



# HYDE PARK SOURCE

## Grievance Procedure

This policy is applicable to all Hyde Park Source employees.

**DOCUMENT CONTROL**

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# Grievance Procedure

## Introduction

Our grievance procedure is designed to ensure that any questions and problems that arise at work, and that are not resolved informally, are quickly aired and resolved as fairly and consistently as possible, and we therefore encourage its use.

This procedure is non-contractual but is designed to indicate how such matters should be dealt with within Hyde Park Source although we reserve the right at our discretion to vary, replace or terminate the procedure at any stage.

## Scope of this procedure

This procedure covers all employees, including those who are still within their probationary periods, or on casual contracts. It does not apply to agency workers or self-employed contractors.

## Aims of this procedure

This procedure aims to encourage the early resolution of any work-related issues, and to ensure that these are resolved fairly and consistently.

The focus of the grievance procedure is to achieve resolution, not to apportion blame.

## Definitions

Grievances are concerns, problems or complaints that are work-related. They may relate to action which has already been taken or which is contemplated in relation to an employee, or may include the actions of third parties such as colleagues. They may relate to a wide range of issues including, but not limited to, terms and conditions of employment (or their perceived unfair or inconsistent application), health and safety, work relations, new working practices, working environment, organisational change, equal opportunities or bullying/harassment.

If the grievance relates to bullying/harassment, our bullying and harassment policy may be more appropriate.

## Stages of the procedure

Our grievance procedure enables any grievances to be raised and settled as quickly and as near to the point of origin as possible. Clearly many issues will, and indeed should, be resolved informally without the need for the formal procedure. However, should an informal approach not result in the required resolution, the procedure set out below should be used.

### Stage one

An employee who has a grievance, and who has not been able to resolve this informally, should set out in writing the details of the grievance, giving the full grounds for the complaint and details of the resolution being sought, and send this to the Project Coordinator.

The complaint should be dated and should state that the concern is being raised formally under our grievance procedure. The Project Coordinator will arrange to meet with the employee to hear the

grievance. If the employee has not stated what outcome they are seeking, clarification may be sought before proceeding. At this meeting the employee will be given full opportunity to state their case, to present any additional information and to answer questions before any decision is made.

After giving full consideration to the points raised, and having undertaken any further investigation we consider to be appropriate, we will then confirm the outcome in writing. We will also confirm any action we intend to take to resolve the grievance, together with the right to appeal against this outcome.

### **Stage two**

Failing a satisfactory solution at stage one, the employee may appeal to the Management Committee. The appeal should be lodged in writing if possible and should be received by the nominated person within seven calendar days of receipt of our letter.

The person hearing the appeal will arrange to meet with the employee as soon as is reasonably practicable to discuss the grievance and again full opportunity will be provided to state the case, provide further information and answer questions. The person hearing the appeal will attempt to resolve the matter to the satisfaction of both the employee and Hyde Park Source. Whatever decision is taken by them will be final and will be confirmed in writing.

### **Guidelines**

Grievances should be raised and the above procedure followed without unreasonable delay at any stage.

At all formal stages of this procedure, the person hearing a grievance is advised to be accompanied by a member of Hyde Park Source's Management Committee who will act as a witness and take full notes of everything that is said.

At all stages of this procedure the individual raising the grievance may choose to be accompanied by either a friend, or a member of the management committee. The employee raising the grievance should tell the person conducting the hearing in advance whom they have chosen as a companion. If the employee does not wish to be accompanied this should be noted.

The companion is there to act as a witness to what was said, to provide moral support and to assist and advise the person in presenting their case. They may address the meeting (provided the person wishes this), ask questions on their behalf and confer with the individual raising the grievance but not answer questions on their behalf.

The timing and location of meetings will be reasonable and we will aim to ensure that the procedure is followed without unreasonable delay. Meetings will be confidential, and wherever possible will be held in a private location and without interruptions.

At the grievance meeting, the individual raising the grievance will be invited to re-state the grievance and explain how they would like it to be resolved. Full opportunity will be provided to present any information and answer questions before any decision is made.

The person conducting the meeting may adjourn the meeting at any stage in order to calm a tense situation, to investigate further or take advice. We will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and may treat any such behaviour as misconduct under the disciplinary procedure.

To ensure that any issue raised is resolved effectively, all parties should aim to:

- ◆ focus on the facts and ignore rumours or hearsay
- ◆ limit the issue to those involved and show discretion at all times
- ◆ work only to resolve the issue and actively pursue a positive outcome
- ◆ be honest about their own role and involvement
- ◆ demonstrate understanding, empathy and flexibility to ensure that the other person's perspective is accommodated
- ◆ strengthen relationships once the outcome is known and positively apply any learning points for the future.

When considering a suitable resolution, the person hearing the grievance will consider whether similar grievances have been raised before, how they have been resolved and any follow-up action that was taken.

### **Records**

Notes will be made of all meetings held under the grievance procedure, with one copy being given to the person raising the grievance and one being kept on file. Such documents will be regarded as confidential.

### **Discrimination and disciplinary offences**

An employee who believes that they are subject to conduct or capability related disciplinary action which is unlawfully discriminatory, or who feels that the action is being taken for reasons other than conduct or capability, should use our grievance procedure rather than appealing within the disciplinary procedure. In such cases, the disciplinary process will normally be suspended whilst the grievance is investigated and resolved.

### **Absence**

Hyde Park Source recognise that grievances can be stressful for both the employee raising the grievance and also any other employees against whom a complaint is made.

However, we believe that in most cases this stress is best alleviated, and working relationships maintained, by completing the grievance procedure quickly.

Where an employee is unfit for work, this does not necessarily mean they are unfit to attend an investigatory meeting or a grievance hearing and employees must make every effort to co-operate with us in completing the grievance process.

If an employee is absent due to illness or other reasons such as maternity/adoption/paternity/shared parental or other leave, we will consider, in consultation with the employee (and/or their GP in the case of illness), whether there are any reasonable adjustments that can be made to enable the case to be progressed (e.g. by allowing the employee to make further written submissions, by conference call or by holding the meeting at a different venue).

If, after an attempt to contact the employee, we reasonably believe that they are unlikely to attend

a meeting in the near future or to provide any further information, we may decide the matter without the employee's further input, based on the evidence and information available to the Company. Unless the employee has already been informed of this, we will write to inform the employee of our intentions to proceed in their absence before taking any decisions.

### **Former employees**

Former employees may also raise grievances at any time up to three months after their employment has ended. In such cases, we would normally ask that they set out the details of their grievance in writing, ensuring that this is dated and states that they are making a formal grievance. We will then respond in writing without the need for a grievance meeting and without a further right of appeal.

However, if the complaint relates to dissatisfaction with a dismissal decision, an appeal should be made against that decision in accordance with the appeal process set out in our disciplinary procedure, rather than invoking the grievance procedure.

### **Implementation, monitoring and review of this procedure**

This procedure takes effect immediately. The management committee have overall responsibility for implementing and monitoring this procedure, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this procedure should be addressed to the management committee.