



# GRIEVANCE POLICY

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Policy Reviewer	Director – Kane Wilson
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Changes since last review	Sharing and communication process with staff identified
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## PURPOSE OF POLICY AND GUIDING PRINCIPLES

The purpose of the grievance policy is to resolve any grievances at the earliest possible stage and set out a formal process to address complaints and issues, should an informal route not be successful or appropriate.

Staff grievances can arise from a variety of sources. They can arise amongst members of staff, about or from leaders and managers, or by or about the Directors. They can be of a relatively simple nature or of fundamental importance. This policy sets out the procedures to be followed in situations where an employee, including a Director, has a grievance. This procedure is intended to:

- give clear guidance to all concerned in grievance situations
- enable grievances to be resolved as efficiently and quickly as possible
- minimise the prospect of damage to working relationships
- set out a formal process that can be followed where the informal approach is either inappropriate or has been tried and failed.

All staff should be aware of the policy and wherever possible, should work towards informal resolution and support as much as possible.

Grievance processes should be simple and rapid in their operation. However, it should also recognise that complex grievance matters can take some time to investigate thoroughly and make provision for the extension of stated time limits by mutual agreement.

Grievances may be about terms and conditions of employment, relationships at work or the behaviour of others at work towards them, working practices, health and safety, organisational change or equal opportunities. Some grievances are minor or straightforward while others may be difficult to resolve or concern fundamental issues related to statutory or contractual rights. The principle underlying this policy is that grievances should be dealt with as close to their source and as informally as circumstances permit, and that the level of formality used in resolving the grievance should reflect the gravity of the issue.

This policy applies to all employees of The Ark, including those employed on a fixed term basis.

## GRIEVANCE PROCESS

A grievance is an issue that gives rise to complaint against the decision, or action of, another member of staff, the Lead Coordinator or Directors. A grievance can be raised verbally or in writing.

A grievance may be raised by an individual or by more than one employee. Where a grievance is being raised by more than one employee this is referred to as a collective grievance.

This policy contains informal and formal stages. Employees and their representatives are urged to make every reasonable attempt to resolve a grievance informally before using the formal part of the policy.

All documentation and discussions at meetings within the grievance policy are to be treated as confidential.

Each member of staff involved will be given a copy of The Ark's policy.

An employee has the right to be accompanied by a work colleague or representative of a trade union at any meeting convened under this policy. This extends to those raising the grievance, and those about whom the grievance may be about.

Within all stages of the process an employee must consider what resolution or outcomes they are seeking through the grievance process.

If the complaint is set out in a resignation letter the general principles of grievance resolution must still be followed.

Where a grievance is submitted by an ex-employee this will be reviewed by the Directors to determine the appropriate action that should be taken and whether concerns raised should be considered in accordance with the grievance policy or another policy such as the Complaints Policy.

Where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

## GRIEVANCE PROCESS – INFORMAL STAGE

If a member of staff has a grievance with a colleague, where they feel able to do so, they should endeavour to resolve the matter by direct approach to that colleague, or arranging a meeting through their line manager or other appropriate senior colleague. Where the grievance is about the Lead Coordinator, the Chair of Directors could take the place of manager or senior colleague.

In order to try and resolve the grievance at the earliest possible stage it is appropriate for the employee to seek assistance from their line manager or other appropriate senior leaders, including the Lead Coordinator or Chair of Directors (where the grievance is against the Lead Coordinator). This is still considered to be within the informal stage.

Where a member of staff requests a meeting with their line manager, senior leader or Chair of Directors, regarding a potential grievance issue, it should normally take place within 5 working days of the request being made. Extensions of the timescales can be made but should be by mutual agreement.

The line manager or senior leader should seek to resolve the problem in consultation with the other employee(s) concerned which may include facilitating discussions and meetings between employees, unless there are exceptional circumstances.

If appropriate, and again by agreement of the parties involved, the Lead Coordinator (or Chair of Directors where the Lead Coordinator is the subject of the grievance) may arrange for mediation (which will be delivered by either internally fully trained and appropriate trust employees (generally a senior or middle leader) or via an outside agency). Both parties must agree on the choice of mediator.

During mediation each party has a right to be accompanied by a colleague or representative of his/her trade union. Any such meeting should normally take place within 5 working days of the agreement to participate in mediation.

Every attempt should be made by those involved to resolve a grievance at an early stage and through normal line management processes. Only when these have been unsuccessful should the formal process be followed. It is also in the best interests of everyone if grievances are dealt with as soon as possible and not allowed to become aggravated.

If the employee is dissatisfied with the outcome of the informal stage or regards the complaint as sufficiently serious, he or she may proceed straight to the formal stage. However, if the employee raises unrelated grievances at a later stage in the process these will usually be referred back to the informal stage of the process but will be dependent on the nature and seriousness of the additional concerns raised.

#### GRIEVANCE PROCESS – FORMAL STAGE

At this stage the matter is so serious that informal resolution is not appropriate, or informal resolution has been unsuccessful. The employee is required to submit, in writing, their grievance to the Lead Coordinator (or Chair of Directors if the Lead Coordinator is the subject of the complaint).

This formal notice must set out the details of the grievance, what steps have been taken so far and what resolution is sought. It should be accompanied by any supporting documentation.

On receipt of the written grievance the Lead Coordinator should arrange for a formal grievance meeting to be arranged. Dependent on the nature of the grievance being raised, the Lead Coordinator may delegate the chairing of this meeting to another suitable senior leader, therefore ensuring they are free to be involved in any further stages of this policy.

The details of the meeting should be confirmed within 5 days of receipt of the formal grievance and the employee should be given reasonable notice of this meeting, usually 10 working days.

The employee will have the right to be accompanied to the meeting by a trade union representative or a work colleague.

The meeting with the employee is to consider their written statement and the resolution that is being sought. It may be necessary to adjourn this meeting to seek further information or advice.

The chair of the grievance may choose to conduct further research and interviews. Any information or documents from the previous informal stage may be used in this investigation to ensure that a full and impartial investigation is undertaken. The chair is responsible for undertaking any required investigation in a fair and reasonable manner.

The aggrieved member of staff must be provided with a written response as soon as possible, but at the latest, within 10 working days of grievance meeting. This period may be extended by mutual agreement, but such an extension should always be the exception rather than the rule.

It is advisable to meet with the employee to communicate the decision, prior to responding in writing.

If the member of staff raising the grievance is dissatisfied with the response, the grievance remains unresolved or no response is given within a reasonable timeframe, then the member of staff is entitled to appeal. Should the grievance not be upheld the employee is able to request all the investigation notes from the chair prior to submitting their appeal.

## APPEAL STAGE

Where a member of staff feels that their grievance has not been satisfactorily resolved they are able to appeal. An appeal must be submitted in writing, within 10 days of receiving a written response to their formal grievance.

The chair of the grievance meeting will be asked to attend the appeal hearing.

The details of the meeting should be confirmed within 10 days of receipt of the formal grievance and the employee should be given reasonable notice of this meeting, usually 10 working days.

The employee should be advised that they are able to submit written documentation or names of witnesses which they feel to be relevant to their grievance. This information needs to be received at least 5 days before the hearing is scheduled to take place to allow the panel sufficient time to review and consider.

The employee will have the right to be accompanied to the meeting by a trade union representative or a work colleague.

The process for the meeting itself will involve:

- the employee (or their representative) presenting their grievance. The panel then have the opportunity to question the employee and clarify information.
- The chair of the grievance meeting will then present their finding from the grievance meeting and any subsequent investigations and will then be questioned by the panel.
- The meeting will be adjourned to allow the appeal panel to consider the information.

The panel will make a decision and communicate this in writing, within 10 days of the meeting. Ideally the decision should be communicated verbally as soon as possible.

This is the final stage of the internal grievance procedure.

## COMMUNICATION AND ACCESS

This Grievance Policy is provided to all staff during induction, and employees are required to acknowledge that they understand the procedures available to them. The policy is permanently accessible on the company intranet and public website. Any updates to the policy are communicated to staff directly via email and team meetings. Training and guidance are also provided to ensure employees feel confident in raising concerns in line with this policy