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Employment

2.5 Grievances

Policy statement

The following procedure should be followed in order to settle all grievances concerning any employee(s) of the Whitechapel Preschool Playgroup.

Key Principles

The key objective of the procedure is to allow grievances to be settled quickly, fairly and at the lowest possible level within Whitechapel Preschool, whilst allowing employees the opportunity to appeal to a higher level if necessary.

The procedure covers all employed staff in the Preschool with direct employment who have a grievance.

It covers all matters which may become a source of grievance, excluding:

- those concerned with disciplinary action unless the disciplinary action amounts to discrimination, or the action was not taken on the grounds of the employees conductor capability
- decisions on strategic business issues, which are taken by the Management Committee, but not excluding the operational impact of those decisions.

Employees are entitled to be accompanied at a grievance meeting by a trade union representative or by a work colleague.

Procedures

The Preschool policy is to encourage free interchange and communication between managers and the staff they manage. This ensures that questions and problems can be aired and resolved quickly and that grievances are settled informally.

Informal Procedure

Employees are encouraged to raise concerns verbally with their manager prior to raising a formal grievance. Where the grievance is against the manager the matter should be raised verbally with the Core Committee.

Step one – statement of grievance

Employees must provide in writing, the nature of the alleged grievance and send the written complaint to their immediate manager.

Where the grievance is against the manager the matter should be raised with the committee chairperson.

Step two – the grievance meeting

Normally within 5 working days of receiving a grievance, the manager will write to the employee, inviting them to attend a meeting where the alleged grievance can be discussed. The meeting should be scheduled to take place as soon as reasonably possible, and normally at least 5 working days notice of this meeting should be provided to the employee.

Employees are required to take all reasonable steps to attend the meeting. However, should, for a reasonably unforeseen reason, either the employee, the manager or their companions are unable to attend the meeting, it must be rearranged.

Should an employee's companion be unable to attend then the employee should make contact within 5 days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. These time limits may be extended by mutual agreement.

At the meeting the employee must inform the manager hearing the grievance what the basis for the complaint is.

After the final meeting, the manager hearing the grievance must write to the employee informing them about any decision and offering the right of appeal. This letter should be sent within 10 working days of the grievance meeting and should include the details of how to appeal.

Step three – appeal

Should the employee consider that the grievance has not been satisfactorily resolved, then they must set out their grounds of appeal in writing within 7 working days, of receipt of the decision letter, confirming that they wish to appeal against the decision or failure to make a decision.

Within 5 working days of receiving an appeal letter, the employee should be written to inviting her/him to attend an appeal hearing where the alleged grievance can be discussed. The appeal meeting should be scheduled to take place as soon as reasonably possible.

Employees are required to take all reasonable steps to attend the appeal hearing. However, should, for a reasonably unforeseen reason, either the employee, the line manger or their companions be unable to attend the meeting, it must be rearranged.

Should an employee's companion be unable to attend then the employee should make contact within 5 days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. These time limits may be extended by mutual agreement.

After the appeal meeting, the appeal hearing manager must write to the employee informing them of the employer's final decision. This letter should be sent within 10 working days of the appeal hearing.

This is the final stage of the procedure.

Exceptions to the Procedures

The modified two-step process will apply in cases where the grievance procedure would otherwise apply but where the employment has ended and either:

- the setting was not aware of the grievance before employment ended; or
- if the setting was aware, the standard grievance procedure had not started or had not been completed by the time the employment ended; and

- the parties must have agreed in writing that the modified, rather than the standard grievance procedure shall apply.

In these cases the following procedure should be undertaken.

Modified Step One – The employee is required to submit, in writing, the nature of the alleged grievance and send the written complaint to the manager, requesting that the modified procedure is followed.

Modified Step Two – The manager is required to set out the response in writing and send it to the employee.