).
- 8 The HR Advice Centre will check that all possibilities for resolving the grievance informally have been exhausted, and may speak to the line manager (or their line manager if the grievance is against the employee's line manager) as part of that process.
- 9 HR will also check whether raising a grievance is the appropriate process to resolve the issues (for example, if someone is not happy with a recent disciplinary sanction, they must use the appeal process within the appeal policy), and they will check that the suggested remedy is feasible. If not, they will let the employee know that the grievance is not accepted, and will advise on what to do instead.

## Process for managers handling a grievance

- 10** If a grievance is accepted as requiring further action by HR, they will forward it to an appropriate manager to deal with, usually the line manager, unless that it was deemed inappropriate. They will advise the employee when this has happened, and who the manager is.
- 11** The manager will be given a named HR contact, who will have an initial meeting with them to advise on possible courses of action to resolve the issue as quickly as possible.
- 12** The manager will look into the facts of the situation. This will often involve speaking to the person who raised the grievance, and the person that they have raised the grievance against. When they are satisfied that they have enough information, they will take action to attempt to resolve the grievance as soon as possible.
- A formal grievance meeting will be held and the employee advised that they can be accompanied by a trade union representative or workplace colleague. The employee will be given the opportunity to explain their grievance and how they think it can be resolved. If the grievance can be resolved at this meeting, the manager will confirm the outcome in writing with appeal rights. The meeting will be adjourned if further information or an investigation is required. In some cases the manager may need to discuss with HR whether the investigation should be a grievance or disciplinary investigation and this should be confirmed with the employees involved
- 13** If the employee's grievance is a counter claim against someone who has raised a grievance against them, or a reaction to another policy being applied to them (e.g. Improving Performance, Disciplinary, or Supporting Attendance) then the two may be dealt with together if appropriate. Any counter claim should not be allowed to stop the original proceedings.
- 14** If the facts of the grievance are not clear, the manager will need to obtain further information or conduct or commission an investigation, following the Code of Conduct for Investigations. They must set up the investigation panel within 10 working days of receiving the grievance form. The manager must confirm in writing to the employee that they are conducting an investigation and who is on the investigation panel. They need to keep all parties informed of what is happening, update them regularly, and tell them the reason for any delays.
- 15** If an employee is absent due to sickness while their grievance is being dealt with, they must follow the normal sickness absence reporting procedures. The manager will stay in touch with an employee if they are going to be absent for a long time. It is important for employee's to understand that sickness absence will be dealt with in the usual way, and that it will not stop the grievance from being progressed. It is in everyone's interests to resolve it as quickly as possible.



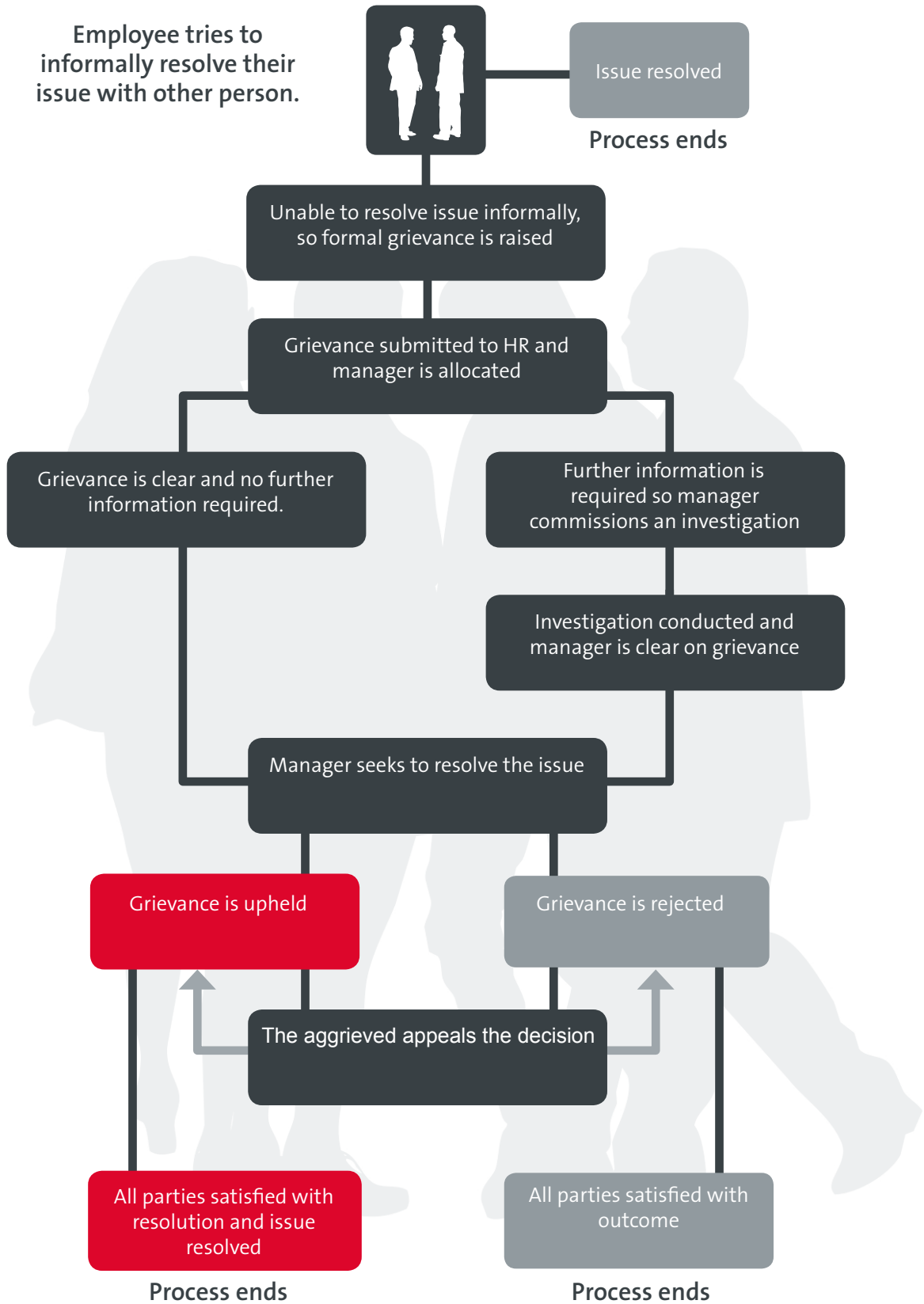
## The outcome

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- 16** When the fact-finding or investigation is complete, the complainant will be invited to a reconvened meeting with the manager. They will discuss the findings of the investigation with the employee, and whether or not they will be able to resolve the issue with the remedy suggested. Conclusions will be based on the balance of probabilities. If the remedy cannot be delivered in full, the manager should explain the reasons and may tell them what remedy they suggest. The manager must give the employee an opportunity to respond. A mutually agreeable outcome is preferable although will not always be achievable in practice. After the meeting the manager must confirm in writing whether the grievance was upheld or rejected, and if it was upheld, what the remedy is and when this will happen. The employee will be reminded of their right to appeal.
- 17** Following this, the manager will see the person against whom the grievance was raised, to tell them the outcome and next steps. The manager must communicate to them any actions that they need to take in order to resolve the issue. This will be confirmed in writing to them.
- 18** If the outcome of the investigation into the grievance involves taking disciplinary action against the alleged perpetrator, they must follow the Disciplinary Policy. They can tell the person who raised the grievance that they will be taking formal action under the disciplinary policy, but they cannot give any further detail (e.g. the level of sanction), which is confidential.
- 19** If the employee wishes to appeal against the outcome of their grievance, they must do so within five working days of receiving their letter. See the Appeals policy for more details.
- 20** If at any time during the process the employee feels stressed or upset, they can contact the Employee Assistance Programme, who can help to manage these feelings on 0800 840 6844.
- 21** Managers dealing with grievances should consider talking to either party individually about how they are feeling following this process if they think it may be of benefit to anyone struggling with the process. Grievances can be very stressful for both parties, managers need to recognise this and be ready to offer support to help them recover from the situation. This could include:
- Thinking about what the rest of the team(s) needs to know and communicating this sensitively.
  - Looking at preventing further issues – do they need to change the way the team(s) works together?
  - Making both employees aware of the **Employee Assistance Programme**, who can offer help and support to them in many ways, from suggesting ways to cope with stress, to offering counselling.
  - Acknowledging that they may find work difficult for a few weeks, so being prepared for a slight temporary dip in performance, and a need for patience, help and support to get them back up to speed.



# Grievance process



# Additional guidance and support

This policy provides you with an overview of the purpose of the policy and the roles and responsibilities of those for whom it is intended. It also provides guidance in the Process section on the application of the policy. There are other documents which provide more detail and helpful guidance that should be read in conjunction with the policy and these are listed below.

## Additional guidance

Employee Assistance Programme  
Telephone number 0800 840 6844

Grievance FAQs

## Associated policies

Appeals policy

Code of conduct for employees

Code of conduct for investigations policy

**Some other substantial reason for dismissal policy**

**Whistleblowing policy**

## Letters and forms

Formal grievance outcome letter

Form to register intention to appeal grievance

Grievance form

Invite for alleged perpetrator to attend grievance investigation meeting

Invite for complainant to attend grievance investigation meeting

Invite for member of the public to attend grievance investigation meeting

Invite for witness to attend grievance investigation meeting

Manager's grievance log





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The audience of this document is made aware that a physical copy may not be the latest available version. The latest version, which supersedes all previous versions, is available on The Source.

Those to whom this policy applies are responsible for familiarising themselves periodically with the latest version and for complying with policy requirements at all times.

### **History of most recent policy changes – must be completed**

Version	Date	Change
V.2.00	13 September 2017	Manager and employee versions of this policy amalgamated into one policy document. Clarification of policy on recording of meetings.
V.1.03	20 January 2017	Paragraph 10: The manager “may suggest” an alternative remedy instead of “will suggest”.
V.1.02	20 April 2015	The outcome of a grievance investigation will be discussed at a meeting between the manager and the employee
V.1.01	31 March 2015	Advice added for instances where early in a grievance investigation it becomes evident that a disciplinary investigation would be more appropriate
V.1.00	24 July 2014	Re-formatted policy

