



Croydon  
College



**COULSDON**  
SIXTH FORM COLLEGE



**Croydon  
University  
Centre**

<b>Grievance Policy and Procedure</b>
Approved by: F&R
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Strategy/Policy Responsibility: Head of HR
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## **1. Introduction**

As a College we trust that all staff demonstrate [our values](#), our FREDIE principles (Fairness, Respect, Equality, Diversity, Inclusion and Engagement) and that our managers operate within the Leadership principles framework. However, we recognise that, from time to time, employees may have disputes or issues at work that they would like to be addressed.

One of the key principals of the policy is that disputes can be resolved most effectively when they addressed informally in a timely, and professional way. In the majority of cases, grievances are much more likely to have a long-term positive impact if they are resolved when issues first emerge in a solution-focused, and informal way.

A formal grievance should only be raised if no informal resolution has been found initially. Where an employee is concerned that it is not appropriate to raise a grievance informally, this should be discussed with a member of the HR team, who will advise whether the issue can proceed direct to the formal stage of the process.

## **2. Purpose**

This policy sets out the framework for raising, addressing and resolving concerns at work. If a complaint or concern is related to bullying, harassment, discrimination or victimisation it may be more appropriate to refer to the [Dignity at Work Procedure](#).

## **3. Scope**

This policy applies to all directly employed College staff (including sessional and casual employees). This policy does not apply to workers engaged via a recruitment agency or third-party employer. If an agency worker or worker engaged via a third party wishes to raise any issues, these should be raised directly with their agency/ employer.

There is a separate grievance procedure referring to Senior Post Holders, which is included as an appendix.

A grievance is usually raised by a single staff member, which has to be against named individual or individuals. However, there may be instances when more than one employee wishes to raise the same concerns, and the employees feel that it can be dealt with collectively, the same procedure will be followed as for individual grievances.

Any outcome under the grievance procedure that identifies potential misconduct of any staff member, may be referred to the Disciplinary Procedure. Where there is any evidence of malicious or vexatious grievances, this will also be referred to the Disciplinary Procedure.

## **4. Grievance Procedure**

### **Stage 1 – Informal Resolution**

- 1.1 Grievances are best resolved when employees raise their concerns informally with their line manager in the first instance, in a timely and solution-focused way. If the grievance refers to an immediate line manager, the matter should be raised informally with the manager above the immediate line manager. Informal grievances should be raised as soon as possible, and no later than one month after any event that the grievance relates to.
- 1.2 The line manager (or appropriate manager) will meet with the employee, usually within 10 working days, to discuss the employee's concerns in confidence and ask open questions in order to openly and effectively address the issue. The line manager (or appropriate manager) will also ask the employee for their view on possible resolutions and attempt to identify and agree possible resolutions with the employee. If the grievance is against another employee, the line manager may, after a discussion with both, bring together both parties to facilitate a discussion and resolution.
- 1.3 It is the line manager's responsibility to seek prompt and informal resolution where possible and communicate employee, providing a summary note or email of the outcome. Most grievances will be resolved at this stage.
- 1.4 If the concerns continue after informal measures have been taken the employee may want to consider taking part in a facilitated meeting or raising a formal grievance.
- 1.5 **Facilitated meeting**  
It may be appropriate for the matter to be dealt with by way of a facilitated meeting and is an important consideration for resolving issues at an early stage. This is a voluntary process where a nominated member of Human Resources enables two or more people to work through conflict or disagreement, with a view to finding a mutually agreeable solution.

### **Stage 2 – Formal Procedure**

- 2.1 If all informal methods of resolution have been exhausted, or Human Resources have agreed that it is appropriate, a formal grievance must be made in writing without unreasonable delay.
- 2.2 Where there are instances where there are processes already underway, such as under the Disciplinary Procedure, there will be due consideration given to whether the Disciplinary process should be paused. However, it may be appropriate to hear both cases at the same time, in line with the ACAS Code of Practice.
- 2.3 The grievance should be addressed to the line manager (or the manager that dealt with the issue informally if different) and copied to Human Resources and state clearly that a grievance is being raised at stage 2 of the Grievance Procedure.

- 2.4 The grievance should set out clearly the nature of the grievance, including relevant facts, dates and names of individuals involved and include information on steps that have been taken to try and resolve the grievance informally. The employee should indicate the outcome that they are seeking that would resolve the grievance. This written statement will form the basis of the subsequent meeting and any investigations. If the grievance is unclear further clarity may be sought before any meeting takes place.
- 2.5 Human Resources will arrange for an appropriate manager to be appointed to investigate the grievance. The investigating manager will be an appropriate manager who has had no prior involvement in the case. The investigating manager, with the support of a member of Human Resources, will investigate the matter which may involve interviewing other employees and gathering documentation. Confidentiality of the grievance process will be respected, and those involved will be reminded of the scope of confidentiality at the start of the process. If the grievance relates to another employee that employee will be given a copy of the formal written grievance so that they can review and respond to the issues raised.
- 2.6 Evidence that has been gathered during the course of any investigation will be made available to the all relevant parties at an appropriate point of the grievance process. Whilst this may not be in advance of the grievance meeting, reasonable steps will be followed to ensure all relevant parties have the opportunity to respond to evidence gathered prior to the grievance outcome.
- 2.7 The appointed manager will, as soon as possible, and in any event within 10 working days of receipt of the written grievance, arrange a grievance meeting with the employee.
- 2.8 The Grievance meeting**  
The grievance meeting will be conducted by the investigating manager and supported by a Human Resources representative. Depending upon the grievance, it may be appropriate the grievance meeting may be conducted first before any other witnesses, in order for the precise nature of the grievance to be fully understood.
- 2.9 A member of HR will take a note of the meeting. Digital recording of the grievance meeting is not permitted. If an employee has any disability related accessibility issues this should be raised with the Human Resources representative who will make appropriate arrangements.
- 2.10 Employees are entitled to be accompanied at any formal grievance meeting by either a recognised trade union representative or a work colleague. Any companion will be able to address the meeting, respond on the employee's behalf and sum up the employee's case, however questions put directly to the employee must be answered by them.

- 2.11 At the meeting the employee will be asked to explain the nature of their grievance, present relevant evidence and explain what action they feel should be taken to resolve the matter. The investigating manager will ask questions of the employee, request any additional evidence and may choose to adjourn the meeting to allow further investigations to take place.
- 2.12 Where the employee who has raised the grievance fails to attend a meeting without good reason, a second attempt will be made to arrange the grievance meeting within 5 working days. After the second attempt, if it appears that the employee has not made sufficient attempts to attend, a decision may be taken in their absence based on the evidence provided, or the grievance may be treated as being withdrawn.
- 2.13 The investigating manager hearing the grievance will consider all of the matters raised at the meeting and any evidence gathered as part of their investigation and will respond in writing to the employee within 10 working days of the meeting. Copies of the decision will be confidentially sent to all of the parties involved, excluding witnesses.

The outcome letter will confirm:

- The outcome of the grievance including rationale;
  - Any recommended actions the College intends to take upon completion of the grievance; and
  - The employee's right to appeal the decision.
- 2.14 If the grievance relates to another employee, that employee will also be informed of the grievance outcome and of any actions relating to them. The outcome of any further process held under other Policies will not be shared with the complainant in order to protect confidentiality.

### **Stage 3 – Right of Appeal**

- 3.1 The employee has the right to appeal against the decision made at Stage 2 in the following circumstances:
- A. If they believe there has been procedural errors that have made the process unfair and have detrimentally impacted the outcome
  - B. If there is any new evidence that has come to light since the grievance meeting that they believe would have had an impact on the outcome
  - C. There is evidence of bias at any stage of the procedure
- 3.2 Any such appeal must be submitted in writing, setting out the full grounds, to the Head of Human Resources within 5 working days of receipt of the written outcome. Human Resources will review the appeal to determine if the appeals meets the grounds outlined under 3.1.
- 3.3 An appeal manager will be appointed who has had no prior involvement with the case and will be senior to the manager who heard the grievance at Stage 2.

- 3.4 The appeal manager will receive the original grievance, outcome letter and appeal letter. The employee will be invited to an appeal hearing and has the right to be accompanied by a recognised trade union representative or a work colleague. At the hearing the employee will explain the reasons for their appeal and should supply the appeal manager with any new evidence that was not considered at Stage 2 at least 2 working days prior to the hearing. The appointed manager at Stage 2 will be invited to the appeal hearing to present their rationale for the decision.
- 3.5 The College will endeavour to hold the appeal hearing within 10 working days of receipt of the appeal however the appeal manager may wish to carry out further investigation which may mean delay. If this is the case the employee will be consulted with regarding the date of the hearing.
- 3.6 The procedure to be followed at the appeal hearing is outlined below:
- i. The employee and/or their representative will present their appeal.
  - ii. The manager at Stage 2 is entitled to ask questions, as is the appeal manager.
  - iii. The manager at Stage 2 will present the rationale for their decision.
  - iv. The employee and/or their representative is entitled to ask questions, as is the appeal manager.
  - v. The employee and/or their representative will summarise their case.
  - vi. The manager at Stage 2 will summarise their case.
- 3.7 The employee and manager at Stage 2 will be notified of the outcome of the appeal hearing in writing within 10 working days of the appeal hearing. The decision following the appeal is final and there will be no further internal right of appeal.
- 3.8 The timescales set out will be adhered to where possible but may be varied as necessary by the College. The employee will be consulted on any variation to the timescales. If the employee or their representative cannot attend at the time or date of any scheduled meeting or hearing they should notify the Human Resources representative and provide an alternative date and time within 5 working days of the original meeting or hearing.

#### **4. Support**

The College recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process will ensure that the meetings are a supportive environment and that all parties are communicated with professionalism and respect.

The College is committed to providing support and assistance for employees taking part in this process and details of the College's Employee Assistance Programme can be found on the College intranet here: [Staff Wellbeing \(croydon.ac.uk\)](http://croydon.ac.uk/staff-wellbeing) or details can be requested from Human Resources.

**Appendices:**

- Appendix 1 – Grievance Process Map
- Appendix 2 – Senior Post Holders Grievance Procedure