



GRIEVANCE POLICY

1.0 INTRODUCTION

- 1.1 Almond Enterprises Ltd. recognises that it is important to have appropriate arrangements in place so that an employee can raise a grievance with, or about, their supervisor, line manager or employer, and be assured that the matter will be given serious consideration and be dealt with fairly, within stated timescales.
- 1.2 This policy and the supporting procedures comply with the current ACAS Code of Practice on Grievance procedures, and they apply to all permanent and temporary employees, irrespective of their length of service.
- 1.3 This policy does not cover concerns etc. raised under the Public Interest Disclosure Act – see our policy on ‘Whistleblowing’ ref: G/10.
- 1.4 The term ‘manager’ as used in this document refers to the person who is:
 - authorised to investigate a grievance;
 - convene and chair a grievance meeting;
 - decide on and issue the response to the grievance;
 - convene and chair an appeal hearing.

The term ‘Manager’ refers to the actual post of Manager, Almond Enterprises.

2.0 DEFINITION OF A GRIEVANCE

- 2.1 In the context of this policy a ‘grievance’ can be defined as a concern, problem or complaint that an individual has about their employment, i.e. about a duty the employer owes to their employees, whether the duty arises from a statutory requirement or from common law (e.g. contractual commitments). Examples of issues that may cause grievances include:
 - terms and conditions of employment
 - health & safety issues
 - work relations
 - changes to current working practices
 - working environment
 - organisational change
 - equal opportunities.
- 2.2 A grievance may be raised by one person, or by two or more with the same complaint.

3.0 POLICY PRINCIPLES

3.1 The following principles will apply at all stages of implementing the grievance procedure:

- a) All parties will follow the procedure and agree to abide by the outcome.
- b) An employee who follows the procedure will not be put under any pressure to withdraw their grievance or stop pursuing it.
- c) No employee will be penalised in any way for raising a grievance.
- d) Where the grievance is about a change in working practices and where the change has already been introduced, there will be no further change or a return to previous working arrangements until the grievance procedure has been completed. Acceptance of particular arrangements on an interim basis will not imply that either party agrees at that stage that they are a permanent solution to the grievance raised.
- e) Employees will not use the procedure as part of any negative personal feelings or actions towards colleagues. Any employee seeking to use the procedure in this way may be liable to disciplinary action.

3.2 Managers and employees will normally follow all stages of the procedure, except that:

- where the manager who would normally deal with a grievance does not have the authority to resolve it, he/she may refer the matter to the appropriate level of management for consideration and reply;
- if the grievance concerns the actions or decisions of the employee's line manager, the employee may at any stage, if they wish, raise the matter with the next level of management;
- if either the manager or employee has reasonable grounds for believing that by following the procedure they may be exposed to a significant threat such as violent, abusive or intimidating behaviour, or that they will be harassed, they may approach a Director for advice;
- if there are circumstances outwith the control of either party, e.g. either the manager or employee is absent on long term illness preventing one or more stages being followed within a reasonable timescale, the modified procedure described in section 4 below may be followed, where both parties agree.

3.3 At any stage, if the employee has difficulty in expressing themselves in writing, and/or where English is not their first language, we will either arrange for help with translation or they will be encouraged to seek help, for example from a colleague or external agency.

Under the Equality Act 2010 and our Equality & Diversity policy, we will provide assistance for an employee if they are unable to produce a written grievance because of a disability.

3.3 We will consider the use of mediation services if this will contribute to the resolution of a specific grievance situation for the benefit of the company and the employee(s) involved.

4.0 STATUTORY MODIFIED PROCEDURE

- 4.1 Under the current regulations a ‘modified grievance procedure’ may be followed when the standard grievance procedure **would otherwise apply** but where the employee is no longer employed and **either**:
- a) we were not aware of the grievance before the employment ended, **or**
 - b) we were aware of the grievance, but the standard procedure had not started or had not been completed by the time employment ended, **and**
 - c) both parties have agreed in writing that the modified, rather than the standard procedure will apply.
- 4.2 The former employee will set out their grievance and the reasons for it in writing and send this to the appropriate manager.
- 4.3 The manager will reply in writing within 10 working days, setting out their response. This reply will be final and there will be no other stages in the procedure. The correspondence etc. will be filed in the former employee’s personnel file.

5.0 RETENTION OF DOCUMENTS

- 5.1 The originals of the grievance letter and of any statements, record of meetings etc., plus copies of final replies at each stage will be filed in the employee’s personnel file.
- 5.2 In accordance with current data legislation and our Confidentiality policy G/04, records will be treated as confidential and the employee will have the right to access them.

6.0 OVERLAP WITH DISCIPLINARY PROCEDURE

- 6.1 Where disciplinary action is being taken the employee may raise a grievance, which may or may not be related to the disciplinary case. When this happens there will be various possible courses of action, as described in the supporting procedures.
- 6.2 Where the grievance is about an issue that is **not connected** to the disciplinary action, the normal grievance procedure should be followed separately from any disciplinary action.

7.0 IMPLEMENTATION AND REVIEW

- 7.1 The Manager is responsible for ensuring that this policy is implemented when required, and that it is reviewed at least every the years by the Board.

FIRST APPROVED IN	NOVEMBER 2008
VERSION 3.0 APPROVED IN	FEBRUARY 2019
NEXT REVIEW DUE BY	FEBRUARY 2022

ANNEX 1

LEVELS OF AUTHORITY FOR HEARING A GRIEVANCE

Person with the grievance:

Person hearing the grievance:

Grade/Title

Stage 1

Stage 2 (Appeal)

Operative

Manager*

Director

Supervisor

Manager*

Director

Manager

Office Bearer

Board Panel**

[*If the grievance is against the Manager, it will be heard by a Director]

**Excluding any Director involved at any previous stage]