

## Churches and Industry Group Birmingham and Solihull

### GRIEVANCE POLICY

#### 1. Introduction

CIGB believes that all workers – paid and voluntary - should be treated, and treat each other, fairly and with respect.

#### 1. Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with, you should, wherever possible, start by talking it over with your Team Leader (or Development Director where there is no Team Leader). You may be able to agree a solution informally between you.

#### 2. Formal grievance

- a If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your Team Leader (or Development Director where there is no Team Leader). You should stick to the facts and avoid language that is insulting or abusive.
- b Where your grievance is against your Team Leader and you feel unable to approach him or her you should talk to the Development Director or a Trustee.
- c A grievance may be withdrawn at any stage.

#### 3. Discipline and Grievance

- a Complaints that amount to an allegation of misconduct on the part of another person will be investigated and dealt with under the Behaviour Management procedure. If applicable, this would be initiated after the receipt of the formal grievance and initial investigation (see 5.c.ii below)
- b Complaints that one may have about any behaviour management action taken against them should be dealt with as an appeal under that procedure. Grievances raised while people are subject to behaviour management proceedings will usually be heard only when the behaviour management process has been completed. Insofar as a grievance has any bearing on the behaviour management proceedings, it can be raised as a relevant issue in the course of those proceedings.

#### 4. Mediation

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of the grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by the grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

#### 5. The right to be accompanied in grievance meetings

- a People have the right to be accompanied by a fellow chaplain or companion at any grievance meeting or subsequent appeal.
- b The choice of companion is a matter for you, but the CIGB reserves the right to refuse to accept a companion whose presence would undermine the grievance process.
- c At any hearing or appeal hearing, the chosen companion will be allowed to address, but not disrupt the meeting.
- d Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled, provided that you can propose an alternative time within five working days of the scheduled date.

#### 6. Conducting the grievance procedure

- a CIGB recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect.

CIGB will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the behaviour management procedure.

b The Complaint

- i The person with a grievance should put it in writing to their Team Leader in the first instance, who will become the Investigating Officer. The grievance should set out the facts as thoroughly as possible and in an unemotional manner. Dates and times should be included wherever practical and where appropriate.
- ii In the event that the Team Leader is the subject of, or might be implicated in the grievance, then the person may write directly to the Development Director, or even to the Chair of trustees, but should set out the reasons for bypassing the manager(s) concerned.
- iii The recipient of the grievance will become the Investigating Officer, except that the Chair of trustees will appoint another Council Member for this role. The Investigating Officer will explore the details of the grievance and clarify details as required to ensure that the situation is clearly understood by all concerned.
- iv The Investigating Officer will as soon as practicable, and within a maximum of ten working days, arrange a meeting at a mutually convenient time to discuss the grievance.

c Informal resolution or mediation

- i Further attempts may be made to resolve the matter informally or through mediation, depending on the nature of the complaint.
- ii At this point, or at a later stage, if the grievance concerns alleged misconduct by another staff, it may be decided to take up the matter under the Behaviour Management Policy.
- iii However, if the person is not satisfied with the outcome, they may insist on the matter proceeding to a full grievance hearing.

d Further Investigation

- i Before proceeding to a full grievance hearing, it may be necessary to carry out further investigations. The employee or volunteer may then be invited to present further information to substantiate their grievance. Investigations may require written statements from any chaplain, worker or volunteer who may have relevant evidence. The employee or volunteer with the grievance may be invited to furnish written statements from anyone involved who may be in a position to substantiate claims.
- ii Although the confidentiality of the grievance process will be respected, if any evidence is gathered in the course of these investigations, people will be given a copy in sufficient time prior to the hearing for them to consider their response. In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained and an appropriate summary of the evidence gathered will be given.
- iii This may take a further ten working days.

e Grievance hearing

- i The hearing will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations. It will be chaired by the Investigating Officer (or another advisor appointed by the CIGB). At the hearing the complaint will be explored, and what action might be taken to resolve the matter.
- ii The chair will intervene if the discussion is straying too far from the key issue and may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of the complaint
- iii If the complainant is unable to attend, they should inform the CIGB as soon as possible. If not, the hearing may take place in their absence.

- f Decision
  - i The person will be informed verbally of the Chair's conclusion within two working days and a written response which would detail reasons for the decision would be provided within three working days thereafter.
  - ii If they are dissatisfied with the outcome, they may make a formal appeal.

## 7. Appeal

- a If the person is not satisfied with the decision, then they can make an Appeal to the Chair of trustees within seven working days of written notification of the decision being received. This Appeal must be in writing and must explain the reasons for thinking that an incorrect decision was reached.
- b The Chair will within ten working days of receiving the appeal arrange for a Sub Committee of three Council Members, which may or may not include the Chair, to come together to consider the Appeal. One of the three Council Members will be appointed as Chair of the Appeal hearing.
- c The person, who may again be accompanied, will address the hearing and will present their reasons for believing that the original decision was incorrect and should not be upheld. The Chair of the original hearing will then address the appeal hearing and present the reasons for the decision made.
- d The person will be informed of the Appeal decision verbally by the Chair of the hearing within two working days. A full written response will be provided within four days thereafter giving details of the decision and reasons for it being reached.
- e The decision of the Appeal panel is final.

## 8. Sickness or Annual Leave

- a Where the staff or volunteer is away ill for a short period, or is on holiday, the timescale in this policy will not count for the days that the employee is not available for work.
- b Where the employee or volunteer is away ill for a longer period, for instance as a result of stress, each case will be dealt with sensitively and on its merits. Emphasis will be put expediting a conclusion without extending the process unnecessarily in the interest of the wellbeing of the employee.

## 9. Details of Grievance

Once the process set out in this document has been started, the subject of the grievance cannot be changed. If another issue then arises, it will need to be taken up as a separate grievance.

## 10. Malicious Grievance

Deliberately false or malicious grievances will be treated as matters of misconduct and will be investigated in line with the Behaviour Management Policy.