

**GRIEVANCE PROCEDURE**

A guide for all staff and freelance workers at NAPA

This policy will be reviewed on an ongoing basis, at least once a year. NAPA will amend this policy, following consultation, where appropriate.

Date of last review: 05/02/2024

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**PURPOSE**The grievance procedure applies to all employees and freelance staff working for NAPA.

The aim of this Grievance Procedure is to settle grievances or complaints fairly and it is intended to operate simply and quickly. Every effort will be made to resolve the issue at the earliest possible stage, and at each stage efforts will be made in order to avoid proceeding to the next stage and to settle the issue amicably.

If an employee has a problem with any other member of staff, and is unable to sort it out informally, the matter should be referred to his/her line-manager. You may be able to agree an informal solution between you.

If an employee wishes to raise a grievance formally, the grievance procedure, which is outlined below, should be invoked.

Four key points for a fair grievance procedure are:

1. Employers and employees should deal with issues promptly and consistently, and employers should carry out any necessary investigations.
2. The employee should have an opportunity to put their case.
3. The employee should have an opportunity to appeal against the decision.
4. The employee should have the right to be accompanied at any formal meeting if they wish.

This policy should be read in conjunction with NAPA’s policy on Bullying and Harassment which can be found here: https://www.northernacademy.org.uk/about-us/policies-and-procedures/

**FORMAT**The Board of Trustees must be advised when the grievance procedure has been invoked. A grievance hearing will be dealt with by a selection of the trustees and an appeal will be dealt with by other trustees not involved in the hearing, impartial advisers are available to all parties involved in the procedure.

At all stages, the individual, responsible for considering the grievance, may need to carry out an investigation to establish the facts of the case and to obtain any documentary evidence which may be relevant. A discussion should then take place with the employee raising the grievance and a decision reached. The employee should then be informed verbally, or in writing, of the decision reached.
 **INFORMAL RESOLUTION**Most disputes can be settled informally and employees are encouraged to seek resolution prior to raising a formal grievance. The aim will be to ensure that complaints are treated fairly, consistently and in a non-discriminatory way. In order to achieve formal resolution help will be given with facilitated conversations and/or mediation as appropriate. Engagement with informal complaint resolution will not preclude an employee’s right to invoke the formal grievance procedure as below.

**PROCEDURE**

**1. Raise the grievance in writing**

The employee should raise a grievance with the Chief Executive without unreasonable delay, normally within one month of the incident (or final incident) which gives rise to the complaint.

If the grievance is against the Chief Executive, the matter should be raised with the Chair of the Board of Trustees. Whoever deals with the grievance at the meeting, will normally be excluded from hearing any appeal.

The employee must set out in writing the specific circumstance or circumstances which constitute the grievance, with dates, times, witnesses, etc. as applicable. Employees should set out the facts and avoid insulting or abusive language.

**2. Invitation to a grievance meeting**

The Chief Executive will invite the employee to attend a meeting without unavoidable delay to discuss the matter.

The meeting should ideally be arranged within five working days of receiving the written grievance, but in any event no later than 14 days after receiving the written grievance.

The line manager will also state that the employee is entitled to be accompanied by a trade union representative or work colleague at the meeting.

The employee has a statutory right to be accompanied at any grievance or appeal meeting by either a fellow worker, a trade union representative or official employed by a trade union. This companion can speak at the meeting on behalf of the employee, but they cannot answer questions put directly to the employee.

**3. Grievance meeting**

Where possible, a note-taker, who must be uninvolved in the case will take down a record of the proceedings.

The Chief Executive (or Chair of the Board of Trustees as appropriate) will introduce the meeting, read out the grounds of the employee’s grievance, ask the employee if they are correct and require the employee to provide clarification regarding details of the grievance if unclear.

The employee will be given the opportunity to put forward their case and say how they would like to see it resolved. The employee may call witnesses and refer to any documents previously provided to the Chief Executive (or Chair).

The Chief Executive (or Chair) may question the employee and any of the employee’s witnesses.

The employee/companion will be given the opportunity to sum up but may not introduce any new material.

The meeting may be adjourned by the Chief Executive (or Chair) if it is considered necessary to undertake further investigation. Any necessary investigations will be carried out to establish the facts of the case. The meeting will be reconvened as soon as possible.

Having considered the grievance, the Chief Executive (or Chair) will give her/his decision regarding the case in writing to the employee which will normally be within five working days. If appropriate, the decision will set out what action the employer intends to take to resolve the grievance or if the grievance is not upheld, will explain the reasons. This will also include notifying the employee of her/his right of appeal and the procedure to be followed.

**4. Appeal**

If still unresolved, the employee may refer the matter, in writing, to the Chair of the Board of Trustees, or if the Chair has already been involved in an earlier stage of the procedure, to the Vice Chair of the Board of Trustees.

The employee wishing to appeal against a grievance decision, must do so in writing within five working days of receiving written notification of the grievance decision, stating the reasons for the appeal. Any documents submitted in support of the appeal must be attached.

Arrangements for the appeal meeting will be made by the Chair (or the Vice-Chair if appropriate) who will ensure that a notetaker is present if possible. The appeal meeting should be held without unavoidable delay. Where possible, at least two members of the Board will constitute an Appeal Panel.

The trustee or trustees hearing the appeal should, if at all possible, have had no direct involvement in the case.

The employee is entitled to be accompanied by a trade union representative or work colleague at the appeal.

The meeting may be adjourned by the Appeal Panel or person hearing the appeal if it is considered necessary to undertake further investigation. The meeting will be reconvened as soon as possible.

The decision of the Appeal Panel or person hearing the appeal shall be final.