



# TODMORDEN LEARNING CENTRE AND COMMUNITY HUB LTD (TLCCH)

## POLICIES AND PROCEDURES

### GRIEVANCE POLICY

#### 1. Introduction

The grievance procedure enables the TLCCH to ensure that any problems, complaints or concerns raised by employees or volunteers are dealt with in a fair, timely and consistent manner. A grievance or complaint regarding:

- Work, working conditions, pay and benefits, working hours
- Discrimination on the grounds of race, sex, sexual orientation, religion, disability, age, gender reassignment, marital status or ethnic origin; or
- Treatment by colleagues including harassment and bullying; or
- Health and safety or a breach of statutory employment rights; or
- Any other issue affecting the employment or the volunteer agreement

should be raised in line with this procedure.

Complaints in respect of disciplinary action taken by the TLCCH should be dealt with as an appeal under the disciplinary procedure.

#### 2. Informal Procedure

Employees should, where possible, discuss the grievance or complaint with their manager on an informal basis first. In the case of the Manager or Facilities Co-ordinator of the building the grievance or complaint should be sent to the Secretary of the Board of Trustees to be discussed at the next Board meeting. The Manager or a member of the Board of Trustees will discuss any concerns with the employee and attempt to resolve the matter within a reasonable timescale.

Volunteers should discuss their grievance of complaint with their supervisor on an informal basis first. If it is put in writing it will also be reviewed by the Board of Trustees as part of the standard agenda.

Where the informal procedure is used, both parties should keep a written record of the meeting including what was discussed and any proposed action.

If the grievance has not been resolved or cannot be settled informally, the matter should be dealt with in accordance with the formal grievance procedure.

All grievances involving volunteers, which do not have the same status as employees covered by Employment Law, will be solved at the informal level as the volunteer may terminate his/her agreement at any time. The decision of the Board of Trustees will be final in this case.

### **3. Formal Grievance Procedure**

#### **3.1. Written Statement**

The aggrieved employee must first send a written statement detailing the nature of the grievance to the Secretary of the Board of Trustees.

#### **3.2. Grievance Meeting**

Upon receiving the written statement, the Secretary of the Board of Trustees will arrange for a panel of three Trustees to hear the grievance. The formal meeting will be held without unreasonable delay and usually no longer than ten working days after the statement of grievance is received.

Before the meeting, a thorough investigation of the facts relating to any allegations must take place. Any requests for anonymity and confidentiality should be taken seriously.

The employee may be accompanied by a colleague, a suitably certified trade union representative or an official employed by a trade union.

The employee's chosen companion will be able to address the meeting to put or sum up the employee's case, as well as confer with the employee during the meeting. They may not, however, answer questions on the employee's behalf, address the meeting if the employee does not wish them to do so or prevent the Board of Trustees from explaining their case.

The Board of Trustees reserves the right to refuse to accept a companion whose presence may undermine the grievance process.

The line manager, employee and their companions shall make every effort to attend the meeting. If the employee fails to attend the grievance hearing without explanation then the hearing may proceed in the employee's absence.

If possible, the employee should explain how they think the grievance could be resolved.

If a further investigation of the matter is required then the meeting should be adjourned to a later date before a decision is taken about how to deal with the employee's grievance.

### **3.3. Outcome of meeting**

Following the panel hearing and without unreasonable delay, the Secretary of the Board of Trustees shall set out in writing the outcome of the hearing and any action the Board intend to take to resolve the grievance (if appropriate).

The notification shall also include details of the right to appeal if the employee is not satisfied with the action taken.

Any action taken shall be monitored and reviewed, as appropriate, to ensure it effectively deals with the issue.

### **3.4. Appeal**

Employees have the right to appeal where they feel their grievance has not been satisfactorily resolved.

The request for an appeal must state the grounds for the appeal and should be submitted to the Board of Trustees within five working days of receiving written confirmation as to the outcome of the grievance meeting.

The Secretary of the Board shall convene an appeal panel comprising three Trustees who were not members of the original grievance panel. A meeting to discuss the appeal will be arranged, within a reasonable time of receiving the request, by the Secretary of the Board of Trustees. The employee will be informed of the time and place of the appeal in advance.

This appeal hearing is not a re-hearing of the original appeal but a consideration of the specific grounds of appeal in relation to the decision.

The employee has the right to be accompanied at the appeal meeting and the outcome of the appeal meeting shall be communicated to the employee in writing within five working days. Decisions made at this point are final and the grievance procedure is concluded.

## **4. Confidentiality**

Grievances will be handled with as high a degree of confidentiality as is practicable.

Confidential records of the grievance will be kept in the employee's personnel file in accordance with Data Protection legislation. Copies of meeting notes will be provided to the employee, although the Company reserves the right to withhold certain information (e.g. to protect a witness).

## **5. Special Cases**

Where a grievance is raised during the disciplinary process, the disciplinary process may be suspended so the grievance can be dealt with first.

The above procedure shall not be used for collective grievances.

**Approved by the Board of Trustees on: 17/02/2020**

**Date of Next Review: 17/02/2020**