

**B.H.S.  
POLICY  
DOCUMENT  
15  
GRIEVANCE  
PROCEDURE**

Version 1.1

## **BARTON HILL SETTLEMENT**

### **GRIEVANCE PROCEDURE**

The Grievance Procedure exists to ensure that any problem or grievance that an employee may have relating to their employment can be resolved quickly and fairly.

This procedure should be used in conjunction with the Staff Handbook.

It is expected that staff will make efforts to solve problems arising, first of all directly with the person/s concerned. The formal grievance procedure will come into effect once informal efforts have not resolved the situation.

#### **INFORMAL STAFF RESOLUTION OF GRIEVANCE – GUIDANCE NOTES.**

01. The head of the department where the grievance has arisen shall convene a meeting where the grievance should first be raised directly with the person to whom the grievance relates so that the issues can be investigated and a resolution found. If the grievance relates to a Head of Department then the Senior Manager will substitute. If the grievance relates to the Senior Manager the Chair will substitute.

02. The aggrieved employee should be given an oral reply from the person to whom the grievance relates as soon as possible and not later than two working days. If a written reply is requested, then this should be given to the aggrieved employee within five working days of grievance being raised. These time limits should only be exceeded if the investigation genuinely requires longer and the aggrieved employee should be asked to agree to an extension.

03. If the outcome is that action is agreed and a review period is set, then those who attend the original meeting will meet at the end of that period to consider progress.

#### **FORMAL GRIEVANCE PROCEDURE**

##### **GENERAL NOTES APPLYING TO ALL STAGES**

01. Barton Hill Settlement employees can use this procedure to settle grievances with other employees and Barton Hill Settlement Company Directors. If the person to whom the grievance relates is a Director of Barton Hill Settlement, then that Director cannot take a place on the Grievance Panel. Where the grievance is against the Chair of the Board of Barton Hill Settlement, both of the Vice Chairs will sit on the grievance panel and one of them will substitute for the Chair at the Arbitration stage.

02. Both the aggrieved employee and the person to whom the grievance relates should be advised that, at all stages of this procedure, they have the right to be accompanied by a friend, fellow employee, lawyer or trade union rep, who will be supplied with the relevant papers. If either party is a union member, the trade union rep should be notified of all meetings.

03. The HR panel member must keep a written record of each meeting. This should include details of the aggrieved employee's case, the response of the person to whom the grievance relates and the outcome of the meeting. Both sides should be asked to sign the record of the meeting, but should be encouraged to consult with their trade union representative or other representative present before doing so. Copies of the record should be given to all those who attended the meeting.

04. At the end of each stage of the Grievance Procedure, the aggrieved employee must be advised of the next stage of the procedure by an agreed member of the panel.

05. In all stages the time limits may be altered by mutual consent.

06. Every effort shall be made to resolve the grievance at each stage and the proceedings shall be kept confidential to the aggrieved employee, the person to whom the grievance relates, their representatives and the Grievance Panel Members.

07. No action shall be taken to vary an employee's terms or conditions of employment while that employee is following the Grievance procedure.

08. Copies of the original grievance and hearing outcome will be kept in the aggrieved employee's file. All other correspondence and records relating to a particular grievance will be kept in a separate file and removed and destroyed after 6 months of the procedure concluding unless the Grievance Panel makes a decision otherwise for an explicit and specific reason. Any such decision must be recorded in writing.

09. Malicious use of this procedure will result in disciplinary action.

### **GRIEVANCE PANEL – COMPOSITION**

The grievance panel will be made up of

1. Head of Department – Other than that in which the grievance originated.
2. Personnel Officer – To take notes and advise on process.
3. Barton Hill Settlement Company Director.

If the grievance is against a Head of Department, the Senior Manager replaces the Head of Department above.

If the grievance is against the Senior Manager, the Chair of Barton Hill Settlement replaces the Senior Manager.

## **STAGE 1 – FORMAL HEARING**

01. The aggrieved employee should raise the matter, in writing, laying out the reasons for their dissatisfaction, with the Central Admin Officer or the Site Admin Officer. A meeting of the Grievance Panel must be convened within 10 working days to consider the matter. The aggrieved employee should be given a written reply within 5 working days of the meeting.

02. Conduct of the Grievance hearing

- The aggrieved employee explains his/her case.
- Witnesses may be called to substantiate the evidence of the aggrieved employee.
- The person to whom the grievance relates, or their representative, replies to the grievance.
- Witnesses may be called to substantiate the evidence of the person to whom the grievance relates.
- Members of the Grievance Panel may ask questions at any time.
- After the evidence is heard, the aggrieved employee, the person to whom the grievance relates and any person who is not a member of the Grievance Panel withdraw whilst the Grievance Panel considers it's decision.
- Both sides will receive written confirmation within 5 days.

03. If the aggrieved employee is not satisfied with the outcome at this stage, then they should take the matter to Stage 2.

## **STAGE 2 – ARBITRATION**

01. If the aggrieved employee is not satisfied by the outcome of the formal hearing, then they should raise the matter, in writing, laying out the reasons for their dissatisfaction, with the Chair of the Board of Barton Hill Settlement Company Directors, who will arrange for a meeting with an independent arbitrator acceptable to both sides, within 28 working days of the letter being received.

02. A meeting with the arbitrator, the aggrieved employee, the person to whom the grievance relates and their representative, the Chair of the Board of Barton Hill Settlement Company Directors and the Senior Manager, will be arranged. The meeting will be conducted as in Stage 1.

03. The decision of the independent arbitrator will be final. Both sides will be informed of the outcome of the meeting, in writing, within two working days of the meeting.