



## GRIEVANCE AND DISPUTES PROCEDURE FOR EMPLOYEES

### 1. INTRODUCTION

- 1.1 An employee may have a grievance on a variety of factors which affect their well-being and ability to do their job effectively. The policy of Mind in Croydon is to take grievances raised by employees seriously and to try to resolve them as promptly and fairly as possible.
- 1.2 The **Employment Rights Act 1996** requires that an employer provides their employees with details of a grievance procedure. This must specify the person whom an employee should approach on a matter of grievance.
- 1.3 This grievance procedure is referred to in the Contract of Employment and will be given to employees with the Contract. It is part of the employee's terms and conditions of employment but is not part of the actual Contract. [This is to permit necessary amendments to be made to the procedure without a new contract having to be issued to every employee.]
- 1.4 This procedure should be read in conjunction with Mind in Croydon's Disciplinary Procedure and Harassment Policy.
- 1.5 This procedure may also be used to settle serious disputes involving volunteers or trustees and for the settlement of serious workplace disputes between employees.

### 2. PRINCIPLES

- 2.1 The employee will be given a fair hearing by a specified manager concerning any grievances they may have.
- 2.2 The employee will have the right to be accompanied by a work colleague or full-time trade union representative of his/her choice when raising a grievance or appealing against a decision.
- 2.3 The employee will not be treated unfairly because they have raised a grievance against an employee, senior employee or a trustee, or have asserted a statutory right.

### 3. PROCEDURE

- 3.1 **1<sup>st</sup> Stage: Informal/Verbal Grievance:** The employee should raise the matter orally with their immediate manager, or with the line manager of their manager if the latter is the cause of the grievance. The manager should acknowledge the grievance within 5 working days and investigate and report back to the employee as soon as practicable.
- 3.2 **2<sup>nd</sup> Stage: Formal Written Grievance:** If the matter remains unresolved the employee should write to the Head of HR, or to the Chair of Trustees if the grievance is against the Chief Executive or a trustee. An investigation into the grievance will take place by the Head of HR or an investigative manager, appointed by the Head of HR and a report completed. The Head of HR will then invite the employee to a meeting as soon as practicable and inform them that they have the right to be accompanied either by a work colleague or a trade union official. If the employee's companion cannot attend on a proposed date, the employee can suggest another date so long as it is reasonable and is not more than 5 working days after the date originally proposed by the employer. The Head of HR will give the employee an opportunity to explain their grievance and say how they think it should be settled. The Head of HR may adjourn the meeting to get advice or make further investigation. The Head of HR will try to resolve the grievance her/himself or at her/his

discretion refer it to the Director of Services / Deputy CEO. The Head of HR will respond in writing as soon as practicable and will let the employee know that they can appeal against the decision to the Chief Executive.

**3.3 3<sup>rd</sup> Stage: Appeal to the Chief Executive:** If the grievance has still not been resolved to the satisfaction of the employee, the employee may write to the Chief Executive setting out the grounds of appeal within 10 working days of receiving the Head of HR's letter. The Chief Executive will then invite the employee to a meeting as soon as practicable and inform them that they have the right to be accompanied either by a colleague or a trade union official. If the employee's companion cannot attend on a proposed date, the employee can suggest another date so long as it is reasonable and is not more than 5 working days after the date originally proposed by the employer. The Chief Executive will meet with the employee raising the grievance and with anyone else involved. The Chief Executive will respond in writing to the employee as soon as practicable. This is the final stage of the grievance procedure.

**4. Grievance against a Trustee or Chief Executive:** In this case, the Chair, or in case of a grievance against the Chair, the Vice-Chair, will oversee the procedure. At the 3<sup>rd</sup> Stage, the grievance will be heard by a panel of three Trustees or, if this is not possible, consideration will be given to appointing one or more independent people to the panel. If a grievance is raised against the Chair, an independent person must be included in the panel.

## **5. RECORDS**

A record of any grievances raised by an employee will be kept on their personal file.

This policy should be read in conjunction with the ACAS code of practice on Disciplinary and Grievance Procedures. This is available at [www.acas.org.uk](http://www.acas.org.uk) or from the Human Resources Manager at Mind.