



## **GRIEVANCE PROCEDURE**

### **1. PURPOSE, SCOPE AND PRINCIPLES**

- 1.1 Grievances are concerns, problems or complaints that employees raise with their employers. Grievance procedures are used by employers to deal with employees' grievances. They allow employers to deal with grievances fairly, consistently and speedily. Employers must have procedures available to employees so that their grievances can be properly considered.
- 1.2 Pillar Kincardine believes that any grievance procedure should be used fairly and consistently for all staff.
- 1.3 This procedure follows the guidelines set out in the ACAS statutory *Code of Practice on discipline and grievance*. It will by necessity be reviewed and amended as any new legislation or statutory codes of practice are introduced or amended.
- 1.4 At every stage in the procedure the employee will be given the opportunity to state his or her case and be listened to by management. Any necessary investigations should be carried out without unreasonable delay to establish the facts of the case.
- 1.5 At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.
- 1.6 An employee will have the right to appeal against any decision reached regarding their grievance.

## **PROCEDURE**

### **2. INFORMAL ACTION**

- 2.1 Minor grievances are usually best dealt with informally. A quiet word is often all that is required to improve the situation. Employees should aim to resolve most grievances informally with their line manager particularly where there might be a close personal relationship between a manager and an employee. It also allows for problems to be resolved quickly. There will, however, be situations where matters are more serious or where an informal approach has been tried but is not working.
- 2.2 If a grievance cannot be settled informally, the employee should raise it formally with management.

### **3. RAISING A GRIEVANCE**

- 3.1 Employees should normally raise a grievance with their line manager. If the complaint is against the person with whom the grievance would normally be raised the employee can approach the Pillar Kincardine Chairperson.
- 3.2 Managers should deal with all grievances raised, whether or not the grievance is presented in writing.

### **4. FORMAL ACTION - STAGE 1**

- 4.1 The employee will be informed in writing that Pillar Kincardine has received their grievance and who will be responsible for investigating it. For the avoidance of doubt, the letter will set out management's understanding of that grievance. The employee will be invited to respond to the letter either confirming that management's understanding is correct or clarifying the grievance.
- 4.2 The letter will also invite the individual to a Grievance Meeting - within five working days of receipt of the letter - at which the problem can be discussed, and it will inform the individual of their right to be accompanied at the meeting. The employee will be informed who will chair the meeting.
- 4.3 At the Grievance Meeting the employee will be allowed to set out their case and answer any questions that are required by management for clarification. The employee will also be able to ask questions, present evidence, call witnesses and be given an opportunity to raise points about any information provided by witnesses. They will also be able to say how they think the matter should be resolved.
- 4.4 An employee who cannot attend a meeting should inform Pillar Kincardine in advance whenever possible so that another meeting can be arranged.
- 4.5 If an employee's companion cannot attend on a proposed date, the employee can suggest another date so long as it is reasonable and is not more than five working days after the date originally proposed by Pillar Kincardine.

### **5. FORMAL ACTION - STAGE 2**

- 5.1 Following the meeting the Chairperson must decide whether or not the grievance is upheld.
- 5.2 Following the meeting a letter will be sent to the employee stating one of the following outcomes:
  - The grievance was upheld - and the proposed actions management will take to resolve the situation.
  - The grievance was not upheld - and the reasons why it was not upheld.
  - Management requires to carry out further investigation into the grievance - and setting out the proposed timetable for that investigation.
- 5.3 If as a result of the investigation it is felt that disciplinary action may be necessary against another employee then that will be referred to Pillar Kincardine's disciplinary procedure.

## **6. APPEALS**

6.1 An employee has the right to appeal any decision made by the chair of the Grievance Meeting but they must do so within 10 working days of the date of the letter sent out informing them of the decision. The address for such an appeal is:

Chair of the Board of Directors, Pillar Kincardine, 42-46 Barclay Street, Stonehaven, AB39 2AX.

6.2 The following are grounds for appeal:

- There is new evidence not heard at the original meeting
- There was not a proper investigation into the grievance
- The grievance procedure was not followed

6.3 On receiving a letter appealing the decision, the Chair of the Board of Directors will convene a Panel of Board members (the Appeal Panel) to hear the appeal at the earliest practicable opportunity, and will write to the employee giving the date and time of the Appeal Panel meeting and reminding them of their right to be accompanied.

6.4 The Appeal Panel may

- uphold the appeal - amend the original decision or instruct that the matter should be investigated further.
- not uphold the appeal.

6.5 The decision of the Appeal Panel is final.