

## **Handling a Grievance Guide**

The following guide outlines the process to be followed when an employee raises a grievance. **As each case will be different the approach may vary and specific guidance should be requested from AAB People is an employee raises a grievance.**

Under the grievance procedure, it is for the Governing Body to identify whether there is any evidence to substantiate the grievance.

The purpose of the grievance hearing therefore is to establish whether the information that has been provided by the employee (or others that are interviewed) surrounding the grievance are accurate.

### **Inviting the Employee to a Hearing**

On receipt of a grievance from an employee you should establish whether it is appropriate to handle this informally or whether the employee wants this to be dealt with as a formal grievance.

If handling as a formal grievance you should write to the employee acknowledging the grievance and inviting them to attend a grievance hearing. The employee should be given 48 hours' notice of the hearing (or up to 5 days if more complex) and given the opportunity to be accompanied by a trade union representative or workplace colleague.

#### **Conducting the grievance hearing**

- To determine who should conduct the grievance please review what is said in your Governing Body's grievance procedures
- Where possible the person conducting the grievance hearing should be a more senior person within the business who has not been involved in any informal discussions with line management (if there have been any)
- Keep in mind that you also need to keep a senior manager available for any appeal
- If it is not possible to have different managers involved at each level, then the person chairing at each level should try to act as impartially as possible

#### **General Guidance for the hearing:**

- Be prepared for the grievance hearing, have the employee's personnel record with you including their contract of employment, relevant policies and procedures, copies of all grievance letters /emails, copies of any letters/documents in response, well as copies of any documents you sent to the employee with the letter of invite to the grievance hearing so that you can ask all relevant questions.
- The emphasis of the hearing is to encourage the employee to speak freely with a view of establishing the facts surrounding the concern raised.
- A properly conducted grievance hearing should be a two-way process.
- You should use questions to clarify the issues and to check what has been said is understood - prepare your questions before the grievance so that you know exactly what you wish to cover.
- Ask the employee what they would like to be actioned in order to resolve the situation.
- Ensure your questioning is objective and conduct the grievance in a fair manner, with an open mind and in a non-discriminatory way
- Establish in the hearing whether other employees/witnesses need to be spoken to as part of the grievance investigation.

- You will not be in a position at the end of the hearing to advise whether the grievance has/has not been upheld. The employee should be advised of any intention to investigate further and explain that you may have to ask them further questions (if applicable) and advise that you will write to them to confirm the outcome of their grievance.

### **What problems may arise and how they should be handled**

- It is possible that the grievance hearing may not proceed very smoothly - the employee may get upset or even angry
- If the employee becomes upset or distressed allow time for them to regain composure before continuing
- If the distress is too great to continue then adjourn and reconvene at a later date - however the issues should not be avoided

### **Following the Grievance Hearing**

- Consider the evidence presented by the employee and what further investigations are required and what witnesses need to be spoken to (if appropriate).
- Conduct any interviews with relevant witnesses and ensure you have a note taker present to take notes of the meetings.
- Once you have completed any further investigations, consider all evidence and establish whether the grievance should be upheld, not upheld or partially upheld and what can be done to resolve the situation.
- Write to the employee to confirm the outcome and outline their right to appeal (if it is not upheld), the appeal manager should be someone impartial and more senior than the manager who heard the original grievance (if possible)
- If the employee has raised the grievance against another employee, then it may be appropriate to take disciplinary action against the employee it has been raised against, the employee who raised the grievance would simply be advised if it was upheld or not and would not be privy to any action taken against the other employee. It may also be appropriate to consider if mediation should be used to help resolve the situation.