

Stranton PCC (“The Parish”) Grievance Policy and Procedure

Statement of Policy

The Parish’s aim is to encourage staff to work effectively in an open and collaborative way, where work is allocated fairly and individuals are not asked to perform duties that are outside their work responsibilities or agreed competencies. Staff should feel their work is valued and that they receive suitable guidance supervision and support. A grievance may also arise as a concern where a policy is or has been breached - such as a safeguarding or data protection issue - in which case those policies may also be relevant.

Sometimes circumstances may arise where work relationships are strained and an individual may feel they have been treated improperly or unfairly. In such circumstances it is important for there to be a confidential means of raising a grievance, if necessary with someone completely independent of the circumstances. This may mean referral to a member of the PCC or a subcommittee.

If a grievance can be resolved amicably and informally, that is the correct course of action to follow.

Following investigation and resolution of a grievance, the PCC recognises that restorative action will often be necessary.

PROCEDURE

The aims of this Grievance Policy and Procedure are to:

- Explain the nature of a grievance, so that Staff understand the circumstances in which the Grievance Procedure should be used;
- Confirm the PCC s approach towards grievances; and
- Provide a framework within which Staff can raise their concerns formally and have them resolved promptly and fairly.

1. Purpose

1.1 It is our policy to ensure that all Staff have access to a procedure to help deal with and resolve any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.

1.2 This policy does not form part of any Staff member's contract of employment and we may amend it at any time.

2. Scope

2.1 This policy and procedure applies to all Staff regardless of length of service. It does not apply to volunteers, agency workers or self-employed contractors.

2.2 In the event that a volunteer has cause for concern, it should be set out in an email or letter and sent to the PCC Chair or consideration.

2.3 This policy contains the procedure for raising grievances. The procedure is the same regardless of whether the grievance is brought by an individual or a group of Staff members (a collective grievance).

3. Duties - Roles & Responsibilities

3.1 PCC Chair and vice chair

PCC Chair and vice chair have the authority to ensure compliance with this policy and procedure.

3.2 Line Managers

Line managers are responsible for signposting Staff to this as the correct procedure for their complaint. Line managers are also responsible for making attempts to resolve all issues that arise in or are connected to the workplace, initially by informal resolution.

If informal resolution is not possible, Line managers are responsible for conducting thorough investigations into the grievance and for seeking advice or support from members of the PCC or relevant subcommittee if they are unsure about best practice or a technical/difficult issue.

Line managers are ultimately responsible for the conclusions they reach and the recommendations that are made and for ensuring that they are implemented on conclusion of the process.

Where a line manager is the subject of the grievance he/she should be recused and the member of staff affected should contact the PCC chair or vice chair with details of the grievance and a request for the PCC chair or vice chair to appoint an independent person to investigate and seek resolution

3.3 Churchwardens may be involved in any appeal

4. Using the Grievance Procedure

4.1 A grievance can be any concern, problem or complaint that a Staff member raises with the PCC under this policy. Issues that could give rise to a grievance may include:

4.1.1 terms and conditions of employment;

4.1.2 health and safety;

4.1.3 work relations;

4.1.4 bullying and harassment (in so far that informal resolution under the Dignity at Work policy has failed or the grievance is so serious that the Dignity at Work Policy is not appropriate);

4.1.5 working practices;

4.1.6 working environment;

4.1.7 organisational change; and

4.1.8 discrimination.

4.2 This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the Disciplinary Procedure.

4.3 This policy may also be applied as a Whistleblowing Policy to enable Staff to report concerns of potential illegal activities, wrongdoing or malpractice by making reports of incidents that need to be addressed at very senior level, such as any concerns relating to our compliance with Safeguarding, whether or not the complainant is directly personally affected by the allegation. Such concerns should be raised directly with the PCC chair or vice chair

4.4 Written grievances will be placed in a sealed envelope on the staff members' personal file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be kept confidential in accordance with GDPR (Data Protection requirements).

5. Raising Grievances Informally

5.1 Most grievances can and should be resolved quickly and informally through discussion with any colleague concerned (for example, if your complaint concerns the behaviour of a colleague), or ultimately, your line manager (if you would like your line manager to intervene or attempt to resolve the situation).

5.2 If you feel unable to speak to your line manager, for example, because the complaint concerns him or her and you do not feel able to raise it with him/her, then you should contact the PCC chair or vice chair to ask for an independent person to be involved informally. If this does not resolve the issue, you should follow the formal procedure below.

6. Formal Written Grievances

6.1 If your grievance cannot be resolved informally you should put it in writing and submit it to your line manager indicating that it is a formal grievance. If the grievance concerns your line manager, you may submit it to the PCC Chair or Vice chair for them to appoint an independent person to manage the process of investigation.

6.2 The written grievance (see appendix) should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. You should also let us know what you would like to achieve as an outcome. In some situations we may ask you to provide further information.

6.3 Where more than one Staff member is affected by the same complaint, a nominated representative may submit a collective grievance on their behalf. This negates the need for each Staff member to raise individual grievances of their own. A collective grievance should contain the name of the representative who is complaining on behalf of all the Staff affected. It should also name the Staff members on whose behalf the grievance is being raised.

6.4 The formal process of investigation and resolution should take no longer than 28 days (including investigation time). There may be exceptions in which case the person investigating should seek to agree extensions to the timescales with the Staff member(s) and keep them up to date on progress, at intervals to be agreed.

7. Investigations

7.1 It may be necessary for the PCC to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. The investigation will usually be carried out by your line manager, or if your line manager is the subject of your grievance, we will ask someone else to do that.

7.2 You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation. If you do not co-operate with us, we will not be able to hear your grievance. The PCC will not investigate anonymous grievances.

7.3 We may investigate the facts before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

8. Right to be Accompanied

You have a statutory right to be accompanied at meetings by a friend, colleague or a trade union representative, if you are a member of a trade union. Please note that this person will only be permitted to support the individual and witness the meeting, and will not be permitted to participate any other way. You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting.

9. Grievance Meetings

9.1 We will acknowledge any formal grievance promptly within seven calendar days.

9.2 We will arrange a grievance meeting to take place promptly and always within fourteen calendar days of receiving your written grievance.

9.3 You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.

9.4 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.

9.5 After an initial grievance meeting, we may carry out further investigations and hold further meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.

9.6 We will write to you promptly, usually within seven calendar days of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

9.7 We may decide to uphold your grievance in full or in part. We may also decide not to uphold your grievance.

9.8 All decisions will normally include an explanation of the decision, a view on whether the desired outcome is to be granted, recommendation for remedy between the parties and information regarding the appeal process where applicable.

9.9 The hearing manager will produce a factual report to sum up their key findings and recommendations. A copy of the report will be saved in a SEALED ENVELOPE on the secure personal file of the Staff member who has raised the grievance (and if applicable on the personal files of others represented in it) together with copies of any notes or documents arising from the investigation and/or grievance hearing. The purpose of this procedure is to ensure an audit trail while ensuring that data is securely stored in accordance with GDPR principles.

9.10 If the manager conducting the formal hearing identifies facts that suggest disciplinary action may be appropriate in respect of a member of Staff, the manager will identify that Staff member's line manager and highlight the key facts to him/her for consideration. In any such situation, the line manager must consider the information that has been conveyed to him/her before deciding whether any disciplinary action can or should be taken. In the event that disciplinary action is not necessary, the manager should place a note of the background and the decision not to proceed on the Staff member's personnel file.

9.11 The manager who conducts to formal hearing may identify that an amendment to another PCC policy or procedure may be useful or advisable. In such a situation, the hearing manager should bring this to the chair or vice Chair of the PCC for PCC consideration in reviewing any such policy or procedure.

10. Appeals

10.1 If the grievance has not been resolved to your satisfaction, you may appeal in writing to the person identified in your outcome letter, stating your full grounds of appeal.

10.2 We will hold an appeal meeting, normally within fourteen calendar days of receiving your written appeal. This will be dealt with impartially by a Churchwarden who has not previously been involved in the case, who may request other PCC members to form a panel for the purpose of hearing the appeal (although they may also ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see paragraph 9).

10.3 You will be asked to state your grounds of appeal. You will also be able to ask questions, present evidence, call witnesses and be given the opportunity to raise points about any information provided by witnesses. You will be entitled to be accompanied.

10.4 The original hearing manager will attend the hearing to present the reasons for the original decision and provide a response to the reasons for appeal. The manager will also answer any questions from the panel or the Staff and their representative.

10.5 Once summing up has been concluded, an adjournment will be held in order for there to be a reflection by the appeal panel to consider the outcome.

10.6 Wherever possible, the Staff affected shall be informed verbally of the outcome of the hearing as soon after the decision has been made, followed by a written statement of outcome within seven calendar days of the appeal hearing. This is the end of the procedure and there is no further appeal.

11. Post-Conclusion Support

11.1 The PCC encourages all parties to a grievance to conduct themselves in a courteous considerate and respectful manner at all times including after the conclusion of a grievance.

11.2 Bullying, harassment or intimidation of any person involved in a grievance (whether the complainant or the person against whom allegations have been made) will not be tolerated and disciplinary action may be taken as appropriate.

11.3 We understand that working relationships may be affected by a grievance. The PCC will consider how these may be redressed e.g. by counselling, mediation, or mentoring.

12. Untruthful or Malicious Allegations

12.1 This Policy and Procedure is designed to assist Staff who have a genuine cause for concern. It is not designed to enable individuals to escalate untruthful or malicious allegations in bad faith.

12.2 Where we suspect bad faith, we will take disciplinary action under our Disciplinary Procedure, as appropriate.

13. Equality & Diversity

The PCC is committed to ensuring compliance with the Equality Act 2010 and in ensuring that the way that we treat our staff in the application of this policy and procedure does not discriminate against individuals or groups on the grounds of any protected characteristic.

14. This policy specifically relates to and impacts upon

- Disciplinary Policy
- Data Protection Policy
- Safeguarding

15. Approval and review

15.1 This policy and procedure was approved by the PCC on:

15.2 It will be reviewed annually

Appendix – details to be recorded in formal submission of a grievance

1 PARTIES TO THE GRIEVANCE

Please state the name(s) of those involved in raising this grievance and also of any representative(s). NB. In the event of a collective grievance the PCC may ask for signatures of every individual.

2 COMMUNICATIONS

Please state the name and address of the person nominated as the point of contact for further communication.

Please identify any dates when you or your representative are not available to meet to discuss the grievance.

THE GRIEVANCE

3 Please describe the nature of the grievance in as much detail as necessary to assist the manager(s) concerned to reach a resolution, continuing on a separate sheet if necessary.

4 OUTCOME OR REMEDY SOUGHT

5 ORIGINATOR

(This will normally be the Staff member except in the event of a collective grievance)

Signature

Print Name.....

6 RECEIVING MANAGER

Signature

Print Name.....

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