

# Grievance Policy

## Purpose

Collinson believes that all our people should be treated fairly and with respect. If an employee is unhappy and has a grievance or complaint relating to their work, their working conditions, treatment at the hands of fellow workers, how they have been managed or any issue affecting their employment they should first talk the matter over on an informal basis with their people manager or if the people manager is the subject of the grievance or complaint then speak to the next level of management or your people & culture representative.

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.

Grievances raised whilst an employee is 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.

However, Complaints about any disciplinary action taken against an employee should be dealt with as an appeal under the disciplinary procedure.

## Responsibility

Any queries on the application or interpretation of this policy by either people managers or our people should be raised with your people & culture representative prior to any action being taken.

People & Culture are responsible for the maintenance, regular review and updating of this policy in line with current legislation.

## Mediation

As an alternative to raising a complaint through the formal grievance procedure or during any stage of the procedure, an employee or the people manager may request that the matter be dealt with by mediation, depending on the nature of the grievance.

This involves the appointment of a third-party mediator, who will discuss the issues raised in the grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

Where mediation is agreed once the formal grievance procedure has been started, this will be adjourned whilst the mediation takes place. In the event that no mutually acceptable solution is reached, the procedure will be re-convened at the point of adjournment.

Mediation will take the form of a relatively informal meeting, or series of meetings, involving the employee concerned and the appropriate manager / fellow employee(s). The meeting(s) may be initially held with the parties separately, dependant on the grievance.

The role of the mediator is to help both parties to work towards a mutually acceptable agreement. If the grievance is resolved through mediation, the mediator will assist the parties to draft a written agreement that will be signed by both parties as acceptance of its terms.

## **Right to be accompanied**

Our people have the right to be accompanied by a fellow worker or trade union official (if membership taken out) at any grievance meeting or subsequent appeal.

The choice of companion is a matter for the employee, but the Company reserves the right to refuse to accept a companion whose presence would undermine the grievance process. Please note that fellow employees are not obliged to agree to accompany employee. 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, the chosen companion will be allowed to address the meeting, respond on behalf of the employee to any view expressed in the hearing, and sum up the case on the employee's behalf. However, both the hearing and appeal hearing are essentially meetings between the employer and employee, so any questions put directly to the employee should be dealt with by them and not their companion.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled, provided an alternative time within five working days of the scheduled date is proposed.

## **Recording of meetings**

The employee, or any person acting on their behalf, is not normally permitted to record electronically any meeting held by Collinson as part of the disciplinary or capability process. 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, Collinson 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 Collinson permits the meeting to be recorded electronically, it will take responsibility for making the recording.

## Conducting the grievance procedure

Collinson recognises that 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. The Company 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 the complaint to be put in writing. The written statement will form the basis of the subsequent hearing and any investigations, so it is important that the nature of the grievance is set out clearly and includes an indication of the required outcome. If the grievance is unclear, the employee may be asked to clarify the complaint further before any meeting takes place. Appendix A provides a template that may be used.

The complaint should be headed "Formal Grievance" and sent to the relevant people manager. If the complaint relates to the people manager, the complaint may be sent to your people and culture representative.

Further attempts may be made to resolve the matter informally, depending on the nature of the complaint. However, if the employee is not satisfied with the outcome, they 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, although the confidentiality of the grievance process will be respected. If any evidence is gathered in the course of these investigations, the employee will be given a copy far enough in advance of the hearing for a response to be considered. In exceptional circumstances, the evidence given by colleagues may have to remain confidential. Where confidentiality is necessary, this will be explained, and an appropriate summary of the evidence gathered will be supplied.

### The Grievance Hearing

The hearing will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, within 10 working days of the receipt of the written complaint. It will be conducted by the people manager (or the people managers manager if more appropriate) and attended by a representative of people and culture. At the meeting, the employee will be asked to explain the nature of their complaint and what action they suggest should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

The employee should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform their line manager or people and culture representative as soon as possible. If the employee fails to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

Whilst the employee will be given every opportunity to explain their case fully, explanations should be confined to matters that are directly relevant to the complaint. Focusing on irrelevant issues or incidents that took place long before the matter in hand is not helpful and can hinder the effective handling of the complaint. The people manager conducting the hearing will intervene if they think that the discussion is straying too far from the key issue. The people manager may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of the complaint.

Following the meeting, the employee will be informed in writing of the outcome within seven working days and told of any action that the Company proposes to take as a result of the complaint. The outcome may be discussed informally with either the manager or people & culture representative. If the employee is dissatisfied with the outcome, they may make a formal appeal.

## Right of Appeal

Any appeal should be made in writing to the people & culture representative. It should clearly state the grounds of the appeal, i.e. the basis on which the employee believes 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 10 working days of the submission of the formal appeal.

The employee should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform their people manager or people & culture representative of this as soon as possible. If the employee fails to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

The appeal hearing will be conducted by a senior manager, who will consider the grounds that have been put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate. The appeal is not a rehearing of the original grievance, but rather a consideration of the specific areas with which the employee is dissatisfied in relation to the original grievance. The manager conducting the appeal may therefore confine discussion to those specific areas rather than reconsider the whole matter afresh.

Following the appeal meeting, the employee will be informed of the outcome in writing within seven working days. The outcome of this meeting will be final.

Division / Function	People & Culture
Business Owner	Bertie Tonks
Document Owner	Sharon Palmer
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All policies are subject to local laws where the Company operates. These policies are subject to change without prior notification.

## Document Change History

This change history must be updated when any edits are made to this document. Any changes are subject to the review and the approval of the document owner.

Revision History. The document holder will retain an amendable version held locally to enable future changes. Version numbering for drafts starts at 0.1- For final at 1.0- For minor changes from 1.1- For major changes from 2.0

### Amendments

**This document has been amended by**

Name	Changes made	Date of Approval	Version/Status
Sharon Palmer	Minor review and added in a section on recording meetings	19.08.20	V1.2

## APPENDIX A – Grievance Form

<b>Employee grievance</b>	
<p>This form is intended for use by any employee of Collinson who wants to make a formal complaint about the behaviour of a colleague, their manager or a third party, or any other workplace issue.</p> <p>Employees should bear in mind before using this form that they can request that a matter be dealt with in an informal manner by a manager. Where the employee requests that the complaint be dealt with informally, the appropriate person as determined by people &amp; culture will discuss the matter with the employee, with a view to resolving the matter without recourse to a formal procedure.</p> <p>Where the employee requests that the complaint be dealt with formally, this form should be completed and Collinson's grievance procedure will be invoked.</p> <p>In all circumstances, this form should be completed and delivered to the people manager or people &amp; culture with "confidential" in the subject line.</p>	
<b>Formal grievance</b>	
<b>Employee's name:</b>	
<b>Employee's job title:</b>	
<b>Employee's Division/Function</b>	
<b>Date:</b>	
<b>Does your grievance relate to your line manager?</b>	Yes/No
<b>Summary of complaint:</b>	
<p>Please set out the details of your complaint (providing as much detail as possible, particularly dates, times, locations and the identities of those involved). You may attach additional sheets if required.</p>	
<b>Individuals involved in the alleged incident/complaint:</b>	
<p>Please provide the names and contact details of any people involved in your complaint, including witnesses.</p>	

**Outcome requested:**

Please set out how you would like to see your complaint dealt with, and why and how you believe that this will resolve the issue.

**Declaration:**

I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that making any false, malicious or untrue allegations may result in disciplinary action being taken against me by Collinson. (In the most serious cases, making false, malicious or untrue allegations can be treated as gross misconduct.)

**Form completed by:****Signature:****For completion by Collinson:**

Date form received by Collinson:

Name of recipient and job role:

Signature: