



HCAT Grievance Resolution Procedure

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Version Number	Version Description	Date of Revision
1	HCAT Grievance Resolution Procedure	September 2024

HCAT Grievance Resolution Procedure

1. Introduction

- 1.1. This policy has been developed in consultation with Trade Unions and Professional Associations who are recognised by HCAT.
- 1.2. The purpose of this Grievance Resolution Policy is to ensure fair and equitable treatment for all employees of HCAT in relation to the management of grievances in the workplace.
- 1.3. This policy and procedure does not form part of any employees' contract of employment and it may be amended at any time.

2. Scope

- 2.1 This policy applies to all employees of HCAT (the Trust) including those employed by Academies within the Trust.

3. Principles

- 3.1. The Trust believes that all employees should be treated fairly, equitably and with respect. If an employee is concerned about the treatment they have received or about any aspect of their work, they should discuss this with their Line Manager who will aim to resolve the situation on an informal basis. If the employee feels unable to approach their Line Manager directly, they should approach a senior member of the leadership team or the HR department, who will discuss ways of dealing with the matter with them. Employees who are a member of a trade union may also wish to seek advice from their trade union representative.
- 3.2. Problems arising during the course of employment should be aired and, where possible, resolved to the satisfaction of all concerned. This includes occasions when a manager may need to have a constructive and justified discussion with an individual regarding their performance.
- 3.3. If a Governor (s) is approached about a grievance, they should refer it without detailed discussion to the (Executive) Principal/Headteacher/Head of School/Line Manager as soon as possible. Where the (Executive) Principal/Headteacher/Head of School is the subject of the Grievance, it should be referred to the CEO. If the grievance is about the CEO, then the Chair of the Trust Board should be informed.
- 3.4. Where an employee has a grievance with a governor that does not involve any other member of staff, they should discuss the matter with the (Executive) Principal/Headteacher/Head of School/Line Manager before making an approach to the Chair of the Academy Governing Body.
- 3.5. Employees have the right to be accompanied at formal meeting(s)/hearing/appeal by their trade union representative or a work colleague. It is the employees' responsibility to make the necessary arrangements for representation. This right does not extend to family/friends or professional persons such as solicitors and barristers.
- 3.6. A formal grievance procedure can be a stressful and upsetting experience for all parties. Everyone is entitled to be treated with respect. Abusive or insulting behaviour during the conduct of a grievance process may be treated as misconduct under the Disciplinary Policy.

- 3.7. Grievances should be raised by an employee(s) within 3 months of the incident/issue taking place. Grievances raised after this time will only be considered in exceptional circumstances.
- 3.8. All documentation relating to any grievance matter will remain confidential and will be retained on the employees personal file.

4. What this policy covers

- 4.1. Issues that may cause a grievance include the following:
 - Terms and conditions of employment.
 - Health and safety.
 - Work relations.
 - Bullying and harassment.
 - New working practices.
 - Organisational change.
 - Discrimination.
- 4.2. This policy is not appropriate for dealing with the following:
 - Staff development and review
 - Disciplinary matters
 - Capability and underperformance matters
 - Attendance and sickness matters
 - Matters relating to serious malpractice within the Trust
 - Redundancy
 - A grievance about a matter over which the Trust has no control, such as disputes between employees as private individuals outside their employment.

5. Informal Grievance Resolution

- 5.1. It is expected that wherever possible the employee will have attempted to address the grievance informally by discussing with their Line Manager before pursuing the formal procedure.
- 5.2. The employee must be clear about the nature and details of the grievance and a possible resolution.
- 5.3. The Line Manager will conduct an informal meeting with the employee as soon as possible in order to obtain a greater understanding of the grievance(s) and identify a possible resolution in consultation with the employee. The Line Manager may confirm the outcome of the informal resolution meeting in writing.
- 5.4. Potential outcome of the meeting may be:
 - Raising the matter directly. It may be agreed that the employee raises the matter directly with the person against whom they have raised the grievance, choosing an appropriate time and using a non-confrontational manner. It is important to allow the other party to have the opportunity to respond from their point of view to jointly agree the method of moving forward.
 - Restorative meeting. It may be appropriate to ask the Line Manager or HR representative to facilitate a meeting between the employee and the individual against whom they have raised a complaint. This should be undertaken in agreement between both parties and should take place in a mutually agreed location. It is expected that there will be an agreed method of moving forward.
 - Workplace Mediation. It may be appropriate to follow ACAS mediation principles to help resolve the matter.

- Conducting an Investigation. It may be necessary to conduct further investigation into the matters raised after speaking to the employee concerned. This may involve speaking to any witnesses; ensuring other evidence is considered e.g. documentary evidence, and possibly sharing the grievance with an alleged transgressor to obtain their views. The Line Manager may choose to pass the investigation to someone at a more senior level and the investigator will be supported by Human Resources. Once a thorough investigation has been undertaken, a written report including conclusions and recommendations will be issued to the employee. Should the employee dispute the findings of the report, they can request to proceed to a formal grievance hearing (Section 6).
- 5.5. If either party is unhappy with the adopted method of grievance resolution at any stage, a mutually acceptable alternative method may be agreed.
 - 5.6. The Line Manager should make a record of the resolution/outcome of the informal process and file it on the employee's personal file.

6. Formal Grievance Resolution

- 6.1. If the employee is dissatisfied with the informal process or the nature of the grievance renders an informal process inappropriate, they should submit a Grievance Form (Appendix 1) to their Line Manager, or where the complaint involves the Line Manager, to a member of the Senior Leadership Team (or a member of the Trusts Senior Management Team where appropriate) within 10 working days of the informal resolution method being concluded. The employee will be required to provide details of the informal resolution and why it was not satisfactory, as well as any evidence to support their grievance. Where the informal route has not been used this must be indicated on the form, stating why this is the case and with supporting evidence/documentation attached. The formal grievance will not proceed unless the employee has submitted the Grievance Form.
- 6.2. The grievance will normally be acknowledged by the recipient within 5 working days (Appendix 2 – letter 1) and an investigation will be initiated (Appendix 2 – letter 2).
- 6.3. An investigation is simply the gathering of facts and it may be necessary to hold investigatory meetings with witnesses (Appendix 2 – letter 3). It may be determined that the existing evidence can be presented at a hearing without the need for a detailed or separate formal investigation meeting. If that is the case, the employee will have an opportunity to put their case forward at a hearing.

7. Grievance Hearing

- 7.1. A hearing will be held as soon as is reasonably practicable. Please refer to Appendix 3 for Process at Formal Grievance Hearings and Appeals.
- 7.2. The decision to progress to a Grievance Hearing will be confirmed in writing (Appendix 2 – Letter 4) and must include:
 - Details of the concerns raised by the employee.
 - All supporting evidence including any corroborative documentation including an overview of the case.
 - Witness statement(s) (where relevant).
 - The date/ time/ location of the hearing giving 10 working days-notice and details of the panel members.
 - The employees' right to be accompanied.

- 7.3. Where the grievance relates to a colleague (s), they should be advised on the route being undertaken. If the alleged transgressor(s) feel sufficiently justified they may request to be in attendance for the full hearing, however, it will be for the panel to determine the outcome of this request at the commencement of the hearing.
- 7.4. In some cases, the employee may wish to submit documentation for consideration by the panel. This should be provided no later than 3 working days prior to the date of the hearing. Where relevant, the employee must also confirm which witnesses they wish to call.
- 7.5. It is expected that all internal witnesses attend the hearing to be questioned. However, in some circumstances it may be impracticable or unacceptable for the witnesses to be present at the meeting. Where internal or external witnesses do not attend for whatever reason, it is for the panel to determine the weight placed on the evidence presented in the witness statement.
- 7.6. Should the employee request their representative attend on their behalf or if they wish to provide a written submission, the person hearing the case will take this into consideration.
- 7.7. Every reasonable effort should be made by the employee and representative to be available for the hearing. If the employees' representative is unable to attend on the specified date, the employee may request that the hearing be postponed. Provided that the new date and/or time is reasonable i.e. within the working day, and within 5 working days of the original date this will be accommodated.
- 7.8. Where the employee is unable to attend the rescheduled hearing without a justifiable reason then it will be assumed the employee no longer wishes to progress the grievance and the process will be closed.
- 7.9. The case will normally be heard by a panel of three governors drawn from across the Trust, which will also apply in the following circumstances:
- Where the (Executive) Principal, Headteacher/ Head of School has been directly involved in the case either as investigating officer or as a witness.
 - Where the (Executive) Principal, Headteacher/Head of School is the subject of the Grievance.
 - Where a Grievance is made against a central Trust employee, the case will normally be heard by the COO or CEO (or in the case of the COO or CEO, the Board of Trustees).
- 7.10. If an employee attends with a TU representative or work colleague, the chosen representative does not have the right to answer questions on the employees' behalf or address any meeting without the employees' consent. They will be allowed to address the panel and present the employees' case.
- 7.11. The hearing will be concluded with one of the following outcomes:
- Upheld – where the grievance is founded, an appropriate action will be identified to remedy the situation, e.g. workplace mediation or appropriate disciplinary action being taken.
 - Partially upheld – where some aspects of the grievance are founded, and appropriate action will be identified to remedy the aspects of the grievance that are upheld.
 - Rejected – where there is insufficient evidence to support the grievance raised.
- 7.12. The outcome of the grievance hearing will be provided in writing within 5 working days of the hearing (Appendix 2 – Letter 5).

8. Right of Appeal

- 8.1. If the employee is dissatisfied with the hearing outcome, they may submit an appeal in writing within 10 working days of receipt of the outcome letter. The appeal should be addressed to the person who

heard the grievance. The Appeal Form contained in **Appendix 4** should be used for this purpose but a letter outlining the grounds for appeal is also acceptable.

- 8.2. The appeal will be heard by a panel of three Governors or Trustees not previously involved in the grievance hearing, who have no prior knowledge of the case.
- 8.3. The employee will be given 10 days-notice of the Appeal Hearing (**Appendix 2 – Letter 6**) and be informed of:
 - The name(s) of the person(s) who will hear the case.
 - The date, time and location of the hearing.
 - The right to representation
 - All documentation it is intended to refer to during the appeal hearing to include the Notification of
- 8.4. Appeal and the outcome letter of the original grievance hearing.
- 8.5. At the discretion of the Trust, the appeal will be conducted as a review of the first instance decision, having regard to the matters set out on the Appeal Form and/or letter from the employee, and the outcome letter of the grievance hearing. In some extenuating circumstances there may be a complete re-hearing of the case.
- 8.6. The person(s) hearing the appeal will receive the Appeal Form an/or letter, relevant documents referred to in the grievance hearing and a copy of the letter confirming the outcome of the grievance hearing.
- 8.7. At the appeal stage, either party may decide that it is relevant for witnesses to attend the meeting. In circumstances whereby it is impracticable or unacceptable for witnesses to attend, the person hearing the appeal will determine the weight placed on the evidence provided.
- 8.8. Every reasonable effort should be made by the employee and representative to be available for the appeal hearing. If the employees' representative is unable to attend on the specified date, the employee may request that the meeting be postponed. Provided that the new date and/or time is reasonable i.e. within the working day, and within 5 working days of the original date, this will be accommodated.
- 8.9. If following reasonable attempts to arrange a suitable date for all to attend and the employee/their representative is still unavailable, or where the employee is unable to attend the rescheduled appeal hearing without a justifiable reason, the person hearing the appeal may determine that the appeal is withdrawn.
- 8.10. The appeal should normally be conducted in one day except in exceptional circumstances.
- 8.11. If an employee attends with a TU representative or work colleague, the chosen representative does not have the right to answer questions on the employees' behalf or address any meeting without the employees' consent. They will be allowed to address the appeal panel and present the employees' case.
- 8.12. The process for the Appeal Hearing will be as outlined in the Process at a Formal Appeal Hearing (**see Appendix 3**).
- 8.13. The person(s) hearing the appeal has authority to confirm, or revoke the original outcome. The decision of the person(s) hearing the appeal is final and precludes the right to take another grievance of a similar nature unless there is repetition of behaviour/action or the recommendations identified in the outcome have not been implemented.

- 8.14. Where possible the decision will be given to the employee at the conclusion of the meeting and confirmed in writing no more than 5 working days after the hearing (**Appendix 2 – Letter 7**).
- 8.15. The written record of the appeal hearing should be completed as quickly as possible after the date of the hearing.
- 8.16. All documents pertaining to this procedure should be retained on the employee's personal file.

9. Collective Grievances

- 9.1. Where two or more employees raise an identical grievance, the employees may agree to have them addressed in the same grievance process. The employees may be represented throughout this process by a Trade Union Representative, one of the nominated employees or address the meeting individually. Collective grievances will follow the same process as an individual employee grievance or it may be appropriate for the problem to be resolved through collective agreements between the trade union and the employer.

10. Overlapping Disciplinary and Grievance Issues

- 10.1. An employee may during the course of a disciplinary process, raise a grievance. Where the Grievance is related to the disciplinary case then it is appropriate that both matters are dealt with at the same time i.e. at one meeting. However, it is advisable that another suitably senior member of staff is allocated responsibility for investigating the disciplinary aspect of the case. In instances where the grievance has no relationship to the disciplinary matter then both procedures may be dealt with concurrently.

11. Vexatious, Malicious, Frivolous and/or Persistent Grievances

- 11.1 All grievances will be taken seriously, but only those which raise a legitimate or genuine concern will be heard or investigated. The (Executive) Principal/Headteacher/Head of School, Chair of the Local Governing Board, CEO, or Chair of the Board of Trustees as appropriate, will not consider any frivolous or vexatious grievances or any repeat complaints which have already been responded to. Where, through investigation, an employee's grievance has been found to be vexatious, or where an employee persists in submitting grievances which are considered frivolous or vexatious, disciplinary action will be taken against the employee.

12. Grievances Received Immediately Prior to Employment Terminating

- 12.1 An employee may submit a formal grievance immediately prior to termination of their employment by submitting the **Grievance Form (Appendix 1)**. If a letter of resignation is received from an employee that includes what appears to be a grievance the employee should be written to and asked if they wish to progress a grievance (**Appendix 2 – Letter 8**).
- 12.2. Pre-termination grievances should be dealt with in accordance with the formal grievance procedure above.
- 12.3. It is recommended a grievance investigation is undertaken and the employee offered either a written response or formal meeting be held where possible before the employees last date of employment.

13. Grievances After Employment Has Ended

- 13.1. If an employee raises a formal grievance within 14 days of leaving their employment it is recommended that the (Executive) Principal/Headteacher/Head of School investigates the issues raised and provides a written response to the former employee as soon as is reasonably practicable.
- 13.2. An individual who has left employment has no further right of internal appeal.

14. Monitoring and Review

- 14.1. The Equality Act 2010 requires public bodies, in carrying out their functions, to have due regard to the need to:
 - to eliminate discrimination and other conduct that is prohibited by the Act
 - to advance equality of opportunity between people who share a protected characteristic and people who do not share it
 - to foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.
- 14.2. In the development of this policy due regard has been given to achieving these objectives.
- 14.3. This procedure will be reviewed to respond to any changes in the employment legislation, and at least every three years, in conjunction with the Trust's recognised trade unions.

15. Appendix 1 – Grievance Notification Form

This form should only be used where you feel the issues/ concerns cannot be addressed through the informal route.

You should complete the form below and forward it to your Line Manager.

Please ensure you keep a copy for yourself.

Name:	
Job Title:	
Trust/ Academy/Team/ Department:	
Dates of Incidents/ Concerns (where appropriate):	
Trade Union and Name of Representative (if involved):	
Nature of Grievance <i>(Please provide as much detail as possible including details of your grievance – continuing on a separate sheet where necessary):</i>	
Resolution/ Remedy <i>(Please provide as much detail as possible of your expected outcome/ remedy):</i>	

Name of Line Manager:	
Date(s) any informal discussion(s) took place:	
Details of attempts to resolve the issues/ concerns informally:	
Explain why you are not satisfied with the response/ outcome:	

Signature:		Date:	
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Please give full details and attach further notes if necessary.

For Manager use only

Date received:	
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16. Appendix 2 – Template Grievance Hearing/Appeal Letters

Letter 1

FORMAL GRIEVANCE ACKNOWLEDGEMENT LETTER

Private and Confidential

(Name)

(Address)

(Date)

Dear

GRIEVANCE NOTIFICATION

I acknowledge receipt of your recent grievance notification dated **(insert date)**. In accordance with the Academy's Grievance Procedure I* *will be making initial enquiries/investigating the facts in relation to your concern(s) and I will confirm details of the Grievance Meeting accordingly. *or can confirm that NAME and DESIGNATION will be investigating your concerns and will be contacting you directly.*

Should you require any further information please do not hesitate to contacton the above telephone number.

Yours sincerely

INVITE TO GRIEVANCE INVESTIGATION LETTER

Private and Confidential

(Name)

(Address)

(Date)

Dear

GRIEVANCE INVESTIGATION

I write to acknowledge receipt of your Grievance Form dated **(date)** and wish to confirm arrangements for a grievance investigation meeting OR Further to the submission of your Grievance Form dated **(date)**, I wish to confirm the arrangements for a grievance investigation meeting.

The meeting will take place on **(insert date)** at **(insert time)**. The meeting will be held at **(insert location)**. Please report to reception on your arrival and ask for **(if appropriate insert name)**.

The investigation will be conducted by **(insert name, title)** and **(insert name, title, if applicable)**.

In accordance with the Academy's Grievance Resolution Policy you are entitled to have your Trade Union Representative or work employee of your choice present in an advisory and supportive capacity. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. If you wish for your representative to attend, it is your responsibility to make the necessary arrangements.

If you have any queries regarding this matter, please contact **(insert name)** on the above number.

Yours sincerely

(Investigating Officer)

INVITE TO GRIEVANCE INVESTIGATION FOR WITNESSES

Private and Confidential

(Name)

(Address)

(Date)

Dear

GRIEVANCE INVESTIGATION

I am writing to confirm that a grievance investigation is currently taking place in accordance with the Academy's Grievance Resolution Policy. I have been given your name as an independent witness who may be able to assist with the investigation into ***(insert brief details of what and who investigation is in respect of)***.

You are requested to attend a grievance investigation meeting. The meeting will take place on ***(insert date)*** at ***(insert time)***. The meeting will be held at ***(insert location)***. Please report to reception on your arrival and ask for ***(if applicable insert name)***.

The investigation will be conducted by ***(insert name, title)*** and ***(insert name, title, if applicable)***.

In accordance with the Academy's Grievance Resolution Policy you are entitled to have your Trade Union Representative, or work employee of your choice present in an advisory and supportive capacity. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. If you wish for your representative to attend, it is your responsibility to make the necessary arrangements.

In order to maintain confidentiality in respect of the grievance(s), I wish to advise you that you should not enter into discussions with anyone other than the Investigator(s).

If you have any queries regarding this matter please contact ***(insert name)*** on the above number.

Yours sincerely

(Investigating Officer)

INVITE TO A FORMAL GRIEVANCE HEARING LETTER

Employee should be given 10 working days notice

Private and Confidential

(Name)

(Address)

(Date)

Dear

GRIEVANCE RESOLUTION HEARING

Further to the submission of your Grievance Form dated (date), OR Further to the grievance investigation meeting, I write to inform you that a formal Grievance Hearing has been arranged on (date) at (time) at (location). During the hearing the person(s) appointed will hear the specific issues detailed in your written grievance notification:

(details of issue/s)

The person(s) appointed to hear your formal grievance will be (name and designation) advised by (insert name and designation of HR colleague). The management case will be presented by (name and designation). The hearing will be conducted in accordance with the Academy's Grievance Resolution Policy.

You have the right to be accompanied at the hearing by a Trade Union Representative, or a work colleague. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. It is your responsibility to make your own arrangements for their attendance.

Please find enclosed copies of documents which will be presented by management at the hearing including a brief overview of the case. You also have the right to submit documentary evidence and to call witnesses. If you intend to produce your own documents, you should submit them along with a brief overview of your case to me at least 3 working days prior to the date of this hearing. Failure to do so may result in the hearing going ahead without consideration to your case. Additionally, should you wish to request that your representative attend on your behalf, or if you wish to provide a written submission, this request/submission must be received at least 3 days working days prior to the date of the hearing and will be considered by the person(s) hearing the case.

If you intend to call witnesses, you should submit details of who these are and make arrangements for them to attend.

Either:

Management will be calling the following witnesses to give evidence at the hearing:

Or:

It is not management's intention to call witnesses on this occasion.

You must make yourself available for this Grievance Resolution Hearing. If you fail to attend without reasonable cause, then the grievance may be dismissed.

Yours sincerely

(Investigating officer)

Encs

OUTCOME OF FORMAL GRIEVANCE HEARING

Private and Confidential

(Name)

(Address)

(Date)

Dear

GRIEVANCE RESOLUTION HEARING OUTCOME

I am writing to confirm the outcome of the Grievance Resolution Hearing held on **(date)**. The hearing was conducted by **(insert name and title including details of advisor if appropriate)**. During the hearing you were represented by **(name and designation)**. **(Name)** presented the management case **(assisted by if appropriate)**.

The purpose of the hearing was to consider your grievance:

(state nature of grievance and then provide summary of employees case)

In response, **(Name)** provided evidence in relation to the grievance investigation. **(Summarise management's case)**

Consideration was given to all of the evidence presented by both parties. In conclusion I confirm that:

Either

The grievance is upheld. (State what action will be taken to remedy).

Or

The grievance has been partially upheld (state which aspects are founded and appropriate action to remedy).

Or

The grievance is **(not upheld / is rejected)**

The reasons for this decision are as follows:

(summarise main points)

Should you remain dissatisfied with the finding you have a right of appeal against this decision. If you wish to appeal you should do so in writing to **(name, title,)**, within 5 working days of receiving this letter.

Yours sincerely

(Name / Designation of person hearing grievance)

INVITE TO AN APPEAL HEARING LETTER

Employee should be given 10 working days notice

Private and Confidential

(Name)

(Address)

(Date)

Dear

GRIEVANCE RESOLUTION APPEAL HEARING

With reference to your appeal against the outcome of your recent Grievance Resolution Hearing received on **(date)**. I write to inform you that a Grievance Resolution Appeal Hearing has been arranged and will take place at **(location)** on **(date)** at **(time)**. At the hearing you will be given an opportunity to present your case and for Management to respond.

(Name and designation) has been appointed to hear your Grievance Appeal advised by (insert name and title of HR colleague). The hearing will be conducted in accordance with the Academy's Grievance Resolution Policy.

You have the right to be accompanied at the appeal hearing by a Trade Union Representative, Professional Association Representative or a work colleague. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. It is your responsibility to make your own arrangements for their attendance.

Please find enclosed copies of documents which will be presented by management at the hearing including a brief overview of the case. You also have the right to submit documentary evidence. If you intend to produce your own documents, you should submit them along with a brief overview of your case to me at least 3 working days prior to the date of this hearing. Failure to do so may result in the hearing being delayed.

You must make yourself available for this Grievance Resolution Appeal Hearing. If you fail to attend without reasonable cause, then it will be assumed you no longer wish to pursue your grievance appeal.

Yours sincerely

APPEAL OUTCOME LETTER

Private and Confidential

(Name)

(Address)

(Date)

Dear

GRIEVANCE RESOLUTION APPEAL OUTCOME

I am writing to confirm the outcome of the Grievance Resolution Appeal Hearing held on **(date)**. The Appeal Hearing was conducted by **(insert name and title including details of advisor if appropriate)**. **(Name)** represented you at the hearing. Management's case was presented by **(name)** supported by **(name – if appropriate)**.

The purpose of the hearing was to consider the allegation(s) that:

(state allegation and then provide summary of employees case)

In response, (Name) provided evidence in relation to the grievance investigation. (Summarise management's case)

Having considered all of the evidence presented by both parties, I have concluded that:

Either

The grievance is upheld. ***(State what action will be taken to remedy)***.

Or

The grievance has been partially upheld ***(state which aspects are founded and appropriate action to remedy)***.

Or

The allegation of **(xx)** has not been proven and your grievance is not upheld.

The reasons for this decision are as follows:

(summarise main points)

You have no further right of appeal.

Yours sincerely

(Name / designation of person who led appeal)

CONFIRM PROGRESS TO GRIEVANCE LETTER

Private and Confidential

(Name)

(Address)

(Date)

Dear

CONFIRMATION OF PROGRESSION TO GRIEVANCE

Further to receipt of your letter dated **(insert)** in which you state **(insert relevant detail from the letter)**.

As your last days of employment with **(insert)** is on the **(insert)**, please confirm by **(insert)** if you wish this matter to be dealt with in accordance with the Grievance procedure so that arrangements can be made without delay.

Please be advised that should I not receive a response by **(insert)**, no further action will be taken.

Yours sincerely,

OUTCOME OF GRIEVANCE – MODIFIED PROCEDURE

Private and Confidential

(Name)

(Address)

(Date)

Dear

OUTCOME OF GRIEVANCE – POST EMPLOYMENT

I am writing to confirm the outcome of the investigation into your grievance. The process followed was in accordance with the Academy's Grievance Resolution Policy (section 13).

The purpose of the investigation was to consider the grievance you had raised (***state nature of grievance and then provide summary of employee's case***).

Provide summary of your investigation.

On conclusion of my investigation, I can confirm that:

Either

The grievance is upheld. (State what action will be taken to remedy).

Or

The grievance has been partially upheld (state which aspects are founded and appropriate action to remedy).

Or

The grievance of (xx) is (***not upheld / has been rejected***).

The reasons for this decision are as follows:

(summarise main points)

As you are no longer an employee of INSERT, you have no further right of appeal.

Yours sincerely

(Investigating Officer)

17. Appendix 3 – Process at Grievance and Appeals

PROCESS AT A FORMAL GRIEVANCE HEARING/APPEAL

- i) The person(s) appointed to hear the grievance will perform introductions, clarify roles, and outline the procedure that will be followed.
- ii) The employee/ or representative will present their case referring to any supporting evidence and calling witnesses should this be required.
- iii) Management may question the employee and/or their representative and any witnesses.
- iv) The person(s) hearing the case (including the HR Advisor to the panel) may question the employee and/or their representative and any witnesses.
- v) Management shall respond to the employee's case referring to any supporting evidence and calling witnesses.
- vi) The employee and/or representative may question management and any witnesses.
- vii) The person(s) hearing the case (including the Advisor) may question management and any witnesses.
- viii) Prior to the summing up either side shall have a right to request an adjournment of the proceedings.
- ix) The employee/or representative will summarise their case.
- x) Management will summarise their case.
- xi) Once the meeting/ hearing is complete, both parties will then withdraw. If further information is required on the evidence presented, both sides must be recalled allowing clarification to be sought. A decision shall then be reached by the person(s) hearing the grievance/appeal (and not the Advisor), based on an unbiased consideration of the evidence as to whether there is reasonable belief the potential grievance is proven.
- xii) Both parties shall be recalled, and the outcome of the meeting conveyed and recorded. This will be confirmed in writing, normally within 5 working days. In exceptional circumstances it may be necessary for the outcome to be communicated after the hearing/appeal. All parties will be advised of any changes to the method of communication and extension to timescales at the closure of the hearing/appeal.

18. Appendix 4 – Grievance Appeal Form

Part A – For completion by employee

Name:		Job Title:	
Location:		Date of Hearing:	
Date outcome letter received:		Name of TU representative	
<p>Please detail the grounds of your appeal in accordance with the *Disciplinary/Grievance/Pay/Supporting Attendance Procedure.</p>			
<p>* Delete as appropriate.</p>			

Part B – For completion by the Line Manager

Date appeal received	
Date receipt of appeal acknowledged	
Date of appeal hearing	

19. Appendix 5 – Grievance Procedure Flowchart

Appendix 5

GRIEVANCE PROCEDURE FLOWCHART

