



# Grievance Procedure Policy

The Goudhurst Village Pre-School's Grievance Procedure follows the ACAS Statutory Code of Practice on Disciplinary and Grievance Procedures, ("the Code") became effective on 6 April 2009 replacing the old Statutory Grievance Procedure.

### **Informal Grievance Procedure**

- The Code indicates that the formal procedure should commence only after informal action has failed to resolve the matter.
- An employee may decide that they do not wish to progress their grievance through the formal procedure and would rather reach resolution informally. Employees and employers should aim to settle most grievances informally. This is normally by the line manager discussing the matter with the employee with a view to resolving the concern. This has advantages for all workplaces, particularly where there might be a close relationship between a manager and an employee. It also allows for problems to be settled quickly.
- It is still important to keep records of any discussions and agreed outcomes.

### **What Constitutes a Formal Grievance?**

- The Code defines a grievance as "concerns, problems or complaints that employees raise with their employers".
- This could cover a number of issues such as pay issues, harassment claims, complaints of work related stress, bullying etc.
- An employee does not have to state that their complaint constitutes a formal grievance for it to be treated as such. Any complaint from the employee or made on behalf of the employee (i.e. from a Solicitor or a letter of resignation) could constitute a grievance and therefore should not be ignored.

### **Formal Grievance Procedure**

- The Code and associated guide details the following:
  1. The employee should set out the grievance in writing to the employer.
  2. The employer must invite the employee to attend a meeting to discuss the grievance.
  3. After the meeting, the employer must inform the employee of his decision as to his response to the grievance and notify him of the right to appeal against the decision if he is not satisfied with it.

4. If the employee does wish to appeal, he must inform the employer. If the employee informs the employer of his or her wish to appeal, the employer must invite him to attend a further meeting. After the appeal meeting, the employer must inform the employee of his final decision.

## **Preparation**

- The grievance meeting is essentially a fact-finding meeting to establish full details of the employee's complaint to enable you to identify further investigation that needs to be undertaken before determining whether there is any substance to the employee's grievance.
- The employee has the statutory right to be accompanied at the grievance meeting by a work colleague or an accredited Trade Union official, even if your Organisation does not recognise a Trade Union. The Employee must be informed of this right prior to the meeting.
- If the grievance has been made against the manager of the employee, where practicable, that person should have no involvement in handling the grievance procedure.
- The location of meetings must be reasonable and the meeting must be conducted in a manner that enables the employee to fully explain their complaint.
- The meeting should be held in the employee's normal working hours and place of work, unless both parties agree otherwise.
- You should allow sufficient time for all matters to be dealt with in an unhurried manner with no interruptions.
- If the employee is disabled, you are under a legal obligation to make reasonable adjustments which could include access arrangements to the location where the meeting be held or permitting the employee to be accompanied by a family member or a support worker who may assist in presenting their case if they have learning difficulties.
- If English is not the employee's first language, you will be under a duty to assist the employee to explain his/her case, which could involve arranging for an interpreter to be present at the meeting.

## **Holding the Meeting**

- Introduce those present and explain their roles at the meeting. Explain the purpose of the meeting.
- The employee should be allowed to explain his/her grievance and say how he/she thinks it should be resolved.

- You should use open questions to prompt the employee, What? Who? Where? Why?
- It is useful to establish what outcome the employee would like by way of resolution.
- You should give the grievance careful consideration before responding and if you feel that further consideration, investigation and advice is needed then you should adjourn the meeting.
- After the grievance meeting and subsequent investigation you will need to give your decision in writing stating that the employee has the right to appeal against your decision.

### **Appeals Procedure**

- If the employee wishes to appeal the grievance outcome then, in accordance with the procedure, they must to notify you as such.
- On receipt of the employee's appeal, you must invite the employee to attend an appeal hearing and offer them the right to be accompanied by a work colleague or an accredited Trade Union official. This should be done without undue delay.
- Where practicable, another, more senior manager who has had no involvement in the initial grievance procedure must hear the appeal.
- When the appeal process has been completed the employee must be informed of the final decision.

### **Timetable**

- Each step and action under the procedures must be taken without unreasonable delay, although there are no prescribed timescales.

**All staff should have access to this policy and sign to the effect that they have read and understood its contents.**

This policy was adopted at a meeting of Goudhurst Village Pre-school

Held on .....

Date to be reviewed.....

Signed on behalf of the provider.....

Name of signatory.....

Role of signatory...Chair.....

Name of signatory.....

Role of signatory...Trustee.....

Name of signatory.....

Role of signatory...Trustee.....