

Grievance Procedure

Contents

1. Aims of this Policy and Procedure	2
2. Scope.....	2
3. Matters Not Dealt With under this Policy and Procedure.....	2
4. Key Principles.....	2
5. Informal Procedure.....	3
6. Formal Procedure	3
7. Appeal.....	4
 Appendix Recommended Procedure for a Formal Grievance Hearing.....	 4

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1. Aims
 - 1.1. Where possible workplace problems and concerns should be resolved through the management structure without the need for recourse to this formal Grievance Procedure.
 - 1.2. Where formal grievances are raised, using this Grievance Procedure, the Company aims for them to be settled fairly and as quickly as possible and, wherever possible, resolved using the informal procedure set out in Section 5.

2. Scope
 - 2.1. This policy covers all employees, volunteers and other workers. For the purposes of this policy, 'employee' should be taken to include volunteers and other workers.

3. Matters Not Dealt With under this Procedure
 - 3.1. The Grievance Procedure does not apply in the case of disciplinary and dismissal matters, or to any other matters which are covered by a separate procedure. However where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.
 - 3.2. The Grievance Procedure is not to be used as a mechanism for appealing against action taken under any other separate procedure where formal appeal mechanisms already exist within that procedure.

4. Key Principles
 - 4.1. Employees have the right to be accompanied by a workplace colleague or trade union representative at grievance meetings and hearings.
 - 4.2. In cases where a grievance involves another employee, the Company will advise that person the substance of the grievance in a timely way and provide them with an opportunity to respond.
 - 4.3. Advisors to the Company (for example an HR advisor) may be present at all stages of the grievance procedure.
 - 4.4. Written records will be kept detailing the nature of the grievance, the Company's response, any action taken and the reasons for this action. These will be kept confidentially and retained in accordance with the Data Protection Act 1998. All parties involved must maintain confidentiality (except where required by law).

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- 4.5 The timescales within the Grievance Procedure will be adhered to wherever possible. However, where there are good reasons, each party may request that the other agrees to an extension of the permitted timescale.
- 4.6 Malicious, vexatious and unreasonable complaints will be treated as disciplinary matters.
- 4.7 Grievance data will be monitored to help ensure the Grievance Procedure is operating fairly, consistently and effectively and ensures confidentiality.
5. Informal Procedure
- 5.1 In the first instance, any grievance should be raised by the employee with their manager. It is hoped that grievances will generally be dealt with in an informal manner, without resort to the formal procedure.
- 5.2 A written record should be made by the manager of any such informal discussions, recording the issues raised and the proposed and/or agreed solution.
- 5.3 Exceptionally, there may be circumstances where an employee believes it inappropriate to lodge a grievance with their manager. In such circumstances, the grievance may be lodged with a director of the Company (who is not their manager).
6. Formal Procedure
- 6.1 Where the employee considers that the grievance remains unresolved through the informal procedure set out in Section 5, the employee may raise a formal grievance by setting out the grievance in writing and submitting it to the Chair of the Board of directors of the Company. Where the grievance is against the Chair, the employee should submit details to another director of the Company.
- 6.2 The Company is committed to ensuring that all grievances are investigated fully. This may involve carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and other relevant parties, as well as analysing written records and information. A Board member will be nominated to consider the grievance, who will investigate and report back.
- 6.3 Parties involved will be informed of the outcome of investigations. Parties will be asked to sign to agree the accuracy of their statements and reports (or sections of reports as appropriate to preserve confidentiality). The identity of witnesses will be kept confidential as far as is possible and necessary. In the event that disciplinary action is decided as an appropriate outcome, the grievance investigation may be regarded as part of the investigatory stage of any resulting disciplinary procedure.
- 6.4 The employee who raised the grievance will be invited in writing to attend a meeting with the nominated Board member to discuss the grievance. The meeting will be held within ten working days of receipt of the written statement of grievance. Any relevant witnesses may be asked to attend the meeting. Guidelines on managing the meeting are given in the Appendix.

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- 6.5 Within fifteen working days of the meeting the Board member will inform the employee in writing of the decision in response to the grievance, setting out the reasons for the decision and notifying the employee of their right of appeal against the decision if they are not satisfied with it, which they must do within five working days of receipt. A copy of notes on the investigation would not be included as a matter of course, but if the employee requests these, the Company may have a duty to disclose the documents in accordance with the Data Protection Act 1998. Please see footnote¹
- 6.6 Where the employee fails to attend the meeting, a second written invitation will be made for the meeting to be held within ten working days of the day after the original scheduled meeting. Should the employee fail to attend the second meeting without good reason, the grievance will normally be considered closed and the procedure will cease at this point.
7. Appeal
- 7.1 If the employee wishes to appeal, they must do so in writing within ten working days of receiving written notification of the decision, outlining the basis of the appeal, based on the process or outcome.
- 7.2 The notice of appeal must be submitted to Chair of the Board of directors of the Company and state fully the ground(s) for appeal.
- 7.3 The Chair or a director not previously involved will normally conduct the appeal hearing.
- 7.4 The person conducting the appeal hearing will invite the employee in writing to attend the appeal meeting which will be held within fifteen working days of receipt of the written grounds of appeal. Relevant witnesses may be asked to attend the meeting.
- 7.5 After the meeting, the person conducting the appeal hearing will inform the employee of their decision in writing within ten working days of the meeting. This decision is final and there are no further stages to the Company's grievance procedure.

Appendix Recommended Procedure for a Formal Grievance Hearing

¹ The employee has the right to see personal information that the employer has about him or her held as a computer record, or in a structured paper filing system. This could include notes on the investigation into his or her grievance. However, before disclosing the data, the Company must assess whether or not disclosure will breach the confidentiality of others. If a third party is identified in the notes, for example a witness who was interviewed as part of the investigation, the information can be disclosed only with that person's consent, or if it is reasonable in the circumstances to disclose it. Alternatively, the Company could provide the notes to the employee after removing the parts from which the third party could be identified. In broad terms, the Company will seek to be as transparent as possible, on the premise that greater openness increases trust and therefore help ensure that the employee will be satisfied with the way the grievance was handled.

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General

The meeting may be conducted by the Chair of the Board of directors of the Company or by another Director.

A full (but not verbatim) written record of the proceedings will be taken.

“Manager” means the employees immediate line manager to whom the grievance was first referred at the Informal Stage of this procedure. It may be appropriate for the Manager to be present at the Formal Meeting.

Opening the Meeting

The person conducting the meeting will make introductions and outline the grievance from the notice received from the employee making the grievance.

Presentation of Grievance

The employee and/or their representative will present the grievance, followed by questions from the person conducting the meeting.

Witnesses

Witnesses may be called by the employee or by the person conducting the meeting at the appropriate time and leave after giving their evidence and after questioning. The employee and person conducting the meeting may question any witnesses.

Concluding Remarks

The employee and/or their representative may sum up if they wish and the person conducting the meeting may make concluding remarks.

Decision

The decision of the person conducting the meeting will normally be communicated in writing.

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