



# Grievance Resolution Policy and Procedure 2020-21

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## 1. Purpose

- 1.1 Our desire is to foster a culture of trust, openness and respect for each other and for NMITE, in which employees can raise grievances openly and have them resolved fairly and within a timely manner.
- 1.2 We encourage free communication to ensure that you can air questions and problems with anyone at any time without fear of repercussions, but should you require this process, our aim is to understand your concern and to address it by the most suitable means.

## 2. What is covered by the Procedure?

- 2.1 Issues that may cause grievances include:
  - i. Terms and conditions of employment
  - ii. Health & Safety
  - iii. Work Relations
  - iv. Bullying & Harassment
  - v. Working Environment
  - vi. Organisational change
  - vii. Discrimination

This list is not exhaustive



### **3. The Grievance procedure**

- 3.1 We recognise this can be stressful and upsetting for people. We believe everyone involved is entitled to be treated reasonably and with consideration and we will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the [Disciplinary Policy & Procedure](#).

### **4. Informal Resolution**

- 4.1 Most grievances can be resolved quickly and informally through discussion with your Manager or the HR Department. If you feel unable to speak to your Manager, then you should speak informally to a member of the HR department. If this does not resolve the issue, you should follow mediation route, and lastly the formal Grievance route.

### **5. An alternative approach to dispute resolution - Mediation**

- 5.1 It may be appropriate for the matter to be dealt with by alternative means. This involves a third-party independent person helping you to reach a resolution acceptable to all. The method would be mutually agreed, voluntary and non-binding.

### **6. Formal Written Grievance**

- 6.1 If your grievance cannot be resolved informally you should state your grievance in writing and submit it to the HR Department indicating that it is a formal grievance.
- 6.2 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates and names of the individuals involved. In some situations, we may need to ask you to provide further information.

### **7. The Hearing Meeting**

- 7.1 A grievance hearing will be set within 10 working days of receipt of the grievance, where you will be able to discuss your issues in person. You will be asked to explain the nature of your complaint and what action you feel should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.
- 7.2 The HR Department will usually appoint an Investigating Officer (someone impartial to the grievance) to carry out the investigation.
- 7.3 You must co-operate fully and promptly in any investigation. This will include informing us of the names of any witnesses, disclosing any relevant documents to us and attend investigative meetings if required.
- 7.4 As an outcome of the grievance procedure, other policies or provisions may be applied. For example, the disciplinary procedure or informal coaching.



- 7.5 If unable to attend because of circumstances beyond your control, you should inform the Investigating Officer as soon as possible explaining why. However, you should make all reasonable attempts to attend.
- 7.6 In the meeting focus only on matters that are directly relevant to your complaint as irrelevant issues hinder the effective handling of your complaint. The Chair will intervene if they think that the discussion is straying from the key issue.
- 7.7 Following the meeting, within five working days, you will be informed in writing of the outcome and told of any action that the organisation proposes to take.

## **8. Right to be Accompanied**

- 8.1 Your decision of a possible companion to attend the grievance hearing or appeal with you is your choice. It can be a trade union representative, employee representative or colleague of your choice. They can address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf. But they are not able to answer questions on your behalf.
- 8.2 Where the chosen companion is unavailable for the meeting or appeal, the meeting will be rescheduled, provided that you can propose an alternative time within five working days of the scheduled date.
- 8.3 In the vain of openness and full participation electronic recording is not permitted. Any breach of this provision may lead to disciplinary action against the employee, up to and including dismissal.

## **9. Appeal**

- 9.1 You can appeal, with valid grounds, in writing to the HR Director (People and Culture), within five working days of the written decision, stating the grounds of your appeal.
- 9.2 An appeal meeting will be arranged, where possible within five working days of the appeal submission. The appeal is usually held by a senior person not previously involved in the case.
- 9.3 The grievance hearing decision may still be implemented pending the result of the appeal. The HR Director (People and Culture) will write to you with a final decision on your appeal as soon as possible. The outcome will be final.

## **10. Policy Status**

- 10.1 This policy is not part of any contract of employment and does not create contractual rights or obligations. NMITE reserves the right to alter at any time although we will notify you of any future amendments.