

Catch22 policy

Grievance Policy

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Catch22 reserves the right to amend this policy, following consultation, where appropriate.

Policy Owner:	<i>People Team</i>
Queries to:	<i>peopleservices@catch-22.org.uk</i>
Date of last review:	<i>January 2023</i>
Date of next review:	<i>January 2026</i>
Policy Owner:	<i>People Team</i>

Queries to:	peopleservices@catch-22.org.uk
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1. Summary

Catch22 is committed to supporting its people to foster good working relationships by promoting a culture of open communication and consultation.

From time to time there may be occasions when there are concerns raised about working relationships amongst colleagues and these matters need to be addressed. This policy provides employees with a framework in which they can raise individual grievances relating to their employment and to have them resolved fairly, promptly and at a local/low a level as possible.

Grievances are issues, problems or complaints employees raise with their employers that relate directly to their own work or workplace. Issues that may cause grievances include but are not limited to:

- Terms and conditions of employment
- Work relations
- Disputes between work colleagues
- New working practices
- Working environment
- Organisational change
- Discrimination
- Health and safety
- Bullying and / or harassment

In addressing grievance matters, Catch22 will ensure compliance with the appropriate employment legislation and the ACAS Code of Practice on Disciplinary and Grievance Procedures.

2. What is the policy about?

This policy sets out both the informal and formal processes for addressing any grievances which employees feel they have encountered, with the aim of reaching a mutually satisfactory solution as quickly as possible.

This policy aims to:

- Ensure that lawful, non-discriminatory and effective arrangements exist for dealing with employee concerns and grievances.
- Ensure that complaints are resolved fairly and promptly, and as close to their point of origin as possible.
- Encourage professional behaviour and a productive working environment.
- Emphasise informal resolution and empower individuals to effect change without threatening good working relationships between managers and employees.
- Empower individuals to challenge and tackle inappropriate behaviour, including bullying and harassment.
- Ensure that all allegations are treated seriously and sensitively.
- Ensure that all employees are aware of their responsibilities regarding raising problems and concerns and will not suffer detriment for doing so.
- Ensure that managers are aware of and supported in carrying out their responsibilities for resolving issues as soon as possible.

3. Who is the policy for?

This policy applies to all Catch22 employees. If a sessional worker, contractor or a stakeholder of Catch22 wishes to raise a concern it should be done via the Catch22 Complaints Policy.

4. Policy statement

Managers should seek to resolve any difference of opinion in a responsible and constructive manner. Any manager who receives a grievance from an employee must investigate the facts thoroughly and every effort should be made and sufficient time given, to establish the facts. Records, documents or witnesses, which the employee lodging the grievance considers to be relevant, should not be unreasonably withheld or ignored.

Only genuine concerns should be raised by employees. Employees found to be making false complaints purely for malicious or vindictive reasons will be subject to disciplinary action. Any concern which is raised in an unreasonable manner or in bad faith could result in dismissal.

It is preferable for all concerned to seek to resolve any concern raised informally at the lowest possible level before formal proceedings are considered.

Formal proceedings should only be used as a last resort. It is expected that LinkUp representatives, trade union representatives and managers will discuss issues and seek to resolve them without recourse to a formal procedure.

5. Time limits

Grievances should be raised within three months of the incident or action giving rise to it, unless exceptional circumstances apply. Any grievance raised outside of that time limit may not be considered.

Grievances can only be raised by a current employee of Catch22. Grievances submitted after the date that an employee's employment has ended may not be given consideration by Catch22.

If an employee's employment ends before their grievance has been satisfactorily concluded, Catch22 reserves the right to conclude the matter by correspondence.

Comments made on an Exit Questionnaire or in an Exit Interview will not automatically be considered as a formal grievance for the purposes of this policy.

6. How does the grievance policy work?

6.1 Informal procedure

It is preferable for all parties concerned to seek to resolve matters informally as this is deemed more likely to produce solutions which are speedy, effective and to restore positive relations in the workforce.

Any concerns or issues should be raised informally in the first instance with the employee's line manager or if the complaint is about the employee's line manager, to their line manager's manager.

At this stage the line manager, or other nominated manager, will meet with the employee to discuss their concerns and seek to identify whether the issue can be resolved informally.

6.2 Formal procedure

While we encourage informal resolution of complaints we recognise it's not always possible or appropriate. Where it has not been possible to resolve the matter informally, employees will need to state their grievance formally in writing to their line manager or if the complaint is about their line manager to their line manager's manager.

If the employee puts their grievance in writing prior to any informal discussions taking place, depending on the nature of the grievance, the line manager may refer the employee back to the informal process for the grievance to be addressed through that route.

The written grievance should contain as much information as possible and include:

- Details explaining the situation or event that has given rise to the complaint, including where possible, the date and times of events and the names of other parties/witnesses involved.
- Outline any informal measures taken to resolve the matter and explain why these have been unsatisfactory.
- Explain, as fully as possible, the outcome wanted by the employee.

If the statement is unclear then employees may be asked to clarify the nature of the grievance and/or outcome sought before any meetings are held.

The line manager must inform their People Partner as soon as a grievance has been raised.

Stage 1 – Investigation

Before proceeding to a grievance meeting, it may be necessary to carry out an investigation. This will usually be conducted by the same manager who will hear the grievance. The level of investigation and time this will take will vary depending on the nature of the grievance.

Stage 2 – Hearing the grievance

Grievance meeting

The grievance meeting should be held without unreasonable delay after a grievance is received. Employees will normally be given 5 working days notice of a grievance meeting. The employee is entitled to be accompanied at the meeting by a workplace colleague, trade union representative or Link Up Partner.

The grievance meeting will normally be conducted by the employee's line manager unless the grievance relates to the employee's line manager in which case it will be conducted by a more senior manager / a manager from another Hub. Where it is considered appropriate, a member of the People team and / or a notetaker may also be present.

If the employee is unable to attend the grievance meeting because of circumstances beyond their control, they should inform the manager conducting the meeting as soon as possible. If the employee's chosen companion is not available to attend, they may specify another date for the meeting up to 5 working days later.

If the employee fails to attend the meeting without explanation, or if it appears they have not made sufficient attempts to attend, the grievance meeting may take place in the employee's absence, based on their written grievance statement and any other documentation available.

Confirming the outcome

The employee will be advised of the outcome and any action that will be taken as a result of their complaint in writing without unreasonable delay, but normally within 7 working days of the meeting. If an extension is required (e.g. to carry out additional investigations), the employee will be advised of this and the revised date they can expect the outcome.

The employee should be informed they can appeal if they are not content with outcome.

Stage 3 – Appeal

If an employee is not satisfied with the outcome of their grievance they may appeal against the outcome decision by submit their appeal in writing to People Services , setting out the grounds of their appeal, within 5 working days of receiving the outcome letter.

An appeal meeting should be held without unreasonable delay after an appeal is received. Employees will normally be given 5 working days' notice of an appeal meeting.

The appeal meeting will be conducted by a more senior manager than the manager who conducted the original grievance meeting, who will consider the grounds that have been put forward and review the conclusion reached in the original grievance meeting. Where it is considered appropriate, a member of the People team and / or a notetaker may also be present.

The employee will be advised of the outcome in writing without unreasonable delay, but normally within 5 working days of the meeting. If an extension is required, the employee will be advised of this and the revised date they can expect the outcome.

The outcome of the appeal is final and there is no further right of appeal.

7. Dealing with allegations of bullying and harassment

If an employee believes that they have been bullied or harassed they should report this to their line manager immediately. Such allegations will be dealt with via the Grievance Policy. The line manager should discuss this with their People Partner and Hub Director so, if considered necessary, an impartial manager from another Hub or service can be assigned to investigate the allegations.

Consideration should be given to the support offered to the employee during the process.

Should the allegations of bullying and harassment be upheld, the actions of the perpetrator will be addressed through the disciplinary process.

8. Whistleblowing

When the grievance raised is in relation to concerns about risk, malpractice or is deemed to be in the public interest, then the Whistleblowing Policy should be used instead of the Grievance Policy.

9. Mediation

Sometimes, an independent third party or mediator can help resolve a grievance matter before or after a formal grievance has been raised or a meeting has been held.

Mediation is always a voluntary process. If both Catch22 and the parties involved in the process consider that mediation may help resolve the grievance situation, the formal grievance procedure will be paused (i.e. frozen by mutual consent) while the mediation process takes place.

10. Overlapping grievance and disciplinary, capability or sickness processes

The submission of a grievance by an employee subject to disciplinary, capability or sickness management proceedings will not prevent or delay the application of that procedure.

In the event that a complaint relates to the application of such procedures, it should be raised as part of that process and not pursued through the grievance procedure.

If the complaint does not relate to the application of such procedures, the grievance will normally be addressed concurrently.

11. Data protection and confidentiality

We process personal data collected during informal complaints and the formal grievance procedure in accordance with our Data protection Policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure.

All parties involved in a grievance process must respect confidentiality at all times. Information must not be shared with anyone except those directly involved and as necessary to ensure a fair process.

12. Collective grievances

Employees who have identical grievances may wish to have their complaints addressed through one process.

Where employees wish to raise a collective grievance, the following amended procedure will apply.

Stage 1 – Raising a formal grievance

The complaint must be submitted in writing in one document and must clearly identify and be signed by each employee raising the collective grievance.

The employees raising the grievance should nominate one person to act on their behalf throughout the grievance process. The grievance letter must identify whom this nominated representative is.

If the employees are members of the same trade union, their trade union representative may raise the collective grievance on their behalf.

Stage 2 – Hearing the grievance

The nominated representative will be invited to attend one collective grievance meeting. Following the meeting, there will be one identical outcome. The nominated representative will be notified of the outcome in writing and any action that will be taken as a result of the collective complaint.

Stage 3 – Appeal

If any of the employees who have raised the grievance wish to appeal, they should do so in writing to within 5 working days of receipt of the collective grievance outcome letter.

The appeal must be submitted in one document and must clearly identify those withdrawing from the process and signed by those wishing to appeal. The appeal letter must also identify whom has been appointed to be the nominated representative throughout the appeal stage.

The nominated representative will be invited to attend one collective grievance appeal meeting. Following the appeal meeting, there will be one identical outcome. The nominated representative will be notified of the outcome in writing. The outcome of the collective appeal is final.

We reserve the right to hear grievances individually if employees do not all voluntarily agree to the collective grievance process, if grievances are not identical, or there are exceptional circumstances.

13. Related policies

- Disciplinary Policy
- Managing Sickness Absence Policy
- Whistleblowing Policy
- Data Protection Policy

Annex 1: Equality Impact Assessment

Summary

This EIA is for:	Grievance Policy
EIA completed by:	People Director
Date of assessment:	January 2023
Assessment approved by:	Chief People Officer

Catch22 is committed to always: avoiding the potential for unlawful discrimination, harassment and victimisation; advancing equality of opportunity between people who share a protected characteristic and those who do not; and, foster good relations between people who share a protected characteristic and those who do not.

An Equality Impact Assessment (EIA) is a tool for identifying whether or not strategies, projects, services, guidance, practices or policies have an adverse or positive impact on a particular group of people or equality group. Whilst currently only public bodies are legally required to complete EIA's under the Equality Act 2010, Catch22 has adopted the process in line with its commitment to continually improve our equality performance.

Policy owners are required to complete or review the assessment indicating whether the policy has a positive, neutral or negative impact for people who it applies to and who share one or more of the 9 protected characteristics under the Equality Act 2010. Definitions are based on the Equality & Human Rights (EHRC) guidance.

Objectives and intended outcomes

This EIA has been completed in order to ensure that the implications and potential impact, positive and negative, of this policy have been fully considered and addressed, whether or not people share a protected characteristic.

Potential Impacts, positive and negative

Equality Area	Positive	Neutral	Negative	Please give details including any mitigation for negative impacts
Age Does this policy impact on any particular age groups or people of a certain age?	☐	☒	☐	
Disability Does this policy impact on people who have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day to day activities?	☐	☒	☐	
Gender reassignment (transsexual, transgender, trans) Does this policy impact on people who are transitioning from one gender to another (at any stage)	☐	☒	☐	
Marriage and civil partnership Does this policy impact on people who are legally married or in a civil partnership?	☐	☒	☐	
Pregnancy and maternity (in work this is linked to maternity leave, non-work this is for 26 weeks after giving birth) Does this policy impact on people who are pregnant or in their maternity period following the birth of their child?	☐	☒	☐	
Race Does this policy impact on people as defined by their race, colour and nationality (including citizenship) ethnic or national origins	☐	☒	☐	
Religion and belief	☐	☒	☐	

Does this policy impact on people who practice a particular religion or none, or who hold particular religious or philosophical belief or none?				
Sex Does this policy impact on people because they are male or female?	☐	☒	☐	
Sexual orientation Does this policy impact on people who are sexually attracted towards their own sex, the opposite sex or to both sexes?	☐	☒	☐	

More information/notes

Please add any links to key documents or websites to evidence or give further detail on any impacts identified.