

Merton Mencap

Grievance Procedure

July 2017



Merton Mencap

GRIEVANCE PROCEDURE

This procedure has been adopted by Merton Mencap through its Executive Committee which remains responsible for its review.

Original signed version is kept at the Merton Mencap office.

Signed: _____ Date: _____

Name: _____

Chair of Executive Committee

Signed: _____ Date: _____

Name: _____

Chief Executive

Record of adoption and review of this procedure:-

Adopted:	1 May 2006
Reviewed:	28 February 2012
Reviewed:	9 September 2014
Reviewed:	7 July 2017

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GRIEVANCE PROCEDURE

THIS PROCEDURE IS NOT CONTRACTUALLY BINDING

1. Definition, Purpose and scope

A grievance is a complaint that an employee makes against their employer, in this case, Merton Mencap. This procedure should be used by staff (employees and bank workers) to settle disputes and grievances. Merton Mencap aims to settle any grievance fairly, simply and quickly.

2. Informal and formal procedure

Disputes and grievances may be resolved informally or formally.

The informal approach should be tried first, which involves the member of staff discussing the matter courteously and informally with their line manager, to seek a resolution and to agree on steps to avoid a recurrence.

If a resolution cannot be achieved through the informal approach, the formal procedure may be used.

The formal procedure requires the member of staff to set out the nature of the dispute or grievance in writing, and send this to the Chief Executive.

If the grievance relates to the Chief Executive, the matter should be referred to the Chair of Trustees. The contact details of the Chief Executive and the Chair of Trustees are available from the Merton Mencap office. The Office Manager will not ask the member of staff to explain why they are asking for these contact details as all staff have the right to request this information at any time and most contact details are already available on the Merton Mencap website.

The Chief Executive (or Chair of Trustees) will invite the member of staff to a meeting to discuss the grievance, usually within five working days of its receipt. The time frame may be extended if the Chief Executive (or Chair of Trustees) feels it necessary to investigate the matter, gather evidence or interview witnesses. Under normal circumstances, the member of staff is expected to continue to work normally during this period.

Staff may be accompanied at the meeting e.g. by a colleague, friend, or trade union official. If the chosen person is not able to attend on the proposed meeting day, the meeting may be delayed for up to five working days in order for this to be arranged.

During the meeting, the member of staff will have the opportunity to explain their grievance or dispute. The person who is accompanying them may address the meeting but is not permitted to answer questions put directly to the member of staff, unless there is a particular reason why this is helpful e.g. the member of staff has a disability or condition that impacts on

communication or anxiety, and has asked that a person accompanies them and speaks on their behalf. The meeting may be adjourned in order for more information to be gathered or for either party to seek further advice.

The person(s) against whom the grievance has been raised will not be invited to attend these meetings but they may be contacted by the Chief Executive before or after the meeting to investigate the circumstances further, and to obtain their perspective on the events that caused the grievance to be raised.

After the meeting, the Chief Executive (or Chair of Trustees) will inform the member of staff of the decision in writing as to the response in relation to the grievance.

If the member of staff is dissatisfied with the outcome of the meeting, they should set out in writing their reasons to the Chair of Trustees. A second meeting will be arranged by the Chair of Trustees, involving members of the trustee board, which will not include any party who had been at the first grievance meeting. Staff may also be accompanied this meeting.

The final decision regarding the way the grievance will be decided will be communicated to the member of staff in writing.

All grievances will be given fair and reasonable consideration and grievances will be treated with sensitivity and confidentiality (please bear in mind that all staff have a right to know if a grievance has been made against them and will be given a chance to offer information about the circumstances leading to the grievance and may wish to suggest a remedy).

A written record will be kept of the grievance details, information gathered and all steps subsequently taken to try to resolve the issue, including dates, times and durations of meetings.

All grievances, formal and informal, will be brought to the attention of the Executive Committee at the earliest possible opportunity in order that trustees can use the information to consider potential improvements in management processes and/or working practices and prevent further grievances from being raised in the future.

Audit Guidance*

Check	Evidence
Are attempts made to resolve disputes and grievances informally before formal grievances are made?	<p>Ask the CEO/ Chair of Trustees whether any formal grievances have been managed and what attempts were made by them to resolve matters informally first.</p> <p>Were attempts to avoid a formal grievance successful? If not, why? Did the CEO/Chair take all reasonable steps to avoid a formal grievance? What would the CEO/Chair do differently next time?</p>
In the event of any grievances, were good records maintained which have been stored securely?	Ask CEO/Chair to see written records relating to the grievance? Check that these are well maintained and stored securely in line with the Data Protection Act.
In the event of a grievance, was this procedure followed correctly?	Check the procedure was followed correctly in relation to meetings, appropriate offers of support to the staff, written responses etc.
Have all grievances been discussed at the Executive Committee meeting following the resolution of the grievance?	Check the minutes of EC meetings after the date when a grievance was resolved.

*Note: details of Grievances are strictly confidential and only senior members of staff (i.e. CEO, Chair of Trustees, Trustees) are authorised to view such detail.