

EMPLOYEE GRIEVANCE POLICY

Date of Original Policy Approval November 2017	Approval By Trust Board : 20 January 2021 (Minute 84 refers)	Policy Author Chief Finance & Operations Director
<p>This is a Schedule 3 Policy (i.e. responsibility for this Policy remains with the Board, via People and Remuneration Committee, on recommendation of the Executive in accordance with the Board Programme of Policy review).</p> <p>The Executive has full delegated authority to:</p> <ul style="list-style-type: none"> - implement the Policy; and - make non-material amendments to the Policy; <p>and is required to provide summary Assurance Reports to the Committee on the actions taken under the delegations that apply to the Policy.</p> <p>The Executive is also required formally to review the Policy and report to the Committee in accordance with the agreed Programme of Policy Review. This includes reporting that a review has taken place, but no amendments are necessary. All material amendment to the Policy must be approved by the Trust Board on recommendation of the Committee.</p>		

Policy Review: Two Yearly or as required by legislation

Review date	Policy Reviewed & action taken if any
January 2021 Min. 84 refers.	Reviewed : no material change.
January 2023	

This policy and procedure applies to employees of Apollo Partnership Trust and should be read in conjunction with any associated Guidance.

Purpose

The purpose of the policy is to provide a framework within which employees can raise individual or collective grievances and managers can deal with those grievances in an appropriate manner. Any grievance should be raised within a 3 month period.

This policy cover matters previously addressed by two separate policies, namely: the **Dignity at Work** and **Grievance policy**. Under this policy, all complaints relating to the following will be fully considered and investigated by the Trust:

- **Dignity at Work:** includes complaints regarding unacceptable behaviour such as bullying, harassment and victimisation.
- **Grievance:** includes concerns, problems or complaints raised by an employee regarding their working conditions or relationship with colleagues.

Mediation

Mediation can play an important role in resolving problems between employees. Mediation is an informal, voluntary process, which can be used to resolve disagreements in the workplace. Employees are encouraged to consider using mediation at both the informal stages of a grievance, or if necessary as a result of the formal stages being invoked. For further information, and details of costs, please contact the Strategic HR Service who will be able to appoint a trained mediator to work with those employees or groups to help agree a mutually acceptable solution.

Day to Day Management

Wherever possible, employees should be supported in trying to resolve the problem informally. This can often be done effectively by the individual raising the issue directly with their line manager, either orally or in writing. If the grievance relates to the individuals line manager, it should be referred to the line manager's manager.

Whilst the grievance is being considered the status quo will apply.

Investigating Officer

An investigating officer may need to be appointed in order to carry out a thorough investigation and collation of appropriate information to establish the facts of the case.

The role of the investigator will be to investigate the issues raised, interview witnesses as appropriate, establish the facts and make any recommendations for resolution. The Academy will ensure that the investigating officer is impartial

Investigations will vary in the level of detail required, this must be proportionate to the matter in question.

Formal Process

Where the employee feels that their grievance has not been resolved informally or where it is sufficiently serious enough, the grievance should be put in writing to a manager who is not the subject of the grievance. The letter should specify the exact nature of the complaint and the resolution that the employee wishes to see whilst attaching any relevant evidence.

Following the receipt of the grievance formal acknowledgement of the grievance should be sent to the employee and a meeting arranged without unreasonable delay.

Individuals have the statutory right to be accompanied at formal meetings by either a work colleague or trade union representative. The meeting will allow the individual to elaborate on the points raised in their written grievance and will inform the next steps of the investigation.

Where an investigating officer has been appointed they will produce a report outlining their findings, summary and recommendations.

Based on the outcome of the investigation the manager will give one of the following outcomes:

- The grievance is upheld
- The grievance is partially upheld
- The grievance is not upheld

A summary of the findings should be provided to the complainant and where necessary any other individuals that the complaint is against. The outcome to the process must be confirmed to the complainant in writing outlining their right of appeal against the decision.

If the grievance has been raised against another individual(s) consideration should be given as to how the parties are going to work together moving forward.

Any matter or grievance which is more than 3 months old will not be considered under this policy.

Withdrawing the Grievance

If at any point the employee who has instigated the grievance procedure wishes to withdraw his/her grievance, they should confirm this in writing and submit this to the same individual they originally submitted the grievance letter to.

Appeal

Where an individual is not satisfied with the outcome of their grievances at the formal stage, the individual will have the right of appeal and in order to proceed to an appeal hearing will need to provide the reasoning

for appeal with any relevant evidence. The appeal will be held in line with the Trust Appeals Policy (February 2020) or February 2021 if the Grievance relates to the 2021 Staff Restructure).

Re-establishing Working Relationships

Regardless of the outcome, the alleged perpetrator and the recipient **must** attend a mandatory joint meeting to discuss what support or action is required to assist them to re-establish their working relationship. The Decision Making Manager should ensure that this meeting is scheduled to take place as soon as possible after the parties have been advised of the investigation outcome. A third party (e.g. manager, HR representative) should be involved in this meeting to help facilitate a solution.

The meeting should focus on agreeing strategies to assist the parties to resume and repair their working relationship. A potential outline of the meeting might include:

- Explaining the purpose of the meeting (i.e. it is not to revisit the complaint previously investigated, it is about moving forward);
- Identifying potential areas of concern and explore these with the parties;
- Encouraging open and honest communication;
- Confirming the key points agreed to help move forward.
- Re-affirming that both parties have a responsibility to ensure good working relations are maintained and that failure to do so could lead to disciplinary action being considered.