



**Greenhead College
Corporation**

Grievance Policy and Procedure

Reviewed October 2021

Policy

Greenhead College is committed to encouraging high standards of professional conduct and performance in all its employees and will ensure that the necessary framework is in place to resolve individual grievances both fairly and speedily.

Purpose

A grievance is a concern, problem or complaint that an employee raises with an employer.

The purpose of this policy is to outline:

- Informal and formal ways for employees to raise a grievance
- Ensure employees' grievances are dealt with fairly and speedily.

Who the Policy applies to

This policy applies to all Greenhead College employees.

Legal and ethical framework

Greenhead College recognises the principles set out in the ACAS Code of Practice and will regularly review the Grievance Policy and Procedure in line with good practice and legislative requirements.

Principles

Greenhead College's approach to the resolution of grievance issues is underpinned by the following principles:

- Grievances should be resolved at the level closest to where they arise. It is intended that, where possible, employees should discuss all matters with their immediate Manager as they occur and ideally deal with them on an informal basis if appropriate. Where the grievance concerns the employee's immediate Manager, the grievance should be raised with the next level of Management or HR
- Every effort should be made to respond to the grievance within the prescribed timescale. If further time is required to fully investigate the grievance, the employee will be duly notified.
- Where a grievance is escalated to the next level, the Manager dealing with the previous level will ensure that all available information is passed on to the person dealing with the next stage.

Revision of Policy

Greenhead College reserves the right to amend this policy from time to time for any reason, including without limitation, to take account of changes in the law, best practice and/or organisational requirements.

Procedure

If there are any issues relating to your work, or connected in any way with your work, you should raise them through the grievance procedure (except disciplinary decisions which will be covered under the Disciplinary Appeal process) and may include terms and conditions of employment, health and safety and equal opportunities.

Informal Procedure

Grievances, or problems relating to work, are sensitive issues and it is preferable to try and resolve these as quickly and informally as possible. Employees are therefore encouraged to discuss all matters openly with their Line Manager as they occur. The aim is to resolve routine grievances in this informal manner. There will, however, be occasions when it is necessary, or more appropriate, to use a more formal procedure, such as:

- If the employee has raised the issue informally and it has not been resolved
- The employee does not want it dealt with informally
- The issue is very serious, for example sexual harassment or whistleblowing.

Formal Procedure

If a grievance cannot be resolved informally, it should be dealt with under the formal grievance procedure.

First Stage

- Employees should raise the grievance in writing to Human Resources normally within five working days of the incident to which the grievance relates. If a grievance relates to an ongoing sequence of events the grievance should be lodged within a reasonable time limit of the last incident. The grievance letter should include what the grievance is about, any evidence and what they want the College to do about it
- A member of the Senior Leadership Team will invite the employee by formal letter to attend a hearing in order to discuss the grievance
- The Senior Manager will endeavour to make the hearing arrangements within 5 working days of receiving the employee's grievance
- Employees will be permitted to present their case at the hearing and will also be informed of their right to be accompanied
- The Senior Manager will confirm the outcome of the grievance, in writing, with the employee, normally within 10 working days of the hearing. If it is not possible to respond within the specified time period the employee will be given an explanation for the delay and told when a response can be expected.

Final Stage – Appeal of Initial Grievance Outcome

- If the matter is not resolved at Stage 1 an employee is permitted to raise the matter in writing with the Principal within 5 working days of receiving the decision
- The Principal will notify the employee within 5 working days of receiving the grievance appeal to set up an appropriate meeting for the individual to present any points of fact that were not covered at the First Stage hearing or considered in the decision
- Employees will be formally invited to the Appeal Meeting and informed of their right to be accompanied
- Following the hearing the Principal will, where possible, respond to the grievance in writing within 10 working days. If it is not possible to respond within the specified time period, the employee will be given an explanation for the delay and told when a response can be expected
- This decision will be final and will complete the Grievance Procedure.

Right to be accompanied at Grievance / Appeal Hearings

An employee who raises a grievance has a statutory right to be accompanied. This can be either by a fellow employee (another employee of Greenhead College) or a trade union official.

- Greenhead College actively encourages employees to avail themselves of their right to be accompanied to a Hearing and would advise that appropriate notes are maintained for their future reference
- In order for employees to exercise their right to be accompanied they must make a reasonable request – i.e. not choose a colleague who might prejudice the hearing or have a conflict of interests
- There is no duty on a fellow employee or trade union official to accept a request if they do not wish to act as a companion
- The companion should be allowed to address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing. The companion can not however answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case
- Where the chosen companion cannot attend on the date proposed the employee can offer an alternative time and date as long as it is reasonable and falls within a period of five working days beginning with the first working day after the day proposed by Greenhead College

Records and Confidentiality

Records will be kept detailing the nature of the grievance raised, Greenhead College’s response, any action taken and the reasons for it. These records will be kept confidential and retained in accordance with the General Data Protection Regulations (GDPR). This process will be dealt with as sensitively as possible. Confidential support is available if required from the Human Resources Department.

Senior Post Holders

Senior Post Holders are the Principal and such other senior staff so designated in accordance with the Instrument and Articles of Governance.

The grievance policy and procedure, as outlined above, will apply to all Senior Post Holders, with the following exceptions:

- Where there is a grievance in relation to a Senior Post Holder other than the Principal, the Principal may carry out the investigation
- Where there is a grievance in relation to the Principal, the Chair, the Vice Chair or an appropriate external adviser, as determined by the Chair, may carry out the investigation
- A grievance raised by a Senior Post Holder will normally be investigated by the Chair or Vice Chair. The decision on the outcome of the grievance hearing will be that of the Chair or Vice Chair
- Where a Senior Post Holder wishes to appeal against the grievance decision, the appeal should be lodged in writing with the Clerk to the Corporation within 10 working days of receipt of the letter informing the Senior Post Holder of the decision. The appeal will be referred to a special committee of the corporation. The decision at appeal is final.

Cross Reference

Please refer to the following policies:

- Disciplinary Policy and Procedure

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