

TrinityLearning Grievance Procedure

Introduction

The Trustees of TrinityLearning recognise the need for good practice and natural justice when resolving staff complaints. The aim of this grievance procedure is to settle complaints fairly, swiftly and as near as possible to the source of the grievance. However, it is hoped that most issues will be resolved informally and it is in the interest of both the employer and the employee raising the grievance, to reach a solution to a problem. Grievances will be investigated fairly and impartially respecting the confidentiality of information that is provided during the course of any proceedings.

Scope of the Procedure

This grievance procedure applies to all employees.

General Principles

It is encouraged that where an employee has a grievance, in the first instance, the matter should be settled informally with the person(s) involved.

The employee has the right to representation and to be accompanied by a colleague or trade union representative at any stage of the grievance procedure.

The Grievance Procedure

Written Statement

If an employee has an issue and the matter cannot be resolved informally, they must first send a written statement detailing the nature of the grievance to their line manager as soon as possible.

Where it is the line manager who is the subject of the grievance, the employee should send the written statement to the Trustees for TrinityLearning.

Grievance Meeting

Upon receiving the written statement, the employee's line manager will arrange for a formal meeting to be held in order to discuss the grievance. The formal meeting will be held without unreasonable delay and usually no longer than 14 days after the statement of grievance is received.

Where the grievance concerns the employee's line manager, one of the Trustees of TrinityLearning will be appointed to hear the grievance. The Trustee may appoint another Trustee to act as clerk to the meeting.

Before the meeting, a thorough investigation of the facts relating to any allegations must take place. The manager hearing the grievance, at their discretion, may appoint another individual to undertake any necessary investigation. Any requests for anonymity and confidentiality should be taken seriously.

If the grievance is about another individual's behaviour, they must be told of the complaint and given reasonable opportunity to consider their response before the meeting takes place. Their response will generally be taken in writing; although the manager hearing the grievance may request the attendance of the individual at the meeting.

The employee making the complaint may, following a reasonable request, be accompanied by a work colleague or a trade union representative. The employee's chosen companion will be able to address the meeting to put or sum up the employee's case as well as confer with the employee during the meeting. They may not, however, answer questions on the employee's behalf, address the meeting if the employee does not wish them to do so or prevent the Trustees of TrinityLearning from explaining their case.

The Trustees of TrinityLearning reserve the right to refuse to accept a companion whose presence may undermine the grievance process.

The manager hearing the grievance, the employee and their companion shall make every effort to attend the meeting. If the employee fails to attend the grievance hearing without explanation or seems to make insufficient effort to attend, then the hearing may proceed in the employee's absence.

If possible, the employee should explain how they think the grievance could be resolved.

If a further investigation of the matter is required then the meeting should be adjourned to a later date before a decision is taken about how to deal with the employee's grievance.

Outcome of meeting

Following the meeting and investigation and without unreasonable delay the manager hearing the grievance shall set out in writing the outcome of the hearing and any action he/she intends to take in order to resolve the grievance (if appropriate).

The manager hearing the grievance shall also inform the employee of their right to appeal if they are not satisfied with the action taken.

Any action taken shall be monitored and reviewed, as appropriate, to ensure it effectively deals with the issue.

Appeal

Employees have the right to appeal where they feel their grievance has not been satisfactorily resolved. The appeal should be made in writing within 14 days of receiving written confirmation of the outcome of the grievance meeting.

The employee must inform the Trustees of TrinityLearning in writing, the grounds for the appeal.

The Trustees of TrinityLearning will hear the appeal without unreasonable delay. The employee will be informed of the time and place of the appeal in advance.

The appeal will be heard by an individual not previously involved in the grievance. This appeal hearing is not a re-hearing of the original appeal but a consideration of the specific areas of dissatisfaction in relation to the original grievance.

The employee has the right to be accompanied at the appeal meeting and the outcome of the appeal meeting shall be communicated to the employee in writing within 14 days of the meeting. Decisions made at this point are final and the grievance procedure is concluded.

Special Cases

Complaints in respect of disciplinary action taken by the Trustees of TrinityLearning should be dealt with as an appeal under the disciplinary procedure.

Where a grievance is raised during the disciplinary process, the disciplinary process may be suspended so the grievance can be dealt with first.

Confidentiality

Grievances will be handled with as high a degree of confidentiality as is practicable.

Confidential records of the grievance will be kept in the employee's personnel file in accordance with GDPR legislation. Copies of meeting notes will be provided to the employee, although the Trustees of TrinityLearning reserve the right to withhold certain information (e.g. to protect a witness).

Signed:

TrinityLearning Chair of Trustees

Date: 16th November 2023

Policy review date: November 2025