



## Grievance Procedure

### **Introduction**

Kids Club Ely Ltd 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 approach either of the Directors 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.

If your complaint relates to bullying or harassment on the part of a colleague, the matter should be dealt with under the Bullying and Harassment procedure.

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.

Grievances may be concerned with a wide range of issues, including the allocation of work, your working environment or conditions, the opportunities that you have been given for career development or the way in which you have been managed.

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.

### **The right to be accompanied**

You have the right to be accompanied by a fellow worker or trade union official at any grievance meeting or subsequent appeal. The trade union official need not be an employee of the company, but if they are not a fellow worker or an employee of

their union, the organisation may insist on them being certified by the union as being experienced or trained in accompanying employees at grievance hearings.

You may choose your companion if you wish to be accompanied during any of the meetings. Please note that individual workers are not obliged to agree to accompany you. Companions will be given appropriate paid time off to allow them to accompany colleagues at a grievance hearing or appeal hearing.

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 Kids Club Ely Ltd 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.

## **Accessibility**

If any aspect of the grievance procedure causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with your line manager who will make appropriate arrangements.

## **Recording of meetings**

The employee, or any person acting on their behalf, is not normally permitted to record electronically any meeting held by the company as part of the grievance procedure. This is to encourage openness and full participation by all parties during meetings. Any breach of this provision may lead to disciplinary action against the employee, up to and including dismissal.

In certain limited circumstances, the organisation 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 company permits the meeting to be recorded electronically, it will take responsibility for making the recording.

## **Data protection**

Kids Club Ely Ltd processes personal data collected during informal complaints and the formal grievance procedure in accordance with its Data Protection Policy, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Kids Club Ely Ltd's data

protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Kids Club Ely Ltd's disciplinary procedure.

## **Conducting the grievance procedure**

Kids Club Ely Ltd recognises that raising 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 calmly and with respect. Kids Club Ely Ltd will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

## **Formal grievance procedure**

### *Making the complaint*

The first 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 headed "Formal grievance" and sent to your line manager. If your complaint relates to the way in which you believe your line manager is treating you, the complaint may be sent to either of the company Directors.

Further attempts may be made to resolve the matter informally which will be discussed with you, 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 investigations of any allegations made by you, and the confidentiality of the grievance process will be respected, wherever possible.

If possible, evidence is gathered in the course of these investigations, you will be given a copy long 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.

### *The grievance hearing*

The hearing will be held as soon as is reasonably practical and, subject to any need to carry out prior investigations, within five working days of the receipt of your written complaint. It will be conducted by your line manager and, where necessary, will be attended by a note-taker. 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 your line manager 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 at the meeting, 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.

Following the meeting, you will be informed in writing of the outcome within ten working days and told of any action that Kids Club Ely Ltd proposes to take as a result of your complaint.

If you are dissatisfied with the outcome, you may make a formal appeal.

### *Appeal*

Your appeal should be made in writing to the manager who conducted the initial grievance hearing. You should clearly state the grounds of your appeal, ie 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 seven working days of the written notification of the outcome of the grievance. An appeal meeting will be arranged to take place within five 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 your line manager 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 either of the company Directors, who 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.