

GRIEVANCE POLICY

1. Introduction

- 1.1 This policy and procedure will apply to all staff of The College, excluding Senior Postholders, as defined in The College's Articles of Governance). This policy and procedure complies with the ACAS Code of Practice and current employment legislation and aims to help resolve differences as fairly and speedily as possible.

2. General Principles

- 2.1 Employees have the right to be represented at all stages of the grievance process by a trade union representative or work colleague.
- 2.2 This process is designed to deal with individual, not collective, grievances. A collective grievance is defined as one that affects an entire bargaining group (for example, all Lecturers or support staff). Collective grievances will be dealt with in accordance with the Recognition and Procedure Agreement in place between the recognised Professional Bodies and The College.
- 2.3 Where a group of employees have presented a grievance about the same issue, the grievance will be heard through this Policy. For example, a grievance is received from a group of staff in the same area about a change in working pattern that has been imposed on them. This would not be considered to be a collective dispute, but would be dealt with under the Grievance Policy.
- 2.4 It is impossible to provide a comprehensive list of all the issues that might give rise to a grievance but some of the more common include: terms and conditions of employment, health and safety, relationships at work including friction between employees, new working practices, and organisational change and diversity issues. If an employee has an issue that it is directly related to another employee, they must discuss it informally with their line manager in the first instance and seek an informal resolution where possible.
- 2.5 This Policy should be read in conjunction with the Dignity at Work Policy, the Grievance Procedures and the Public Interest Disclosure (Whistleblowing) procedure.
- 2.6 An explanation of this Policy will be given to new employees during the induction process. It will also be made available to current employees on The College's intranet.
- 2.7 At all stages a full record will be kept detailing the nature of the grievance raised, the employer's response, any action taken and the reasons for it. These records will be kept confidential and retained in the personal file of the employee(s) who raised the grievance. Copies of any meeting records will be given to the employee concerned although in certain circumstances some information may be withheld, for example, to protect a witness.
- 2.8 Where the employee(s) has been represented by a Trade Union representative, a copy of the letter to the employee(s) will be sent to that representative for information unless the employee confirms in writing to the contrary within **24 hours** of the hearing.
- 2.9 All parties are required to behave in a responsible manner and to agree to extensions in time limits wherever possible.
- 2.10 This Policy meets the terms of the Statutory Dispute Regulations (SDR) 2005.
- 2.11 There will be a maximum of three stages to the grievance process. Where a grievance is heard at Stage One by an Executive member, Stage Two will be heard by the Principal and Stage Three by the Board of the Corporation for which separate procedures will be followed, as defined in the Grievance Procedures.

3. Stage One - Informal Exploration of Facts

- 3.1 On receipt of a grievance from an employee, the appropriate Manager will arrange to meet with the aggrieved employee and his/her Trade Union representative or work colleague, **within five working days**, to establish facts.
- 3.2 If appropriate, the Manager will also arrange to meet with the person against whom the grievance has been raised, within **five working days**, to establish facts.
- 3.3 Where possible the Manager will resolve the grievance informally. If this is not possible the Manager should refer the grievance to a formal hearing (i.e. Stage Two).
- 3.4 After attempts at informal resolution have been made and have not been acceptable to the aggrieved employee, a formal grievance should be raised by them completing a Grievance Notification Form (Appendix 1) and submitting it to the appropriate Line Manager. If the grievance is connected with the Line Manager the matter will be referred to a more senior manager. The manager who has received the Grievance Notification Form will reply in writing within **ten working days**.

4. Stage Two

- 4.1 If the aggrieved employee remains dissatisfied with the result of the grievance meeting at Stage One, they will write to the Executive Director of Human Resources (EDHR) within **ten working days** of receipt of the written reply at Stage One, indicating the grounds for their continued dissatisfaction. The EDHR will arrange for the appropriate senior line manager to hear the grievance at Stage Two.
- 4.2 The senior manager will provide a written reply within **five working days** of the hearing. In the absence of a written reply, or if the employee who has raised the case is dissatisfied with the reply, s/he may give notification within **ten working days** that he/she wishes to progress to the next stage.

5. Stage Three

- 5.1 If the aggrieved employee remains dissatisfied with the result of the grievance meeting at Stage Two, they will write to the EDHR within **ten working days** of receipt of the written reply at Stage Two, indicating the grounds for their continued dissatisfaction. The EDHR will arrange for the appropriate Executive Member to hear the grievance at Stage Three.
- 5.2 The Executive member will hear the case within **fifteen working days** of notification. The appropriate Executive member will normally provide a written reply within **ten working days** of the hearing.

6. Differences Concerning Senior Postholders

- 6.1 If the grievance is against a Senior Postholder, it will be referred to the Chair of the Corporation. In these circumstances the statement of grievance should be sent to the Clerk to the Corporation who will liaise with the Executive Director of Human Resources and the Chair on the matter. The provisions of the Statutory Dispute Regulations 2004 will be followed in resolving the grievance.

7. Notes

- 7.1 Time limits may be changed by agreement and all parties notified (for example, in relation to annual leave).

7.2 Where an aggrieved employee is absent due to ill health, the HR Department may seek appropriate medical advice on whether they are fit to attend meetings and how the grievance may be progressed.

7.3 Where more than one employee has the same grievance, they may be heard together with the agreement of all parties concerned.

8. External Investigation/Mediation

8.1 Where appropriate and agreed, use of an independent external investigation/mediation services by a person or organisation appointed by the Director of Human Resources may be considered at Stage Three of this procedure, subject to the approval of the Executive.

8.2 Where external mediation is used, the investigator/mediator will submit a report to those involved.

8.3 The report and all supporting evidence will then be considered under Stage Three of this procedure and referred back to the manager chairing the grievance meeting via the appropriate Executive member. Thereafter the grievance may be referred to the next stage in the grievance process, if appropriate.

This policy was adopted by The Bournemouth & Poole College on (date). It will be reviewed by the Joint Negotiating and Consultative Committee by February 2009.

Signed _____ Name _____
On behalf of the Corporation Please print

Date _____

Signed _____ Name _____
On behalf of UNISON Please print

Date _____

Signed _____ Name _____
On behalf of UCU Please print

Date _____

Signed _____ Name _____
On behalf of ACM Please print

Date _____