

# BIRMINGHAM INDEPENDENT COLLEGE

## GRIEVANCE PROCEDURE

### 1 Purpose and scope

- 1.1 The College takes all employees' grievances seriously and has put this procedure in place to ensure that grievances relating to the employee's employment are dealt with in a fair and effective manner.
- 1.2 The College recommends that before the formal process is used, attempts be made to resolve the matter informally. However, it is recognised that there will be occasions in which this either fails or is inappropriate given the nature of the complaint(s) made. In this situation the Grievance Procedure should be used.
- 1.3 This Grievance Procedure applies to all employees.
- 1.4 No part of this Grievance Procedure is contractually binding.

### 2 Informal approach

- 2.1 An employee who believes they have a grievance relating to their employment should initially endeavour to resolve the matter by a direct approach to the other employee involved.
- 2.2 If the matter remains unresolved the employee should raise the matter with their Line Manager. In the event that the grievance relates to the Line Manager, the grievance should be raised with the Head of College or Director.
- 2.3 The employee's Line Manager (or the person who the complaint was made to where the complaint is about the employee's Line Manager) will attempt to resolve the complaint informally within three working days. They will investigate the grievance and discuss it with the employee. The decision of this Manager will normally be communicated to the employee verbally and will not, as a matter of course, be put in writing. It is expected that Managers will take their own notes from informal grievance meetings. The informal approach must be exhausted before moving to the formal stages.

### 3 Grievance procedure

- 3.1 If the grievance is not resolved informally or it is not appropriate to deal with informally (whatever the reason), the employee should set out their grievance in writing, including details of the actions or conduct complained about, the dates it took place, what steps (if any) the employee has taken to resolve their grievance and what their desired outcome would be. The written grievance should be sent to the employee's Line Manager. If the grievance relates to the employee's Line Manager or the Line Manager has already been involved in attempting to resolve the grievance informally and the employee is dissatisfied, then the written grievance should be sent to the Head of College or Director. If it is determined that the grievance has been raised maliciously then disciplinary action may be pursued. If the grievance is settled to the satisfaction of the employee the process may be stopped at any time.
- 3.2 The employee will be invited to a grievance hearing to discuss their grievance. The invitation to the grievance hearing will normally be made in writing within two weeks of

receiving the grievance in writing. The employee's Line Manager will usually conduct the grievance hearing. If the grievance is against their own Manager then the Head of College or Director to hear the grievance. The employee may be accompanied at the Grievance Hearing by either a Trade Union representative or work colleague (who is not party to the grievance or a witness).

- 3.3 If necessary, the grievance hearing will be adjourned to enable the employee's grievance to be investigated. This may include interviewing witnesses.
- 3.4 If possible, the manager conducting the grievance will advise the employee of their decision at the grievance hearing. The outcome of the grievance hearing will normally be confirmed in writing within 10 working days following the grievance hearing or as soon as is reasonably practicable. The employee will be advised of their right of appeal.
- 3.5 If the employee is not satisfied with the outcome of the grievance hearing, they may appeal in writing to the responsible person from the Board of Proprietors within 10 working days of receiving notification of the outcome of the grievance hearing.
- 3.6 The employee will be invited to attend a grievance appeal hearing to discuss their appeal with the responsible person from the Board of Proprietors. The employee may be accompanied at the grievance appeal hearing by either a Trade Union Representative or work colleague (who is not party to the case or a witness).
- 3.7 The Manager conducting the grievance appeal will consider the decision of the manager who conducted the grievance hearing, all documents and witness statements referred to at the grievance hearing and the minutes of the grievance hearing. Further investigations may be carried out if necessary.
- 3.8 The manager who conducted the grievance appeal will make a decision. Written confirmation of the decision will normally be sent to the employee within 28 days of the appeal hearing or as soon as is reasonably practicable.
- 3.9 The outcome of the appeal hearing is final.

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