

# **FREEDOM SCRIPTED GRIEVANCE PROCEDURE**

## **What is a grievance?**

Grievances are concerns, problems or complaints that employees raise with their managers about their work, working conditions or relationships with colleagues/managers. It is in the Company's interests to resolve problems quickly before they develop into major difficulties for all involved.

Issues that may cause grievances include:

- terms and conditions of employment
- health and safety
- work relations
- bullying and harassment (including a member of staff being sexually harassed in the course of their employment)
- new working practices
- working environment
- organisational change
- issues arising from equal opportunities, respect at work and reasonable adjustments.

## **Who is this procedure for?**

This grievance procedure applies equally to employees and managers. In certain circumstances, other staff, including casual PAYE staff and freelancers, may also use this procedure, on the understanding that there may be slight changes to the process to reflect the situation of concern (see our Respect at Work and Anti-Bullying and Harassment Policies for examples).

Employees should try to settle most grievances informally with their line manager first.

## **Why have a procedure?**

If a grievance cannot be settled informally, or a formal approach is preferable, the employee should raise it formally with the Company.

The grievance procedure enables the Company to ensure that any problems, complaints or concerns raised by its employees are dealt with in a formal, fair and consistent manner. The employee raising the grievance has a right to be accompanied at any grievance hearing or appeal meeting by a colleague or a certified trade union representative.

## **Information about the procedure:**

The Company's Procedure is based on the 2009 ACAS Code of Practice on Disciplinary and Grievance Procedures, which may be amended from time to time. This procedure is non-contractual and does not form part of an employees' terms and conditions with the Company. The Company reserves the right to amend this procedure at any time.

This procedure is not intended to deal with dismissal or disciplinary, or redundancy matters.

Neither the employee, or the Company, is permitted to audio-record any meeting or appeal that forms part of the grievance process, as written notes will be taken. In certain limited circumstances, the Company may permit the meeting to be recorded electronically - for example where the employee is disabled, it may be appropriate as a reasonable adjustment under the Equality Act 2010. Where the organisation permits the meeting to be recorded electronically, it will take responsibility for making the recording and ensure the employee receives a copy.

Employees must take all reasonable steps to attend meetings. Reasonable timescales will be adhered to by the Company.

## **Data protection and Confidentiality**

Grievances will be handled with as high a degree of confidentiality as is practicable, particularly when the issue is of a sensitive nature.

The Company will process personal data collected during any informal complaints and the formal grievance procedure in accordance with its data protection policy. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure; except in situations where the data is needed for any later disciplinary process or any legal proceedings.

Copies of meeting notes will be provided to the employee, although the Company reserves the right to withhold certain information (e.g. to protect a witness). Copies of all meeting notes will be placed on the employee's personnel file.

## **The Grievance Procedure:**

**Step 1** - The employee informs the Company of their grievance in writing (including email), explaining what their grievance is about. Employees should set out all the issues relevant to the grievance in Step 1.

Grievance claims that seek to re-open issues that formed part of a previous grievance will not be permitted, unless new evidence has been found. Any grievance submitted that is considered by the Company to be deliberately false, malicious or frivolous will not be heard and may involve disciplinary action being taken against the employee making the grievance, where serious but un-true claims have been made.

**Step 2** - The Company will respond as soon as possible and invite the employee to a meeting with an appropriate Manager to discuss the grievance where the right to be accompanied by a colleague or a certified trade union representative will apply. This meeting will be held within 5 working days of receiving the grievance, where possible.

The manager (who has not been involved in the grievance before this stage, where at all possible) will consider the grievance and all the evidence and any witness statements, in a fair and impartial manner, and will notify the employee in writing (including email) of their

decision within 5 working days, where possible. They will also notify the employee of their right to appeal if they are unhappy about the decision.

**Step 3** - The employee informs the Company in writing if they wish to appeal. The Company will invite the employee to an appeal meeting within 5 working days of receiving the appeal, where possible (conducted by a different manager where at all possible). The Employee has the right to be accompanied at the appeal hearing.

Following the meeting the Company will inform the employee of their final decision within 5 working days, where possible. No further appeals will be allowed.

**Freedom Scripted October 2024**