

Newton Abbot CIC: Grievance Policy

Introduction

Newton Abbot CIC recognises that a grievance procedure must be provided whereby employees who have problems or concerns about their work, working conditions or relationships can raise their concerns with management without fear of censure.

The CIC similarly recognises that any grievance, whether from an individual or a group, must be dealt with speedily, fairly and equitably, as near to the point of origin as possible, within agreed time limits and using the same procedure.

Until all stages of the grievance procedure have been exhausted, there shall be no departure from normal working arrangements by either party.

Scope

This procedure applies to all employees of Newton Abbot CIC.

This procedure is limited to an individual employee raising an individual grievance regarding his or her own employment. It does not cover a collective grievance.

Former employees who wish to raise a grievance once they have left their employment with Newton Abbot CIC do not have access to this procedure. They must set out in writing their grievance and the basis for it. An appropriate person must then set out a response in writing. There is no requirement to have a hearing and the individual has no right of appeal.

Core principles

- grievances will be dealt with promptly and confidentially.
- both employees and management must be committed to finding a fair and speedy resolution to grievances in order to maintain effective and harmonious working relationships.
- every reasonable effort should be made to resolve grievances informally between the employee and his/her line manager.
- the aim is to settle grievances at as low a level as possible.
- every employee should be made aware of the existence of the grievance procedure and how to access it.
- throughout the procedure, special allowances should be made for those employees whose first language is not English or who have difficulty expressing themselves. The same applies to employees with a disability.
- the employee has the right to be accompanied by a trade union representative or work colleague of their choice at each stage of the formal procedure. The employee will not however be permitted to be accompanied by a legal practitioner, partner or spouse.
- a confidential record should be kept of proceedings and the outcome.

The Grievance Procedure

Informal stage

Before progressing to the formal stage of the procedure, the employee must attempt to resolve matters informally by discussing their grievance with the Business & Community Development Manager (the Manager), or by approaching a CIC Director if the grievance is against the Manager.)

If the Manager or Turstee is unable to discuss the grievance when approached then they should arrange to meet with the employee within 5 working days of being notified that the employee has a problem or concern that they wish to talk about with management.

After hearing the grievance, the Manager concerned should respond within 5 working days of the discussion with the employee.

Only where attempts to resolve the grievance informally have been unsuccessful can the grievance be dealt with under the formal stage of the grievance procedure.

Formal stage

The formal stage comprises three critical steps:

STEP 1: statement of grievance

- the employee must inform the Chair of Newton Abbot CIC of their grievance in writing and set out in that letter the grounds for the grievance and the remedy they seek.
- the employee should submit this letter within 5 working days of receiving the Manager's/or Director's response at the informal stage.

STEP 2: response

- the employee must be invited to a meeting to discuss the grievance where they will have a right to be accompanied.
- this meeting should take place within 10 working days of receipt of the statement of grievance.
- the employee must take all reasonable steps to attend the meeting.
- either the Chair, or another Director nominated by the Chair, will chair the hearing.
- after the meeting, the employee must be notified both verbally and in writing of the decision, and the reasons for it, within 5 working days of the hearing. This letter must also notify the employee of their right to appeal where the grievance has not been upheld.

STEP 3: appeal

- the employee must confirm in writing their wish to appeal and set out in that letter the grounds for the appeal.
- this notice of appeal must be submitted to Chair of the CIC within 5 working days of receiving the Chairperson's written response at Step 2.
- the employee must be invited to attend an appeal hearing with the Board of Trustees, excluding the Chairperson or other Directors who were involved in Step 2. The employee has the right to be accompanied.
- the appeal hearing should take place within 20 working days of receipt of the notice of appeal.
- the employee must take all reasonable steps to attend the appeal hearing.

- the Board of Trustees will normally hear the appeal.
- after the appeal hearing, the employee must be notified both verbally and in writing of the final decision, and the reasons for it, within 5 working days of the hearing.
- No Trustee involved in the case will participate in the appeal hearing.

Non-competent grievances

Employees are not permitted to raise a grievance about the following:

- any matter relating to the remuneration of an employee's job where the procedure for determining that level of reward and remuneration has been applied in a consistent and equitable manner
- any matter directly arising from the application of the disciplinary procedure (either at the investigation or disciplinary hearing stage.) The employee involved will have the opportunity to raise any related concerns they may have at the appropriate stage in that procedure
- administration of income tax or N.I. regulations
- where the remedy they seek is against the principle of natural justice, fairness and equity (NB in such cases, the CIC, taking such advice as necessary, will make a final judgement as to whether the grievance is legitimate or competent)