



## Grievance policy and procedure

### **1 Purpose and scope of the procedure**

1.1 The purpose of the grievance procedure is to ensure that, as far as possible, grievances are dealt with and resolved informally through discussion between the aggrieved employee and their line manager. Grievances are concerns, problems or complaints raised by an employee and must be made in writing. However, before using the grievance procedure it is expected that an employee will try to resolve their complaint informally if at all possible. The formal stage of the procedure should only be used when the informal stage has failed to resolve the issue or is not making progress at reasonable speed.

1.2 In appropriate cases Startright may offer facilities for mediation.

1.3 This procedure applies to all Startright Training Ltd employees.

1.4 This procedure takes account of the Startright code of practice on grievance procedures and will be reviewed periodically in line with developments in good practice.

### **2 Principles of the procedure**

2.1 The procedure is based on the following principles:

an employee has the right to be accompanied by his/her trade union representative or work colleague at every stage of the formal procedure.

The procedure is internal to Startright and apart from external trade union representatives, does not allow for any external representation

any grievance must be made in writing as soon as possible and in any case within one month of the act that is being complained of

it is only possible to hear complaints that are within the power of Startright Training Ltd to

remedy

in all cases, reference to the Human Resources department (HR) is recommended

all proceedings, whether informal or formal, should, so far as is practicable, remain confidential

a formal record of a hearing will be available to the employee. The hearing will be recorded and a copy given to the employee

the timescales set out may be extended with the agreement of the parties

where more than one employee has lodged a complaint relating to the same, or substantially the same, issue, the complaints may be dealt with

together in the interests of fair and consistent decision-making. In some

circumstances it may be more appropriate for the complaint to be resolved

through the collective agreement between the trade union and Startright

where a grievance concerns an apparently trivial issue the line manager will

discuss this informally with the member of staff to determine whether there

is a real need to pursue the matter through the grievance procedure. If the

member of staff and line manager are unable to agree, the line manager will

decide, with the advice of HR whether the matter is trivial. If the grievance is

determined to be trivial, the employee will be informed that the matter will

not be dealt with through the grievance procedure the employee will be

entitled to resubmit the grievance together with any further evidence or

2

explanation that throws new light on it, and demonstrates that a substantive complaint is in fact being made

if the employee's grievance restates a complaint that Startright is already

dealing with, or that it has dealt with in the past, the employee will be asked

to explain how the new grievance differs from the previous one, and either

what new incident has occurred or what new evidence has come to light.

Where it is clear that there is nothing new being raised, Startright can reject the grievance without a hearing

deliberately false or malicious grievances will be treated as matters of misconduct and will be investigated in line with the Disciplinary policy and procedure

grievances raised while an employee is subject to disciplinary proceedings will be heard when the disciplinary process has been completed. If the grievance has any bearing on the disciplinary proceedings, it can be raised in the course of those proceedings.

### **3 Informal stage**

3.1 If an employee has a complaint that involves another employee or other employees, they should first of all try to resolve the matter by direct approach to the employee or employees involved.

3.2 If the matter remains unresolved, the employee may request a meeting with their own line manager who will try to resolve the issue. The meeting should be held within 10 working days of the submission of the request.

3.3 If, after any action to resolve the grievance taken by the line manager, the employee is still dissatisfied, they may proceed to the formal stage of the procedure.

3.4 If the complaint is against the line manager or there is another reason why the employee does not wish to raise it with their manager they should seek advice from HR on how to deal with the complaint.

### **4 Formal stage**

If the complaint has not been resolved at the informal stage and the employee wishes to proceed to the formal stage, the employee may do so and the complaint will be heard by all Directors of the company at a suitable time arranged. The employee must set out in writing the nature

of their complaint and the reasons why they are dissatisfied with the outcome of the informal stage. The employee should explain how they think it should be settled. This must be submitted to the complainant's Director. Grievances raised against members of the Directorate should also be submitted in writing.

The complainant should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform their line manager and/or the chair of the panel if the grievance is against their line manager, as soon as possible. If they fail to attend without explanation, or it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

## **5 Right of appeal**

5.1 Should the complainant wish to appeal against the decision, they must do so, in writing, to the Chief Executive within five working days of being informed of the decision.

5.2 A request for an appeal must specify the grounds of the appeal.

The decision of the appeals panel is final.

### **Guidance for appeal documentation**

#### Employee

1. Grounds of appeal. 1 Response to grounds of appeal
2. Case statement, which should include as appropriate:
  - introduction explaining the reasons for appealing
  - summary of case
  - outcome sought
  - appendices

#### Management

- 1 Response to grounds of appeal
- 2 Case statement, which should include as appropriate:
  - introduction, background to the case, processes followed on calling the original hearing, how the decision was arrived at
  - summary of case
  - recommendations

- appendices

2.1 If papers are presented in this way it should be possible for the appeal hearing only to hear any specific comments or particular aspects of the case, rather than a repetition of the original hearing.

This is the current copy - Next Review: October 2024