



B13: Grievance Policy and Procedure

Human Resources Policy	B13
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Introduction

L'Arche recognises that there might be occasions when an employee has a grievance related to their work.

It is our policy 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 an employee raises, 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.

This procedure applies to all employees and workers regardless of length of service.

We reserve the right to amend this policy and procedure at any time.

Using this procedure

Issues that could cause of a grievance may include:

- terms and conditions of employment,
- health and safety,
- work relations,
- bullying and harassment,
- new working practices,
- working environment,
- organisational change, and
- discrimination

This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the appropriate procedure as at B12 Disciplinary Policy and Procedure in the handbook.

We have a separate Anti-harassment and Bullying Policy that may be useful 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 at A5 Harassment and Bullying Policy in the handbook.

We operate a separate whistleblowing policy set out at A2 Raising Concerns and Whistleblowing in the handbook, to enable employees to report illegal activities, wrongdoing, or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of

whistleblowing, you may raise the matter under this Grievance Procedure.

If you have difficulty at any stage of the Grievance Procedure because of a disability or because English is not your first language, you should discuss the situation with your line manager as soon as possible.

Confidentiality in respect of sensitive personal matters which cause you concern will be respected wherever possible. However, to properly investigate an issue it may not be possible to keep the identity of the complainant confidential, particularly where any complaint may lead to disciplinary action taken against an employee. Any concerns about this should be raised with a senior member of the community, so that we can explore this with you and support you in raising any grievance.

At all times the employee raising the grievance will be treated with dignity and respect.

No one raising a grievance will be subject to disciplinary action because an allegation is not upheld or is found to be mistaken provided that they have acted reasonably and held a genuine belief that the basis of the concern was true.

Should you raise a written grievance, it 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.

Raising grievances informally

Before raising a formal grievance, you may wish to discuss the matter with a trusted colleague or union representative if they have chosen one.

Most grievances can be resolved quickly and informally through discussion with your line manager who will make efforts to resolve the issues within the normal supervision process. If you feel unable to speak to your line manager, for example, because the complaint concerns them, then you should speak informally to a more senior manager. If this does not resolve the issue, you should follow the formal procedure below.

During the informal process mediation may be offered as a possible way of resolving the issues. Mediation would be undertaken with an independent third party to find a solution to the problem.

The majority of informal concerns can usually be resolved at this stage.

Formal written grievances

If your concerns have not been resolved informally you may raise the matter formally.

Grievances can be raised either by completing the form at Appendix 1 or by letter, setting out the nature of your complaint, including any relevant facts, dates and names of individuals involved. In some situations, we may ask you to provide further information.

You must submit it to your line manager, indicating that it is a formal grievance. If the grievance concerns your line manager, you may submit it to another manager instead. Should you have any doubts as to who to submit your grievance to, you can ask your local Assistants Coordinator / HR Lead or the National HR Director.

Investigations

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.

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 interviews, as part of our investigation.

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 those

cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

Right to be accompanied

You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague. You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting.

At the meeting, your companion may make representations to us and ask questions but should not answer questions on your behalf. You may talk privately with them at any time during the meeting.

Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.

If your chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else.

Grievance meetings

We will arrange a grievance meeting, normally within five working days of receiving your written grievance.

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.

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.

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.

We will write to you, usually within five working days 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. Where appropriate we may hold a meeting to give you this information in person. If a grievance process become unusually protracted, perhaps due to the need to conduct further investigation, the person who's role is to hear the grievance will ensure all parties are regularly updated on progress throughout the process.

Appeals

If the grievance has not been resolved to your satisfaction you may appeal in writing to the appropriate person stating your full grounds of appeal, within five working days of the date on which the decision was sent or given to you.

We will hold an appeal meeting, normally within ten working days of receiving your written appeal. Wherever possible, this will be dealt with impartially by a more senior manager who has not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting as detailed above.

We will confirm our final decision in writing, usually within ten working days of the appeal hearing. This is the end of the procedure and there is no further appeal.

Confidentiality

Grievance processes are often difficult, sensitive processes for all concerned. During these processes L'Arche seeks to maintain the confidentiality of all involved in the process in accordance with best practice and GDPR and expects all parties involved in the grievance to maintain similar confidentiality. L'Arche will be able to

confirm that a process has finished but will not be able to share information about specific actions that may or may not be taken against individuals involved in the case.

Overlapping Grievance and Disciplinary Cases

Where an employee raises a grievance during a disciplinary process the disciplinary may (but is not required to be) temporarily suspended so that the grievance can be heard. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently. Professional advice from Radar must be sought in such cases.

Appendix 1: Grievance Procedure Form

Employee's Details:

Name	
Title	
Place of work	

Details of Grievance:

Date of Grievance	
Details of the grievance	

What is wanted to resolve this grievance	
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Employee's signature**Date**