

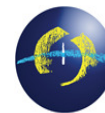
## GRIEVANCE PROCEDURE

### Purpose

The aim of the grievance procedure is to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.

### General Principles

1. This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.
2. This Grievance Procedure does not form part of any employee's contract of employment and is entirely non-contractual. It may be amended, withdrawn, suspended or departed from at the discretion of the Trust.
3. **Introduction:** If you have any grievance relating to any aspect of your employment you should endeavour to have it settled in accordance with this procedure. This grievance procedure should not be used in relation to any disciplinary or capability procedures. The appropriate procedures for these are outlined elsewhere in the Staff Handbook.
4. **Flexibility:** The Trust will follow a fair procedure in the event that you raise a grievance. However, there may be occasions when the Trust considers it appropriate to change or omit parts of the procedure.
5. **Disability:** If you have difficulty at any stage of the procedure because of a disability or understanding English, you should raise this with your line manager or a member of the Department of Human Resources as soon as possible.
6. We have a separate Dignity at Work Policy that should be referred to if you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people. It is set out in the Staff Handbook.
7. We operate a separate Procedure for Reporting a Wrong-doing to enable employees to report illegal activities, wrong-doing or malpractice within the Trust. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of reporting a wrong-doing, you may raise the matter under this grievance procedure.
8. **Confidentiality:** It is our aim to deal with grievance matters sensitively and with due respect for the privacy of the individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation.



9. **Amendments:** If the Trust amends this procedure from time to time, you will be given advance notice of the amendments.
10. **Timescale:** All steps under this grievance procedure should be taken without unreasonable delay.
11. Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Protection Policy.

### The procedure

#### 12. Raising a grievance informally

Most grievances can be resolved quickly and informally as near as possible to the point of origin i.e. between the persons involved or if this is not possible for whatever reason then through discussion with your line manager. If you feel unable to speak to your line manager, for example, because the complaint concerns him or her, then you should speak informally to a more senior manager. If this does not resolve the issue, you should follow the formal procedure below.

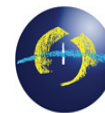
#### 13. Raising a grievance formally in writing

If your grievance cannot be resolved informally you should put it in writing and submit it to your line manager, indicating that it is a formal grievance. If the grievance concerns your line manager you may submit it instead to their line manager.

The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations we may need to ask you to provide further information.

### Investigation

14. In some cases it may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/ or reviewing relevant documents.
15. The investigation may be carried out by your line manager or someone else appointed by the Trust.



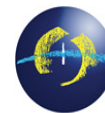
16. You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending investigative interviews if required.
17. We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In such cases we will hold a further grievance meeting with you before we reach a decision.

#### **Right to be accompanied**

18. You may be accompanied to the grievance meeting by a colleague or trade union official. Acting as a companion is voluntary and your colleagues are under no obligation to do so. A colleague will be allowed reasonable time off from duties without loss of pay to act as a companion but they must provide their line manager with adequate notice of their intentions. If your choice of companion is unreasonable as their attendance may prejudice the hearing or they are unable to attend at the time and date allocated, and are not available within the next five working days or they are from a remote geographical location and someone else suitable is available on site, we may use our discretion and ask you to choose someone else.
19. At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.

#### **Grievance Meetings**

20. We will arrange a grievance meeting as soon as reasonably possible on receiving your written grievance. You will be informed in advance in writing of the timing and location of the meeting.
21. You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
22. The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made. We may ask the other people involved to attend the meeting with a view to obtaining a resolution.
23. After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.



24. We will write to you, wherever practicable, within one week of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal and who you should write to. Where appropriate we may also hold a meeting to give you this information in person.

### Appeals

25. **Initiating an appeal:** If the grievance has not been resolved to your satisfaction, you may appeal the decision by notifying a member of your College Management Team or a senior member of the directorate (or the allocated individual as specified at the grievance outcome meeting or in the grievance outcome letter) in writing within 5 working days providing full details of why you wish to appeal. If you need more time, you should notify a member of your College Management Team or a senior member of the directorate (or the allocated individual as specified at the grievance outcome meeting or in the grievance outcome letter) within the 5 day period.
26. **Appeal procedure:** We will investigate your appeal and hold an appeal meeting, as soon as reasonably practicable on receiving your written appeal. This will be dealt with impartially by a manager who has not previously been involved in the case (although they may ask anyone previously involved to be present as a witness). You have a right to bring a companion to the meeting (see clause 18).

You and your companion (if any) should make every effort to attend the appeal meeting. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.

27. **Appeals outcome:** We will write to you, wherever practicable, within one week of the appeal meeting, to inform you of the outcome of your appeal and any further action that we intend to take to resolve the grievance. Where appropriate we may also hold a meeting to give you this information in person. This is the end of the procedure and there is no further right of appeal.