



## ABBEYFIELD OXFORD POLICY & PROCEDURE

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Owner:	Abbeyfield Oxford Society	Next review date:	May 2018

For review Abbeyfield Oxford Board May 2015

TITLE	GRIEVANCE
<b>1 Policy</b>	Abbeyfield Oxford Society is committed to providing a fair and transparent process for the handling of grievances and wherever possible addressing the issues, with the aim being to settle them informally in the first instance, as soon as they arise. Where some form of informal or formal action is needed, Abbeyfield Oxford Society will ensure that issues are raised and dealt with promptly, fairly and consistently in accordance with the provisions of this policy and procedure.
<b>2 Objectives</b>	<p>The purpose of this policy is to set down the procedures to be followed to address and to resolve problems and concerns that employees may have about their work, working conditions or relationships with colleagues.</p> <p>The outcome of the procedure, where possible, should be to have resolved concerns, issues and conflict to enable all parties involved to move on and ensure their continued satisfaction and commitment to all aspects of their work.</p>
<b>3 Scope</b>	<p>This procedure applies to all employees of Abbeyfield Oxford Society, and is to be used in circumstances of individual grievances.</p> <p>This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.</p> <p>Grievances are concerns, problems or complaints about an action which an employer has taken or is contemplating taking in relation to an employee. Common examples of issues giving rise to such grievances include:</p> <ul style="list-style-type: none"> <li>• terms and conditions of employment</li> <li>• health and safety</li> <li>• working relations</li> </ul>

## ABBNEYFIELD POLICY

	<ul style="list-style-type: none"> <li>• new working practices</li> <li>• organisational change</li> <li>• equal opportunities</li> </ul>
<p><b>4 Procedure</b></p> <p><b>4.1</b></p>	<p><b>Informal Discussions</b></p> <p>It is anticipated that the vast majority of concerns which an employee may have can be dealt with informally through discussion. An employee should wherever possible discuss their concerns informally and directly with their manager in the first instance. The manager and the employee should agree a written record of the discussion, which may be held on the employee's file.</p> <p>The formal procedure should only be used in circumstances where the employee considers that these informal processes have failed.</p>
<p><b>4.2</b></p>	<p><b>Roles and Responsibilities</b></p> <p><b>Line Manager</b></p> <p>Managers are responsible for addressing any concerns raised with them by their employees on an informal basis in the first instance. The manager should keep a note of what was discussed, the details of the employee's concern and what was decided/action taken. These records may be used at any later formal stage.</p> <p><b>HR Trustee</b></p> <p>The manager is responsible for contacting the HR Trustee when a formal grievance is raised in order to obtain advice and guidance. The HR Trustee will advise others as needed on aspects of the grievance process.</p>
<p><b>5 Formal Stages</b></p> <p><b>5.1</b></p>	<p><b>Stage One – Written notification of grievance</b></p> <p>If the discussion under 4.1 above does not resolve the problem or if the grievance is serious in the view of the complainant, he/she may choose to make the matter formal.</p> <p>The employee should put the grievance in writing to the Administrator (or the House Manager, should the grievance be against the Administrator), who will be responsible, possibly in consultation with the HR Trustee, for identifying an appropriate manager or member of the committee to carry out the investigation and/or the hearing. This person will be called the <i>moderator</i>. The moderator can call upon other people to assist if so wished.</p> <p>The first action of the moderator is to be satisfied that the grievance does not refer to harassment (for which a special procedure applies) or be such that it should be dealt with under the Whistleblowing Policy.</p>

<p><b>5.2</b></p>	<p><b>Stage Two- Meeting</b></p> <p>The moderator should invite the employee to a meeting, if possible within 10 days of the formal grievance being raised.</p> <p>The employee will be given a copy of this policy and procedure and has the right to be accompanied at the meeting by either a trade union representative or a work colleague (to be called the companion) not acting in any legal capacity at the meeting.</p> <p>The meeting will be conducted in accordance with process set out below and the emphasis will be on open and frank discussion of the issues with a view to seeking a satisfactory resolution.</p> <p>The moderator may initiate an investigation into the grievance either before or after the Stage 2 meeting. Any investigation may be conducted either by the moderator or by a third party. The employee must fully co-operate in any investigation.</p> <p>The investigation will be conducted as soon as possible and usually within 5 working days of the grievance being raised, or the grievance meeting if it has taken place. If the matter is particularly complex and cannot be completed within this timescale, this can be extended at the moderator's discretion. If this is the case, the manager will inform the employee, along with the date by which a decision will be made and communicated.</p> <p>After the investigation (where necessary) has been concluded and the Stage 2 meeting, the employee will be informed of the decision verbally in the first instance. This will be confirmed in writing within 5 working days of the decision and the employee will be notified of their right of appeal under Stage Three.</p>
<p><b>5.3</b></p>	<p><b>Stage Three – Appeal</b></p> <p>An employee has one right of appeal against a decision; s/he should inform the moderator in writing within five working days of receipt of the written decision and should state the grounds for appeal. The grounds of appeal should be regarding additional information that was not considered, improper application of process or perceived unfairness.</p> <p>The appeal will be heard by a Trustee who was not involved in any part of the grievance investigation or hearing. The employee will be given at least 2 working days' notice in writing of the date, time and venue of the appeal hearing. Where practical, the hearing will be within ten working days' of the</p>

	<p>appeal request.</p> <p>The appeal hearing is not intended to repeat the detailed investigation of the grievance hearing but will focus on the grounds for appeal stated by the employee in the appeal letter.</p> <p>The Trustee hearing the appeal will be able to reverse or confirm the decision, and this decision will be final. The hearing will be re-convened on the same day or as soon as possible (or normally within five working days of the appeal hearing if further investigation is required) to inform the employee of the appeal decision. Where it is not possible to re-convene the hearing, the Trustee will inform the employee of the decision by telephone/other appropriate communication method. The employee is responsible for advising their companion of the decision, if they wish. The decision will be confirmed in writing.</p> <p>If the appeal is supported, the Society will take action if appropriate and the employee will be advised accordingly. If the appeal is not upheld, or it is found that there is not enough evidence to support any further action, the Trustee will confirm that no further action will be taken and that there will be no further right of appeal.</p>
<p><b>6</b></p>	<p><b>Grievance Meetings</b></p> <p>The following key points will be taken into account by the moderator or Trustee hearing the grievance at Stage Two or Stage Three:</p> <ul style="list-style-type: none"> <li>▪ The employee (or representative) will be asked to set out the basis of their case and how they would like to see it resolved</li> <li>▪ Where appropriate relevant witnesses may be invited to the meeting and the individual chairing the meeting, the employee and their representative may ask the witness questions</li> <li>▪ An open discussion of the issue will take place but In exceptional circumstances, it may be appropriate for witnesses or the information they provide to remain confidential. This decision will be made by the moderator or Trustee on an individual basis</li> <li>▪ An adjournment can be requested by any party at the meeting and where reasonable will be agreed for a reasonable period bearing in mind the need to deal with the matter as quickly as possible</li> <li>▪ Summary notes of the meeting will be taken; Abbeyfield Oxford Society reserves the right to record the meeting. The notes/recording will be transcribed and employee will be provided with two copies of the minutes, one of which should be signed, dated and returned to the Administrator as confirmation of receipt and as confirmation that this is a true and accurate record. If the employee disagrees with the</li> </ul>

## ABBNEYFIELD POLICY

	minutes he/she should so indicate with an attachment, stating how recollection of the hearing differs. Both documents will be placed on the employee's personal file
<b>7</b>	<b>Procedure for Ex-Employees</b> Where a grievance is submitted by an ex-employee, consideration will be given dependent on the circumstances and issues raised, as to the most appropriate way in which to address the grievance. HR advice should be sought where a grievance is received from an ex-employee.
<b>8 Review</b>	Every three years