

The Education Network Grievance Policy

This document sets out the Company's process to be used when a temporary worker raises a grievance.

Policy

The Company believes that temporary workers should be treated fairly and with respect. If temporary workers have concerns, problems or complaints that relate to their work, these will be handled sensitively and with understanding.

Problems that could be dealt with using this policy include issues with terms and conditions of employment, bullying or harassment, discrimination, new business practices or the temporary worker's working environment. Where the temporary worker's grievance is an allegation of misconduct against another temporary worker, the Company will investigate the matter under HR-1.3 Disciplinary Policy and notify the temporary worker of the result.

On many occasions, a grievance process could be avoided by open communication between temporary workers and their line managers. When a temporary worker feels unable to raise their concerns with their line manager, they should discuss it with another member of management staff or the HR department. Where attempts at informal resolution are unsuccessful or not appropriate, the Company's grievance policy will be followed.

To begin a grievance, the temporary worker should clearly set out the nature of their complaint in writing and forward it to their line manager or the HR department. A meeting to discuss the grievance will be scheduled, to which the temporary worker has the right to request to have a companion to accompany them. Appropriate action will be considered and the temporary worker notified of the decision taken in writing. If the temporary worker feels that the outcome is unsatisfactory, they have the right to appeal against it.

Guidance

Mediation

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by your 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.

Informal

Minor issues could be best dealt with through informal discussion, where appropriate through mediation by an internal, independent party. This gives the temporary worker a chance to put their grievance to their line manager or the HR department and reach an agreement on steps that may resolve it. However, this route may not be appropriate where the grievance is more serious and requires a grievance meeting.

Starting a grievance process

Where an informal attempt has failed or the temporary worker wishes to proceed immediately with a grievance process, they should inform the Company of their grievance in writing as soon as reasonably possible. It should be headed 'Grievance' and detail the contents of their complaint. This will form the basis of future investigations and the grievance meeting. In most cases, this should be sent to the temporary worker's line manager, who should forward a copy to the HR department. If the grievance relates in any way to the line manager's treatment of the temporary worker, it should be sent straight to the HR department.

At this stage, the Company may need to carry out investigations of any allegations made within the temporary worker's grievance. It will investigate as much and as quickly as is reasonable, as well as respecting the confidential nature of the temporary worker's grievance.

Grievance Meeting

The temporary worker's line manager will invite the temporary worker to a grievance meeting. This will be scheduled within 5 working days of receipt of the Grievance, subject to any time needed to investigate the complaint. It will be conducted by the temporary worker's line manager or another member of management, if this is more appropriate.

At the meeting, the temporary worker will have the opportunity to explain their grievance more fully and suggest the action they think should be taken. In order to handle the grievance as effectively as possible, the temporary worker should focus on issues relevant to their grievance and their line manager may intervene to ensure that the discussion stays on topic.

It may be necessary to adjourn the meeting; for example if new information comes to light or further investigation is needed. The temporary worker will be given reasonable notice of the revised date of the meeting following an adjournment.

Right to be accompanied

The temporary worker has the right to request to have a companion with them at a grievance meeting and any subsequent meetings, including an appeal. The companion can be a Company colleague, trade union representative or trade union official of the temporary worker's choice. However the request must be reasonable and it may be refused if the presence of the companion may prejudice the outcome of the meeting or would cause an unreasonable delay and there is an equally suitable companion readily available.

The role of the temporary worker's companion is to assist the temporary worker in putting their grievance forward, summing it up and responding on the temporary worker's behalf to any view expressed at the meeting. The companion may also confer with the temporary worker during the meeting. However, there is no requirement that the line manager permits the companion to answer questions on behalf of the temporary worker or to address the hearing where the temporary worker indicates that they do not wish this.

Where the chosen companion is unavailable on the day scheduled for the meeting, it will be rescheduled, provided that the temporary worker proposes an alternative time within 5 working days of the scheduled date.

Outcome of grievance

The Company will decide on the action that should be taken in response to the temporary worker's grievance. The temporary worker will be notified in writing of the outcome where possible within 10 working days. The temporary worker may discuss this informally with their line manager or the HR department or raise a appeal, if they feel the result reached is unsatisfactory.

Appeal

The temporary worker has the right to appeal the outcome of a grievance where they feel it is unsatisfactory. The temporary worker must inform their line manager in writing of their grounds for appeal within 5 working days of receipt of the grievance outcome.

The temporary worker's appeal will be heard as soon as reasonably possible. The appeal meeting will be conducted by a member of staff who has not been previously involved where this is possible and the temporary worker has the right to request a companion to assist them. At the meeting, representations from the temporary worker, their companion and the original presiding manager will be considered objectively and the process reviewed. The temporary worker will be informed in writing of the outcome of their appeal, where possible within 10 working days.

Collective Grievances

Where a group of temporary workers have a similar concern which they wish to raise with the Company, they may choose to do this jointly. They should notify the Company in writing of their grievance in a document entitled 'Collective Grievance'. This should also set out how the temporary workers wish to conduct their grievance – they may prefer to have individual meetings with their line managers or discuss their grievance as a group, with a manager and a member of the HR department.

Definitions

Working day: 24 hours on a day on which the Company usually conducts business.

Additional Information

If the temporary worker has a genuine reason which makes it is impossible for them to attend a grievance meeting, they should notify their line manager of this and the Company will try to accommodate a request to reorganise the meeting. If the temporary worker fails to attend a grievance meeting without good reason or is unable to attend a rearranged meeting, the grievance decision will be made in their absence based on the evidence available. In these circumstances, their chosen companion may attend in the temporary worker's absence and the temporary worker can enter a written submission.

Temporary workers should note that meetings should not be recorded electronically unless express permission is given by the member of staff conducting the meeting. Copies of notes taken during meetings will be available to the temporary worker if requested, unless there are good reasons for the Company keeping them confidential. If it is discovered that an temporary worker has recorded meetings without permission, this may lead to disciplinary action.

This policy should be used where the temporary worker's grievance relates to a breach of HR-3.4 Dignity at Work Policy and HR-2.2 Bullying and Harassment Policy.

Where there are related disciplinary issues and grievances, the Company reserves the right to deal with them together under HR-1.3 Disciplinary Policy. If the temporary worker's grievance relates to the outcome of a disciplinary process, they should raise an appeal under HR-1.3 Disciplinary Policy.

The Company will not tolerate abusive or insulting behaviour from anyone involved in the grievance process and will treat any such behaviour as misconduct under HR-1.3 Disciplinary Policy.

Scope: This policy applies to all of the Company's temporary workers and all line managers should be familiar with it.

