

VOLUNTARY ACTION - LEEDS

GRIEVANCE PROCEDURE

This Procedure forms part of your Statement of Written Employment Particulars.

1. Principles
 - 1.1 This procedure should be used to address all disputes and grievances which you wish to raise concerning other employees, your work, the organisation, or other matters relating to your employment with the exception of complaints relating to sexual or racial or other harassment or bullying which should be addressed via VA-L's Harassment Procedure, contained in our Equal Opportunities Policy. The purpose of the Grievance Procedure is to address and settle any grievance fairly and quickly.
 - 1.2 Throughout this document, the term "employee" also covers volunteers and students on placement.
 - 1.3 If a grievance proceeds to the formal stage, details will be recorded on the Grievance Record Form (see copy attached); this will provide a record of the grievance with dates and responses added at each stage thereafter.
 - 1.4 At all formal stages of this procedure, the complainant will be kept informed of the outcome in writing by the senior person involved.
 - 1.5 Where a complaint relates to working conditions or inconsistent application of VA-L's rules, pay or conditions, no changes will be made until the grievance is resolved or the procedure exhausted.
 - 1.6 Employees may be accompanied and represented at every formal stage of this Procedure by a Trades Union representative, employee representative, or work colleague.
 - 1.7 You are reminded that VA-L will endeavour to maintain a fair and unbiased approach to all grievances, and that you will not be treated unfairly because you have raised any grievance, including a grievance against a senior employee, or a grievance on health and safety grounds, or because your grievance relates to a statutory right, including the rights granted under the Public

Interest Disclosure Act 1998; in order to establish rights under this Act, employees should refer to VA-L's Whistle-Blowing Policy.

2. Informal Procedure

- 2.1 If your grievance concerns another employee, you should first try to discuss and resolve it with that person. This applies to all complaints regardless of status. You are encouraged to try to resolve grievances against line managers via the normal supervision process if appropriate. If your grievance concerns another matter (see clause 1.1 above) you are also encouraged to try to resolve it informally in the first instance via discussion with line managers.
- 2.2 If this is not possible, or if the matter cannot be resolved and you are still aggrieved, you should follow the formal procedure set out in Section 3 as below.
- 2.3 If your complaint concerns your line manager, or if you are unable to approach your line manager for a particular reason which you can specify, or if your line manager is unavailable within a five day period, you should go to 3.4 below.
- 2.4 Unless there is good reason for not doing so, a grievance should be raised within one month of the incident to which it refers.

3. Formal Procedure

- 3.1 You should write to your line manager, stating that you wish to register a grievance under this Procedure, and stating the basis for your complaint. You will then be invited to meet with her/him to discuss your complaint at a mutually agreed time not exceeding ten working days.
- 3.2 At the end of this meeting, you will be asked to countersign the grievance record to ensure that a written record of the meeting is kept, and this document will be copied to you.
- 3.3 You will be given a response to your grievance in writing within 10 working days of the meeting. If it is not possible to give a complete reply at this stage, you will be given an initial written response, and

be given a further written response as soon as reasonably practical.

- 3.4 If you are unable to approach your line manager because your complaint involves her/him, you should approach the General Manager and the steps outlined in 3.1 – 3.3 will apply. This should also be done where your line manager is unavailable for more than five working days.

4. Appeal Procedure

- 4.1 If you wish to appeal against your line manager's decision (or that of their replacement as in paragraph 3.4 above) or you feel that they have failed to make a decision, you should communicate this in writing to the General Manager within 5 working days of the date given in the decision letter sent to you. The General Manager will convene an appeal meeting usually within 10 working days of receipt of your letter which you may attend, and at which you may be accompanied or represented if you wish (see part 1.6); you and/or your representative may address this meeting. You may submit written evidence provided that this is received 2 working days before the day of the meeting. The decision will be given to you in writing as soon as is reasonably practical after the meeting. You have the right to offer a reasonable alternative date for this meeting, provided that this is within 5 working days, counted from the day after the original date offered by the General Manager. If the General Manager heard the original grievance, you should follow the steps outlined in Section 7.3.

5. Attendance at Hearings and Appeal Meetings

- 5.1 Subject to the provisions outlined in clauses 4.1 and 7.4 regarding an alternative meeting date, it is expected that you will attend any meetings convened regarding your grievance. If you fail to attend or offer an alternative date as permitted and still fail to attend, Voluntary Action – Leeds reserves the right to hear the case in your absence if possible or (where you have not provided full information about your grievance) to assume that you no longer wish to raise a grievance.

6. Purpose of Appeal Hearings

6.1 You should note that the purpose of the appeal stage is to assess whether or not the original grievance hearing decision was reasonable in the circumstances; it is not a new hearing and as such no new evidence will be permitted.

7. Grievances against the General Manager and Appeals against Grievance Hearing Decisions made by the General Manager

7.1 If your grievance concerns the General Manager, and cannot be resolved informally, you should write to the Chairperson stating the complaint and requesting an appointment to discuss the matter; the Chairperson will offer to meet with you as soon as is reasonably practical.

7.2 Following that meeting, should you disagree with the Chair's decision or feel that s/he has failed to make a decision, you may appeal. To exercise this right, you must write to the Chair stating that you disagree with her/his decision (or feel that s/he has failed to make a decision) and requesting that your case be heard by the Personnel sub-committee. The Chair will then convene a panel of up to three trustees from the Personnel sub-committee who will hear your case as soon as reasonably practical. Following that meeting, you will receive a written decision within five working days. A hearing by members of the Personnel sub-committee is the final appeal.

7.3 Should you wish to appeal against a Grievance Hearing Decision made by the General Manager, you should write to the Chair to request that your case be heard by the Personnel sub-committee. The Chair will then convene a panel in the same way as described in clause 6.2 above.

7.4 As with all formal meetings, you have the right to offer a reasonable alternative date, and to attend, with a representative if you so wish.

8. Grievances against Trustees/Committee Members

- 8.1 If your grievance concerns a member of the Trustee Board or its committees, you should follow the procedure outlined from 5.1. If your grievance is against the Chairperson, one of the Deputy Chairs will address the matter.

Grievance Protocol

1. VA-L recognises your right to confidentiality during the Grievance Procedure, subject to clause 2 below; as far as possible, every effort will be made to maintain the confidentiality of proceedings and of records.
2. Disclosure of any grievance to anyone not involved in a hearing or appeal will not be permitted without the express permission of the complainant; you should note, however, that investigation of a complaint may not be able to proceed in some circumstance if you refuse permission for witnesses to be approached, or for the person being complained about to see the evidence against them. In cases which may have a disciplinary implication, your right to confidentiality may need to take second place; you will, however, be informed if this is the case.
3. Lobbying by or of any parties involved in a grievance hearing will not be permitted, to safeguard the impartiality of the process.
4. This Procedure allows for the declaration of a conflict of interest by any manager, committee member or trustee involved. Where such a conflict is declared, this person will either be replaced by another manager, committee member or trustee, or they will not vote in any final decision, whichever is appropriate in the circumstances.

Disciplinary Sanctions

Decisions taken during grievance hearings may include the instigation of disciplinary procedures; if this is the case, the procedures detailed in the document "Disciplinary Procedure" will apply.

Grievances “in Common”

In cases where a number of staff wish to raise a grievance about the same matter, depending on the circumstances it may prove simpler for such issues to be resolved via collective discussion and agreement between the recognised trades union and VA-L as the employer, rather than following the full Grievance Procedure for each individual. This option will be considered should it seem viable, taking into account the views of those involved.

Revised Grievance Procedure adopted by the Trustee Board of Voluntary Action – Leeds on 23/4/02; this Procedure replaces all previous ones. Updated January 2007.

Voluntary Action – Leeds

GRIEVANCE RECORD

Complainant:

Date:

Grievance:

Complainant's signature (confirming the above).....

Response by line manager/General Manager *:

(*delete as appropriate)

Date of Hearing by Panel:

Response of Panel:

Date of Hearing by Chair/Trustees:

Response of Chair/Trustees:

Copy given to Complainant:.....