

# Grievance Policy

## **Safeguarding and Welfare Requirement: Information and Records**

Providers must put in place a written procedure for dealing with concerns and complaints.

This policy follows the ACAS Code of

Practice. [http://www.acas.org.uk/media/pdf/k/b/Acas\\_Code\\_of\\_Practice\\_1\\_on\\_disciplinary\\_and\\_grievance\\_procedures-accessible-version-Jul-2012.pdf](http://www.acas.org.uk/media/pdf/k/b/Acas_Code_of_Practice_1_on_disciplinary_and_grievance_procedures-accessible-version-Jul-2012.pdf).

This Code is designed to help employers, employees and their representatives deal with disciplinary and grievance situations in the workplace. Grievances are concerns, problems or complaints that employees raise with their employers.

Whenever a disciplinary or grievance process is being followed Hound Owls Preschool Ltd. are committed to dealing with issues fairly. This would include;

- Managers and employees will raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.
- Managers and employees should act consistently.
- Managers will carry out any necessary investigations, to establish the facts of the case.
- Managers will inform employees of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.
- Managers will allow employees to be accompanied at any formal disciplinary or grievance meeting.
- Managers should allow an employee to appeal against any formal decision made.

## **Grievance procedure**

Employees will let the manager know the nature of any grievance.

- If it is not possible to resolve a grievance informally employees should raise the matter formally and without unreasonable delay with a manager who is not the subject of the grievance. This must be done in writing and set out the nature of the grievance.

A manager will hold a meeting with the employee to discuss the grievance

- The manager will arrange for a formal meeting to be held without unreasonable delay after a grievance is received.

- Managers, employees and their companions should make every effort to attend the meeting.
- Employees will be allowed to explain their grievance and how they think it should be resolved. Consideration will be given to adjourning the meeting for any investigation that may be necessary.
- The employee may be accompanied at the meeting. Workers have a statutory right to be accompanied by a companion at a grievance meeting which deals with a complaint about a duty owed by the employer to the worker. So this would apply where the complaint is, for example, that the employer is not honouring the worker's contract, or is in breach of legislation. The chosen companion may be a fellow worker, a trade union representative or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker. To exercise the right to be accompanied a worker must first make a reasonable request. What is reasonable will depend on the circumstances of each individual case. However it would not normally be reasonable for workers to insist on being accompanied by a companion whose presence would prejudice the hearing nor would it be reasonable for a worker to ask to be accompanied by a companion from a remote geographical location if someone suitable and willing was available on site. The companion should be allowed to address the hearing to put and sum up the worker's case, respond on behalf of the worker to any views expressed at the meeting and confer with the worker during the hearing. The companion does not however, have the right to answer questions on the worker's behalf, address the hearing if the worker does not wish it or prevent the employer from explaining their case.

#### Deciding on appropriate action

- Following the meeting a decision will be made on what action, if any, to take. Decisions will be communicated to the employee, in writing, without unreasonable delay and, where appropriate, should set out what action will be taken to resolve the grievance. The employee will be informed that they can appeal if they are not content with the action taken

### Taking a grievance further if not resolved.

- Where an employee feels that their grievance has not been satisfactorily resolved they can appeal.
- Employees must let their employer know the grounds for their appeal without unreasonable delay and in writing.
- Appeals will be heard without unreasonable delay and at a time and place which will be notified to the employee in advance.
- The appeal will be dealt with impartially and wherever possible by a manager who has not previously been involved in the case. Workers have a statutory right to be accompanied at any such appeal hearing. The outcome of the appeal will be communicated to the employee in writing without unreasonable delay.

### Overlapping grievance and disciplinary cases

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues.

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