



Grievance Procedure

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Version 5

Grievance Procedure

CONTENTS:

- 1. PURPOSE**
- 2. SCOPE**
- 3. OVERVIEW**
- 4. MEDIATION**
- 5. INFORMAL PROCEDURE**
- 6. FORMAL PROCEDURE**
- 7. RAISING MATTERS ANONYMOUSLY**
- 8. WAGE COMPLAINTS**

Grievance Procedure

1. PURPOSE

A grievance procedure is quite simply a way for all staff on our site to discuss any problems, or air their views on any dissatisfaction that relates to their work or their Human Rights while at work as per the Company's Human Rights Policy.

This procedure provides a clear and transparent framework to deal with concerns, problems or complaints raised by all staff on our site.

2. SCOPE

This procedure applies to all staff working on our site, including permanent and fixed-term, full and part-time employees.

This procedure also extends to any temporary staff working on our site via an agency, where their concerns are not being handled to their satisfaction by their agency.

This procedure should not be used to challenge outcomes from any other procedures which have an appeal process. In these instances, the appeal procedure should be followed. Other procedures include but are not limited to:

- Disciplinary
- Absence
- Probationary review
- Flexible working

Where a grievance is raised subject to another procedure, such as one or more of the above, or another, the grievance will be dealt with in the normal way and in parallel with the other procedure.

All individuals will be treated consistently and fairly in line with this procedure.

This is not a contractual policy and the Company reserves the right to amend or withdraw it at any time as the Company deems necessary.

Any breach of this policy may result in disciplinary proceedings being initiated as per the Disciplinary Policy.

This policy supersedes all previous versions.

3. OVERVIEW

The following principles will apply to the application of this procedure:

Informal Resolution

Where possible, grievances should be resolved informally since an informal discussion can often resolve matters. The Company would expect that individuals would work towards the aim of resolving a particular issue with good faith. All parties involved should be clear from the outset whether any discussions relating to the issues at hand are taking place under an informal or formal stage of this procedure. We acknowledge that it is not always possible to resolve matters informally, in which case the formal grievance process should be followed in stages.

Grievance Procedure

Stages

Each stage of this procedure should be followed and undertaken in a timely manner without delay, unless there is a good reason for any delay. At any stage of the procedure, all parties may agree to a suspension of the proceedings in order to facilitate further investigation, mediation or other similar activities relating to the grievance, providing the main aim behind any suspension is for a resolution to be reached.

Deferring Consideration

At any stage of this procedure, the manager appointed to deal with the grievance may, at their own discretion, defer consideration of the grievance if there are other outcomes pending which are relevant to the grievance matters at hand. In such a case, all parties involved would be notified and would be advised of the reason for the deferral. If, following an investigation, a grievance is found to be vexatious or trivial, the manager appointed to hear the grievance may dismiss the grievance without further consideration. All parties involved would be notified accordingly if this were to be the case.

Procedure Variation

The Company may vary this procedure at any stage if it is deemed to be appropriate. This would only be done with the express consent of any parties involved.

Right to be Accompanied

All individuals who take part in any stage of this procedure will be given the right to be accompanied, if invited to attend any formal meetings held in line with this procedure, by an accredited trade union representative or a work colleague.

Timescales

The Company will make every effort to adhere to timescales as outlined within this procedure. However, if any circumstances arise where there is a requirement to extend timescales, this will be done, and all parties involved would be notified accordingly and advised of the reasons.

Responsibilities:

Employees:

- Adhere to this policy.

Line Managers:

- Ensure this policy is enforced.

Human Resources Department:

- Ensure that this policy and all procedures relating to it are maintained in line with current and developing legislative requirements;
- Advise line managers on the formal process;
- Provide advice on circumstances where the grievance procedure should be followed.

Grievance Procedure

4. MEDIATION

At any stage of this procedure, any party involved may request that the matters at hand be referred for mediation. The aim of mediation will be to reach a resolution to the matters in a timely manner. Mediation is voluntary and all parties must agree before proceeding.

5. INFORMAL PROCEDURE

A grievance can often be resolved informally through informal discussion and cooperation between members of staff and line managers. Often grievances can be resolved by listening to staff and making sure they feel that their concerns have been heard. All staff are therefore encouraged to raise matters informally with their line manager in the first instance.

It will be the line manager's responsibility to:

- listen to the individual and allow the individual time to explain themselves fully and show any evidence they may have,
- ask any questions that are relevant,
- discuss the matter in a collaborative way,
- remain impartial,
- take any notes that may be needed,
- if some time is needed before reaching an outcome, ensure the individual is kept informed and updated,
- conduct any discreet investigations that may be necessary,
- be transparent if further investigation is needed and if any other individuals need to be spoken to. Be aware that under data protection law (GDPR), consent should be obtained from the person who has provided the information before sharing it with others. Also be aware that information may need to be anonymised,
- ensure confidentiality is always maintained,
- seek to resolve the matter promptly,
- notify the individual of the outcome.

It is expected of the member of staff that they will:

- attempt to resolve their grievance informally in the first instance,
- only progress to the formal grievance procedure if the matter cannot be resolved informally. Where the informal stage has been unsuccessful, or where the informal stage is deemed to be inappropriate, the formal procedure should be followed.

If the grievance is about the individual's line manager, it should be raised with the next line manager above or with Human Resources (HR) directly who will follow the informal procedure in the first instance.

6. FORMAL PROCEDURE

Raising a Grievance

Where it is not possible to resolve a grievance informally, the individual should raise a formal grievance without delay by submitting it in writing to their line manager, or directly to HR.

The written grievance should outline the nature of the complaint and include relevant facts, dates and other specific details in order that it can be properly and thoroughly investigated.

Grievance Procedure

Once in receipt of a written grievance, a response will be sent to the individual within five working days to acknowledge receipt.

The individual will then be invited to attend a formal grievance hearing for the matters to be discussed. This meeting will usually take place within ten working days from the written acknowledgment.

The formal grievance hearing will be held by the appointed manager, there will also be a note taker present, and the individual will be given the right to be accompanied by an accredited trade union representative or a work colleague.

Following the meeting, if the manager feels that further investigation is necessary, they may do so and make their further enquiries. They may also appoint a separate impartial manager to conduct these further investigations.

Investigation

During any further investigation that may be necessary, if other individuals become involved and it becomes necessary to meet with them to discuss matters or allegations raised as part of the grievance, then they will be invited to attend an investigation meeting where matters can be discussed and responded to.

The findings of any further investigation will be discussed with the individual who raised the grievance and it may be necessary to arrange a further formal grievance meeting. The purpose of this meeting would be to seek clarification on any matters raised during the investigation, to feedback on the investigation findings and also to provide an opportunity for the individual to comment on the findings.

Outcome

It will be the responsibility of the appointed manager to arrive at an outcome for the grievance. Possible outcomes are that the grievance is upheld, partially upheld or not upheld. If the grievance is upheld or partially upheld, the manager will inform the individual of the steps taken to resolve their complaint. If the grievance is not upheld, the manager will inform the individual of the reasons why.

The outcome will be detailed in writing to the individual usually within ten working days of any further investigation into the grievance being completed, or of the final grievance meeting having taken place. If these timescales cannot be adhered to for any reason, the individual will be notified and advised of the reasons why, along with an anticipated amended timescale for resolution.

Any other individual involved in the grievance investigation is also entitled to receive a written outcome to their investigation within this same timeframe.

Any right of appeal will be detailed in the outcome letter and an appeal manager will be named and appointed.

If any other procedure needs to be invoked as a result of the investigation findings or grievance outcome, such as the disciplinary procedure, this separate procedure will be followed with any individuals concerned.

Grievance Procedure

Appeal

If the individual remains aggrieved, or is not satisfied with the outcome they receive, they may make an appeal and write to the appointed manager within five working days of receiving the outcome letter. This will exercise their right of appeal.

The appointed appeal manager will usually be more senior to the manager who made the decision on the grievance outcome and will be impartial to the grievance proceedings thus far. Where it is not possible for a more senior manager to be appointed, another manager will be appointed who is impartial and who has had no prior involvement in the grievance.

Upon receipt of an appeal letter, an appeal hearing will be arranged, normally within five working days of receipt.

A decision may be reached at the appeal hearing, but where this is not possible and further investigation or consideration is required, an outcome will be notified in writing to the individual within ten working days of the appeal hearing having taken place. Where this timescale cannot be adhered to due to further investigations being necessary, the individual will be notified and an indication of an amended timeframe will be provided.

The outcome letter will detail any suggested further action that may be necessary. Possible outcomes of the appeal are that the appeal will be upheld and the original decision of the grievance outcome will be overturned, or that the appeal will not be upheld and that the original decision of the grievance outcome will stand. It is also possible for the appeal to be partially upheld.

Any decision reached at appeal stage is final and there will be no further internal right of appeal.

7. RAISING MATTERS ANONYMOUSLY

All individuals working on our site can submit any grievance related to Human Rights violations to humanrights@epuk.co or **anonymously** via the Human Rights suggestion boxes. These boxes are located in the following areas of the site:

- Paper Factory ground floor hand wash area,
- Warehouse first floor locker area,
- Glass office ground floor canteen.

These boxes are located in areas where there is no CCTV coverage in order to maintain full anonymity. Grievances can be raised via this method without any fear of retaliation. Members of staff are advised to please ensure that sufficient details are provided in any correspondence submitted anonymously in order to allow for thorough and meaningful investigation.

8. WAGE COMPLAINTS

Where an individual has a query or a complaint relating to wages, the following process should be followed.

Grievance Procedure

A wage related issue could include issues such as:

- Unpaid wages
- Minimum wage violations
- Unpaid holiday pay
- Unpaid overtime
- Unlawful deductions
- Overpaid wages

In the first instance, the query or issue should be raised with a direct line manager, or with HR or payroll. The matter should be resolved informally and a clear explanation provided to resolve the issue along with timescales for reimbursement of any wage error if applicable.

Where it is not possible to resolve the wage related issue informally, the individual should raise a formal grievance without delay by submitting it in writing to their line manager, or directly to HR, following stage 6 of this procedure. When submitting the grievance formally, evidence should be collated such as payslips, bank statements, employment contracts, timesheets.

If the individual remains aggrieved, or is not satisfied with the outcome they receive to their wage related grievance, they may make an appeal as outlined within this procedure. There are also external sources of help available, such as ACAS, a union if the individual is a member or Citizen's Advice.