

TITLE	REF	VERSION
Grievance Procedure	HRPRO006	1.0

DEPARTMENT	Group HR		
DATE	July 2023	REVIEW DATE	July 2025

GRIEVANCE PROCEDURE

Procedure Statement

We aim to deliver the highest quality learning experience to our students, to inspire and develop the change-makers of the future. To succeed, we expect our employees to set a personal example by having the highest standards of behaviour and act in a way which is consistent with our values and with our Learning Philosophy.

The Grievance procedure provides a framework for dealing with situations where individuals have concerns regarding their work, working relationships or the working environment. Such concerns are usually resolved informally through discussions with colleagues but if a member of staff considers that their concerns have not been addressed adequately, they may raise them formally under the following procedure.

It is important to ensure prompt, consistent and fair treatment for all employees and to attempt to find a solution to individual grievances as early in the procedure as possible.

Who does this apply to?

This procedure applies to all employees of Activate Learning.

1.0 General Principles

- 1.1 Employees should raise issues and concerns informally with their line manager, and at the earliest opportunity, where possible, although we recognise that it may be difficult to do so in some circumstances.
- 1.2 If an employee feels that concerns have not been addressed adequately informally then the formal procedure can be followed.
- 1.3 If the concern is about the behaviour of other members of staff or your manager, then they will be asked about it. If necessary, they will be informed about who has raised the concern. It is possible that we may decide to investigate their behaviour which may lead to disciplinary proceedings against them.
- 1.4 If the organisation decides to take disciplinary action because of the concerns you have raised, the Disciplinary procedure will take precedence over the grievance you raised. In this case we may delay resolution of your grievance until the disciplinary matter has been resolved.
- 1.5 We have a separate policy for raising Public Interest concerns, known as the Whistleblowing Policy and if you have concerns about these matters, you should raise them under that procedure. There are rules protecting the confidentiality of people raising these concerns.
- 1.6 All concerns about bullying and harassment should be raised under the Grievance procedure.
- 1.7 If you are unhappy about a sanction imposed under the Disciplinary procedure, Sickness Absence procedure or Capability procedure or a restructure where a dismissal is made you must raise this as an appeal under those procedures and not through the Grievance procedure.
- 1.8 We will attempt to resolve all matters raised under this procedure without undue delay. Where time limits are referred to in the course of this procedure, they may be varied by agreement between you and the organisation.
- 1.9 Any hearing will be formally notified normally with at least 48 hours' notice and where possible.

decisions will be confirmed in writing within five working days of any meeting.

- 1.10** You have the right to be accompanied by a colleague or an employee representative at formal meetings under this procedure. Employees may only be represented by other employees of Activate Learning or by a trade union official.

2.0 Grievance Procedure

2.1 Stage 1 – Informal Discussions

If you have a concern relating to your employment, you should raise this with your line manager. It is not necessary to put your concerns in writing although you may if you wish, and your manager may ask you to do so if s/he thinks it would be helpful.

- 2.1.1** If your concern is about your manager, you should raise it with your manager's manager or with the Human Resources department.
- 2.1.2** Your manager will attempt to resolve the matter informally. S/he will enquire into the matter in full and will discuss it with you. If appropriate they will make a decision on how the matter should be resolved and will advise you of the decision in writing, ideally within seven days of the matter being raised.
- 2.1.3** If, upon receipt of the written decision, you remain dissatisfied with the decision you may progress the matter to Stage 2. You should do this within seven days of receiving the decision.

2.2 Stage 2 - Formal Procedure for Dealing with Employee Grievances

- 2.2.1** If the matter has not been resolved at Stage 1 or if you feel that your concern is of such a serious nature that it is not appropriate to raise the concern informally, you may refer the matter to the Group Director of People and Development by completing an Employee Grievance form. Forms are available from the HR SharePoint site. You must complete the form by providing full details of the complaint and the actions that were taken to resolve the matter at the informal stage, if any, along with any resolution you are considering appropriate. The form should be sent to the Group Director of People and Development.
- 2.2.2** Human Resources will, appoint a senior manager to review and resolve the matter. The senior manager will invite you to meet with them and to set out your concerns. You may be accompanied by a representative at this meeting.
- 2.2.3** If you are invited to attend a meeting concerning a grievance hearing, we will:
- Give you a minimum of two days' advance notice of the hearing.
 - Explain that you have the right to be accompanied by a work colleague or an employee representative.
- 2.2.4** If you are unable to attend a meeting and provide a good reason the hearing will be adjourned to another day, again with two days' notice. Usually this will only happen once, if you cannot attend on the rearranged date the meeting will go ahead without you present. It will only be rearranged again if there are special circumstances. If the meeting does go ahead without you present, your representative can still attend. You will also be allowed to make written submissions in such a situation.
- 2.2.5** If your chosen representative is unavailable on the day scheduled for the meeting, it will be rescheduled, provided that you propose an alternative time within five working days of the scheduled date. If your representative cannot attend, the meeting will go ahead.

2.3 Role of representative

2.3.1 Your chosen representative has the right to address the meeting to put your case, sum up your concerns and respond on your behalf to any view expressed at the meeting. They may also confer with you during the meeting. However, we will not normally allow your representative to answer

questions on your behalf or to address the meeting if you indicate that you don't want them to.

3.0 The Grievance Meeting

3.1 The senior manager will meet you and ask you to set out your concerns. You may be accompanied by a representative at this meeting. The senior manager may choose to ask you questions about your concerns and will give you the opportunity to explain them fully.

3.2 Concerns or complaints about colleagues

If you have raised a concern or complaint about your colleagues, they will be asked about it. As part of this process, they may be informed who has raised the concern. The other staff members concerned will be asked to give their account of the events to the senior manager. If necessary, the senior manager may meet you again to discuss what your colleagues have said and to allow you to respond to it. The senior manager will consider all of the matters raised at the meeting and may at their discretion conduct further investigations if needed. This process will continue until they are able to make a decision on how the matter is to be resolved. They will then confirm this to you in writing. Any other parties involved in the matter will also be informed of the outcome.

3.3. These written findings will specify whether the grievance has been upheld, either in full or in part, or not upheld. The findings may also contain recommendations with respect to action to address any of the findings. Where actions are stated, the written findings will also detail who is responsible and who will monitor compliance. Where appropriate a meeting will be held with the person who raised the grievance to talk the findings through. It may also be felt necessary to discuss specific findings with other relevant parties.

4. Stage 3 – Appeal

4.1 If you are not satisfied with the decision the senior manager has made or feel that your concern has not been satisfactorily resolved, you may appeal against the decision. If you wish to appeal, you must do so within 7 days of receiving the decision. Your appeal should be in writing (an email is acceptable) to the Chief People Officer, who will acknowledge your appeal and arrange for it to be considered. You should explain the reasons for your dissatisfaction in the outcome so that your appeal can be properly considered.

4.2 The Chief People Officer (CPO) will appoint a member of the Group Executive or a Group Services Director to consider your appeal. The appointed Director will review the procedure followed; the information taken into account in reaching the decision and will consider whether the decision was fair and reasonable in the circumstances. If the Director considers that a further discussion would provide clarification or may change the decision, you will be invited to a meeting as soon as is reasonably practical. You may be accompanied by a representative at this meeting.

4.3 The Director will consider the available information and make a decision on whether to support the original resolution or to change it. The Director may, at their discretion, decide to conduct a further investigation or to ask the senior manager or another manager to reconsider the matter. In any event the Director will inform you in writing of the decision within seven days of making it. The Director's decision is final and there is no further appeal against it.

5. Confidentiality

5.1 It is the aim of Activate Learning to deal with grievances sensitively and with due respect for the privacy of any individuals included such as the complainant, those responding, witnesses, etc. All parties involved with a grievance must treat as confidential any information they receive or provide in connection with a grievance, subject to seeking appropriate advice and guidance. Please be aware that a breach in confidentiality may affect the grievance process, and could be dealt with through our disciplinary procedure.

5.2 It will normally be the case that the identity of witnesses will be provided to the relevant parties. Witnesses should also understand that evidence that they provide will be made available to the relevant parties such as the person raising the grievance and, where applicable, the person about whom the grievance is raised.

5.3 Where a grievance is about a person or group of people, those being complained about will receive a copy of the grievance.

6. Dealing with ex-employees or those who are leaving.

6.1 Grievances submitted after an employee has left Activate Learning may be considered where appropriate. Activate Learning notes that some cases with outgoing staff can raise important issues which may warrant investigation. If an employee raises a grievance prior to leaving/dismissal but the process has not yet been completed then we will conclude the process as best as reasonably possible, at that end date of employment. Employees who have left during the grievance process have no right of appeal against the outcomes.

References

Capability Procedure
Disciplinary Procedure
Sickness Absence Procedure
Probation Procedure
Professional Conduct Policy

Appendices

Appendix 1 – Formal Grievance Form

FORMAL NOTIFICATION OF AN EMPLOYEE GRIEVANCE

An employee with a concern, who does not feel that the matter has been satisfactorily resolved at Stage 1 of the procedure or if the employee believes the concern to be of such a serious nature that it is not appropriate to raise the matter informally, should complete this form.

Name of employee: _____

Post held by employee: _____

Line Manager: _____

Full Details of Concern:

**Do you wish to be accompanied at Stage 2
by a Trade Union Rep./Work Colleague?**

YES / NO* (* please delete as required)

Name of Representative/Colleague:

FORMAL NOTIFICATION OF AN EMPLOYEE GRIEVANCE (continued)

OUTCOMES REQUESTED BY EMPLOYEE (Please detail below):

Record of Action to Date (employee to complete).

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STAGE 1 - Informal

- a) Employee to whom direct approach made:
- b) Date of Interview with Line Manager:
- c) Did you receive a decision from your Line Manager within 5 working days* YES / NO*
- d) Did you receive in writing your Line Manager's decision?
YES / NO*

If response is 'Yes', please attach a copy.

STAGE 2 - FORMAL

- e) Date form submitted to the Group Director of People and Development:

Signed _____ Date

(* delete as appropriate)