**Grievance Policy and Procedure**

**Approved on:**

**Next Review Date:**

**Points to consider before finalising the policy:**

Throughout the different stages of the policy the following terms are mentioned:

* Line Manager
* Senior Manager

In a parish setting an employee should have a “line manager”. This might be the incumbent, a member of the PCC or a member of a management committee.

Where a “Senior Manager” is referred to, this might be the incumbent (if not already the direct line manager), another member of the PCC or Chair of the PCC, or management committee.

**Roles During the Grievance Process**

**Investigation Manager –** the person undertaking the investigation into the alleged misconduct. This may involve interviewing other colleagues and collating any documents relating to the matter. The Investigation Manager should report their findings to the Disciplinary Manager.

**Grievance Manager –** the person who conducts the grievance meeting and has sufficient authority to do so*. Ideally this should be a different person to the Line Manager unless it is not practicable, due to the size of the organisation, and there is no one else available to conduct the meeting.*It is possible that the grievance meeting ***could be***conducted by the employee's line manager, as long as they are not involved in the matters giving rise to the grievance process. For example, if the grievance was against the line manager, then it would be appropriate for a different manager to conduct the meeting

**Appeal Manager –** this should be someone who has not been involved in the disciplinary process and should be more senior than those already involved.

In summary consideration should be given to “separate” roles where possible. Where practical more senior colleagues for example, the Chair of the PCC/ Senior Manager should be “reserved” for the later stages of the process. In parishes where the incumbent is not the direct line manager, they could become involved at the grievance hearing or appeal stage.

**Introduction**

The Organisation believes that all employees should be treated fairly and with respect. If you are unhappy about the treatment that you have received or about any aspect of your work, you should discuss this with your line manager, who will attempt to resolve the situation on an informal basis. If you feel unable to approach your line manager directly, you should speak to a member of the Management Team/PCC, who will discuss ways of dealing with the matter with you.

Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure. A formal grievance should be concerned with the way in which you believe you have been treated by the organisation or managers acting on its behalf, colleagues, or about any aspect of your work. Complaints that amount to an allegation of misconduct on the part of another employee will also be investigated and dealt with under the disciplinary procedure.

**Scope**

This policy and procedure applies to all employees of The Organisation. From time to time, several employees may be affected by the same or similar circumstances in which the matter would be more effectively dealt with by a collective grievance. In such cases, the same procedure will be followed as in the case of an individual grievance, with necessary adjustments, and the group of employees will be treated as if they had raised the matter as a single individual. A single notification of grievance will be made and all members of the group may attend the meeting and any appeal.

Complaints that you may have about any disciplinary action taken against you should be dealt with as an appeal under the disciplinary procedure.

Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. Insofar as a grievance has any bearing on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings.

**Principles**

* Wherever possible, every effort will be made to resolve grievances promptly and informally through discussion and/or mediation.
* All employees have the right to raise a formal grievance should the informal process fail.
* All complaints will be taken seriously and dealt with without unreasonable delay.
* No decisions will be taken until a reasonable investigation to establish the facts has taken place.
* The employee raising a grievance has the right to be accompanied by a companion to any grievance meeting or appeal meeting under this grievance procedure. This companion may either be a trade union representative or a workplace colleague. At any meeting the companion may make representations and ask questions but should not answer questions on the employee’s behalf.
* If the grievance is against a named respondent, that individual will be spoken to as part of any investigation and will have the chance to respond to the allegations before any final decision is made. In addition, once the grievance is concluded, if The Organisation determines that disciplinary action may be justified, the respondent will be afforded all of the usual rights and entitlements under the Disciplinary Policy and Procedure.
* At any stage of the procedure, mediation may be sought. For advice regarding this, the Management Team/PCC should speak to the diocesan HR team.
* Employees and their companions should make every effort to attend meetings as requested.
* Employees have the right to appeal against any decisions made.
* If an employee has lodged a grievance against a particular respondent, the employee raising the complaint will be informed if the grievance is upheld or not upheld and broadly what steps, if any, The Organisation intends to take. For the avoidance of doubt, they do not have the right to be informed of the specific details and outcomes of any further proceedings involving the respondent. Such information is confidential to The Organisation and those involved in conducting the proceedings.

**The right to be accompanied**

You have the right to be accompanied by a fellow employee or trade union official at any grievance meeting or subsequent appeal.

At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf. However, both the hearing and appeal hearing are essentially meetings between the organisation and you, so any questions put directly to you should be dealt with by you and not your companion.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled, provided that you can propose an alternative time within five working days of the scheduled date. If you do not attend on the second occasion, the grievance process will come to an end.

**Recording of meetings**

The employee, or any person acting on their behalf, is not normally permitted to record electronically any meeting held by the organisation as part of the grievance procedure. Any breach of this provision may lead to disciplinary action against the employee, up to and including dismissal.

**Conducting the grievance procedure**

The organisation recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated with respect. The organisation will not tolerate abusive or insulting behaviour from anyone taking part in or conducting the grievance procedure and will treat any such behaviour as misconduct under the disciplinary procedure.

***Stage 1 – Informal Resolution***

The primary focus of this procedure is to uphold, encourage and maintain good employee relations as well as providing a mechanism whereby workplace issues can be raised and addressed. It is important, therefore, that wherever possible, concerns, potential issues or complaints are dealt with as early as possible, adopting early intervention principles.

Informal resolution will allow ongoing working relationships the greatest chance to continue in an appropriate and constructive manner.

Wherever possible, employees are encouraged to attempt to resolve any issues between themselves. If this is not possible, or if the employee has a complaint relating to their work, they should raise it with their line manager. The line manager should meet with the employee to facilitate a discussion to explore in confidence how the matter could be resolved informally. Genuine attempts should made by both the employee and manager to find a mutually acceptable/agreeable solution and both parties will agree on any actions to be taken and by when.

If the employee is dissatisfied with the outcome of the informal approach, the formal procedure should be followed. It may be appropriate to consider an alternative resolution method at this stage, such as a facilitated discussion or mediation.

***Mediation***

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of the grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised in the grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

This process is voluntary and can only take place if all parties agree.

***Facilitated Discussion***

An independent third party, (member of PCC/ /other trusted person?) facilitate a discussion between the parties. This is not mediation, however having someone else involved in the discussion may aid communication.

As above, this process is voluntary and can only take place if all parties agree.

***Stage 2 – Formal Grievance***

The second stage of the grievance procedure is for you to put your complaint in writing. This written statement will form the basis of the subsequent hearing and any investigations, so it is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking. If your grievance is unclear, you may be asked to clarify your complaint before any meeting takes place. Your complaint should be entitled ‘Formal Grievance’ and sent to The Management Team/PCC.

Further attempts may be made to resolve the matter informally, depending on the nature of your complaint. However, if you are not satisfied with the outcome, you may insist on the matter proceeding to a full grievance hearing.

Before proceeding to a full grievance hearing, it may be necessary to carry out an investigation of any allegations made by you, although the confidentiality of the grievance process will be respected, wherever possible. If any evidence is gathered in the course of these investigations, you will be given a copy far enough in advance of the hearing for you to consider your response. In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained to you and an appropriate summary of the evidence gathered will be given to you.

***Formal Grievance Hearing***

The hearing will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, within ten working days of the receipt of your written complaint. At the meeting, you will be asked to explain the nature of your complaint and what action you feel should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform the relevant person (i.e. management committee, PCC) as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

While you will be given every opportunity to explain your case fully, you should confine your explanation to matters that are directly relevant to your complaint. Focusing on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of your complaint. The manager conducting the hearing will intervene if they think that the discussion is straying too far from the key issue. The manager may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of your complaint.

Once the manager is satisfied that all of the facts have been established, they will give full consideration to the case in order to reach a decision.

The Grievance Manager (GM) will notify the employee of the outcome within ten working days of concluding the investigation, unless otherwise advised. Wherever possible, the GM will inform the employee verbally of the outcome and follow this up in writing. The written response will include reasons for the decision and will include notes of any investigation meetings and any other evidence that was gathered. If the grievance has been against another employee, they will also be advised of the outcome.

It may be appropriate for the Grievance Manager to make recommendations about any proposed courses of action as a result of the grievance.

The outcome of an investigated grievance may lead to disciplinary action being taken in line with the Disciplinary Policy and Procedure. If a grievance is found to be vexatious or malicious, or where there is a continued pattern of unfounded complaints by the same employee, this may also give rise to action under the Disciplinary Policy and Procedure.

Following the meeting, you will be informed in writing of the outcome within ten working days and told of any action that the organisation proposes to take as a result of your complaint. You may discuss this outcome informally with either your line manager or a member of the ? Relevant committee.

***Stage 3 - Appeal***

Your appeal should be made in writing to the Management Team/PCC, and clearly state the grounds of your appeal, i.e. the basis on which you say that the result of the grievance was wrong or that the action taken as a result was inappropriate. This should be done within five normal working days of the written notification of the outcome of the grievance. An appeal meeting will be arranged to take place within ten working days of the submission of your formal appeal, wherever possible.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform HR of this as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

The appeal hearing will be conducted by a separate manager to the one who undertook Stage 2 of the process and they will consider the grounds that you have put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate.

Following the appeal meeting, you will be informed of the outcome within ten working days, wherever possible. The outcome of this meeting will be final.

***Potential Outcomes***

The following are potential outcomes of the formal stages of the grievance procedure:

* Grievance not upheld
* Grievance partially upheld
* Grievance upheld

Where the grievance is upheld fully or in part, appropriate actions will be determined as a result of the grievance. Recommendations can still be made, where appropriate, even when a grievance is not upheld in order to prevent similar complaints being raised in the future.