

GRIEVANCE PROCEDURE POLICY

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1. General Principles

It is the policy of the Bradford North Circuit to ensure that all staff members have access to a procedure to help resolve any grievances relating to their employment quickly and fairly.

This policy does not form part of a staff members' contract of employment or other agreements relating to their work for the Bradford North Circuit, and it may be amended at any time.

This procedure applies to all staff members regardless of length of service. It does not apply to agency workers or self-employed contractors.

Any steps under this procedure should be taken promptly unless there is a good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so.

The procedure may be discontinued if it becomes impracticable for either party to continue with it. In any case a staff member raising a grievance will be informed in writing of the final outcome of their grievance.

If a staff member has a difficulty at any stage of the grievance procedure because of a disability, s/he should ask his/her line manager for assistance.

Information and proceedings relating to a grievance will remain confidential as far as is possible. Confidentiality will be maintained between all parties who are involved in the grievance process. In addition, every effort will be made to keep all information relating to the grievance process transparent to both parties with due regard to confidentiality.

2. Application

This procedure applies to any grievance of a staff member relating to their employment apart from issues concerning the following:

- The basis of pay or salary of their employment/working arrangements.
- Other policies of the Bradford North Circuit, unless the grievance is about how the policy has been applied to that staff member.
- Decisions under any procedure which states that staff members have no right of appeal or further right of appeal.
- Matters outside the Bradford North Circuit control (for example income tax, statutory sick pay).

3. General Considerations

All staff members have the right to proceed with the Grievance Procedure provided the conditions laid out below are adhered to.

- This grievance procedure may not be used to delay the application of the Bradford North Circuit disciplinary or capability procedures.
- A staff member cannot pursue the same grievance more than once.
- If a Manager has a prior involvement in a grievance, the matter should be referred to another Manager.
- If a grievance is shared by more than one staff member, the grievance may be presented by one or more representatives of that group.

- A staff member should not delay in formally making a grievance, as the timescales set out in this procedure must be adhered to. In any event, a grievance must be raised within one month of when the staff member became aware of the issue.
- Some cases will need extra time for either party to seek advice or for the person hearing the grievance to undertake an objective analysis of all the facts, so the parties may, by mutual agreement, modify the time limits set out in this procedure.
- There is no limit to the number of separate grievances which may be brought by one person. If a grievance is resolved, then the action which caused it occurs again, the staff member may raise a fresh grievance.
- A staff member may withdraw a grievance at any stage in this procedure by informing their manager in writing.

4. Raising Grievances Informally

Most grievances can be resolved quickly and informally through discussion with the line manager. If the staff member feels unable to speak to their line manager, for example, because the complaint concerns him or her, then the staff member should speak informally to a more senior manager. In some cases consideration should be given to inviting a third party as an external counsellor/mediator or a pastoral advisor. If this does not resolve the problem the staff member should follow the standard procedure below.

5. Mediation

Every effort must be made to resolve the issue(s) which form any grievance informally as early as possible. But, if this is not possible and the grievance proceeds to the formal stage, either party may request mediation. This means that an independent person will work with both parties to try to resolve the matters informally. Mediation will take place when one party requests it, and it is agreed by the other party. Grievances may be referred to mediation at any stage in the procedure. If mediation takes place, the timescale for initiating action under this procedure will be suspended while the mediator tries to resolve the matter.

6. Initiating the Grievance Process

You should put your grievance in writing and submit it to your line manager. If the grievance concerns your line manager you may submit it instead to the line manager's manager.

The written grievance should state that you are invoking this grievance procedure and contain the following:

- a description of the reasons for your complaint;
- any relevant facts, dates, and names of individuals involved.

In some situations we may need to ask you to clarify the subject matter of your grievance in advance of the meeting or to provide further information.

7. Next steps and timescales

You will be invited to a grievance meeting, which will normally take place no more than two weeks after the person hearing your grievance (an appropriate manager) has received your written grievance. That person may carry out investigations which are considered appropriate prior to the meeting. This may involve interviewing you and any witnesses considered necessary. You may bring a representative to any of the meetings under this procedure (see paragraph 10). You should bear in mind the following points:

- You must take all reasonable steps to attend any meetings. If you or your representative cannot attend at the time specified for a meeting, you should inform the person hearing the grievance immediately and s/he will make reasonable efforts to agree an alternative time.
- The purpose of the initial grievance meeting is to enable you to explain your grievance. If you have a representative, they may make representations to the person hearing the grievance and ask questions, but should not answer questions on your behalf. You may confer privately with your representative at any time during the meeting.
- After the initial grievance meeting the person hearing the grievance may carry out such further investigations and/or hold such further grievance meetings as he/she considers appropriate. In this respect, you will be informed of the action he/she intends to take, and if appropriate your suggestions will be sought on this. Many issues may be resolved speedily after one meeting, whilst more complex cases may require more extensive investigation.
- The person hearing your grievance will inform you of his/her decision and of your right of appeal within two weeks of the final grievance meeting. If the necessary investigations require a longer timescale you will be informed of this.

8. Appeals Procedure

Should you wish to appeal you should do so in writing to the Chair of the District, stating your grounds of appeal, within 5 working days of the date on which the decision was sent or given to you. You should give as much detail as possible about why you are dissatisfied with the decision. The Chair of the District will ask the person who conducted your initial Grievance Hearing to prepare a statement responding to your appeal. This, together with the documents relating to the original grievance hearing and your statement of appeal will be passed to the person hearing your appeal.

An appeal meeting will be held, normally no more than two weeks after the Chair of District has received your appeal. The appeal has the following key features:

- You may bring a representative to the appeal meeting.
- The appeal will be heard by a Manager senior to the one who heard your grievance.
- The person who heard your grievance will be present to explain why s/he reached the notified decision, and it may be necessary for other parties to be present for some or all of the hearing, depending on the nature of the case and the evidence heard at the original grievance hearing. This will be discussed with you in advance of the appeal hearing taking place.

The procedure to be followed at the appeal hearing will be:

1. You will present your appeal, setting out clearly the reasons why you do not agree with the findings of the initial grievance hearing
2. The Chair of the Appeal Hearing may ask you questions
3. Any other parties present may ask you questions
4. The person who chaired the original Grievance Hearing will explain the reasons for reaching the notified decision.
5. The Chair of the Appeal Hearing may ask questions of the Chair of the original Grievance Hearing.
6. You may ask questions of the Chair of the original Grievance Hearing.

7. Other parties present at the hearing may then be questioned by either the Chair of the Appeal Hearing or you.
8. You will then have the opportunity to sum up.
9. The Chair of the Appeal Hearing will then withdraw to consider the evidence.

The Appeal Panel's final decision will be notified to you in writing within two weeks of the appeal meeting, and full reasons will be given. There is no further internal right of appeal.

9. The Right to be Accompanied

You may bring a representative to any meetings held under this procedure. The representative may be either a work colleague or a trade union official. You must tell the person holding the meeting who your chosen representative is no less than 3 days before the meeting. Staff members are allowed reasonable time off from duties without loss of pay to act as a representative. A solicitor or legal representative is not permitted.

In some circumstances your choice of representative may not be allowed, for example, anyone who may have a conflict of interest, or whose presence may prejudice the meeting. We may also ask you to choose someone else if the meeting would have to be delayed for over five working days because your representative is unavailable.

We may, at our discretion, allow you to bring a representative who is not a staff member or trade union representative (for example, a member of your family) where this will help overcome a particular difficulty caused by a disability, or where you have difficulty understanding English.

10. Grievances after employment has ended

If you wish to raise a grievance after your employment has ended, you should submit it in writing as normal as set out at paragraph 8 above. In order to be considered your grievance must arrive within 15 calendar days of the termination of your employment.

If you raise a grievance after employment has ended, or if you raise a grievance before your employment ends and the standard procedure has not been completed at the termination of employment, an officer of the Bradford North Circuit will either:

- a) follow the standard procedure set out above at paragraph 8; or
- b) write to ask you whether you would prefer to follow the modified procedure set out below (if you have not already stated your preference in writing). If you do not respond within 10 working days we will follow the standard grievance procedure.

The following modified procedure will apply if agreed in writing by the staff member:

- a) An officer will carry out any investigations that are considered appropriate;
- b) No meetings will be held with you;
- c) You will be notified of the decision in writing, normally within two weeks of agreeing to use the modified procedure; and
- d) there will be no right of appeal.

11. Reporting illegal or improper conduct

Where you are directly affected by any inappropriate activities and you would like us to deal with it as a grievance, you should use this grievance procedure.

12. Grievances and Disciplinary Action

This grievance procedure should not be used to complain about disciplinary action that the Church has taken against you. If you are dissatisfied with any disciplinary action taken against you, you must submit an appeal under the disciplinary procedure.

13. The Grievance Outcome

The outcome of the grievance, at whichever stage determined (that is, at either the Hearing or Appeal stages) may take various forms. It may state:-

- a) That on the basis of the findings, the grievance is not well founded
- b) That the grievance is upheld in part and provide an appropriate solution
- c) That the grievance is upheld in full and provide an appropriate solution
- d) Any other relevant decision

Where the finding of a grievance hearing is that a staff member has acted in a way that is contrary to the provisions of the disciplinary procedure, that procedure may be invoked if this is considered appropriate. The Chair of the Grievance hearing may make such recommendations if s/he wishes.

PLEASE NOTE: These procedures are for lay staff members only and are not the same as the Complaints and Discipline procedures operated for ministers.