



Institute
for Education

Grievance Policy and Procedures for Employees

Version 1.2

| | | | | | |
|------------------------|-------------------|-----------------------|------------|--------------|----------|
| Policy Author | Anthony Satariano | Designation | Head QA | Dept. | QA Dept. |
| Policy Reviewer | Joanne Grima | Designation | CEO | Dept. | N/A |
| Policy Approver | QAC | Effective Date | 25/04/2017 | | |

1 Introduction

- 1.1 The Institute for Education (IfE) encourages all employees to have informal communications to facilitate fair, effective, and efficient solutions for problems arising out of the employment relationship. Whenever an employee feels that his or her concerns are not being adequately addressed, the IfE provides a formal communication process to allow higher levels of management to resolve issues and provide guidance for all employees.

2 Scope and Purpose

- 2.1 A grievance is defined as ‘a concern, problem or complaint that employees raise with their employer’. This may include a complaint from employees about their treatment by managers or colleagues, changes to working practices, or a failure to fulfil duty of care obligations.
- 2.2 This Policy applies to all employees of the IfE. Any Sexual Harassment grievances should be resolved through the [Sexual Harassment Policy and Procedures for Employees](#). Should employees raise a formal grievance during their notice period, every effort will be made to investigate and hear their grievance before their employment comes to an end. Where there is insufficient time to do so, the IfE will investigate the issues raised and provide the employees with a written response.
- 2.3 The purpose of the [Employee Grievance Policy and Procedures](#) is to resolve issues in the workplace in the most effective manner and at the lowest level possible. It provides a framework within which to deal with complaints and allows for complaints to be resolved informally where possible, or through a formal grievance procedure where necessary.
- 2.4 Where employees have a complaint about the outcome or management of other formal internal processes, e.g. disciplinary or capability procedures, promotion processes, or requests for flexible working, they should always pursue such complaints through the appeals / review procedure set out in the relevant policy.
- 2.5 Exceptionally, this [Employee Grievance Policy and Procedures](#) may be used where employees believe that IfE’s policies and procedures have not been complied with and there is no appropriate appeal mechanism through which they can make their complaint. The procedure outlined below should be used where individual employees, or groups of employees, have a concern they wish to address.

3 Policy

- 3.1 The IfE is keen to provide a positive and supportive working environment for all of its employees, and as such will take every step to resolve issues in the workplace quickly and efficiently, at the lowest possible level.
- 3.2 The grievance procedure is not a substitute for good day-to-day communication where staff are encouraged to discuss and resolve daily working issues. Many problems can be resolved informally if channels of communication are kept open and work well. If problems cannot be resolved informally a grievance may be raised and will be investigated as quickly as possible so that it can be resolved within a reasonable timeframe.
- 3.3 The IfE will deal objectively and constructively with all grievances, and staff who decide to use the procedure may do so with the assurance that the matter will be considered fairly and in confidence. However, it must be recognised that it is not always possible to resolve grievances to everyone's satisfaction. The IfE recognises that formal grievances can have a serious detrimental effect on staff and relationships at work, whether they are upheld or not, and will provide appropriate support to any staff involved in a grievance process from the outset to help minimise any impact.

4 Procedures

4.1 Informal Grievance

- 4.1.1 The employee should initially attempt to resolve a complaint informally and present the matter to the Human Resources Manager for discussion, consideration, and resolution within five (5) working days from the date of the action which is the subject of the complaint. The manager will meet with the employee within five (5) working days of receiving the complaint to attempt to work out a mutually satisfactory resolution. Results of the informal grievance should be documented.

4.2 Formal Grievance

- 4.2.1 If attempts to resolve the employee's concerns informally, prove unsuccessful or they feel that the matter is sufficiently serious to address formally, the employee should raise their grievance in writing with the Human Resources manager. If the employee's complaint relates to the way in which the Human Resources manager is treating them, the complaint may be sent to the senior manager or CEO, IfE.
- 4.2.2 This written statement will form the basis of the subsequent grievance meeting and any investigations, so it is important that the employee:
- Sets out clearly the nature of the grievance;

- Indicates the reasonable outcome/resolution that they are seeking. This may be an apology, a change within a process, the opportunity to access a specific development opportunity etc;
 - Concentrates on the facts of the situation;
 - Provides clear indisputable evidence for the facts and figures. (As part of this evidence they may call upon witnesses, however, it is important to first consider whether a witness has something relevant to say to support their grievance);
 - Submits all evidence with the grievance letter (in some instances this may result in the need to delay the submission of the grievance for a short period whilst the evidence is pulled together, as once received a grievance meeting will usually be convened in ten (10) working days);
 - Dates the letter and retains a copy.
- 4.2.3 If the employee's grievance is unclear, they may be asked to clarify their complaint before any meeting takes place.
- 4.2.4 Depending on the nature of the employee's complaint, further attempts may be made to resolve the matter informally. However, if the employee is not satisfied with the outcome, they may insist on the matter proceeding to a full grievance meeting.
- 4.2.5 Meetings with the Human Resources Manager will be minuted and signed by the Manager and the employee.
- 4.2.6 In some cases it may be appropriate to address a grievance in writing, without the need to convene a grievance meeting. This option will only be used with the employee's agreement, and may be deemed appropriate, for example, in simple cases where the evidence and circumstances are very clear and not disputed. However, in most cases a grievance meeting will be more appropriate to provide all parties with the ability to explore issues fully and to avoid the potential for misunderstandings/issues being unaddressed.

5 Investigations

5.1 Timing

- 5.1.2 Sometimes, it may be identified that there is a need to carry out further investigations of any allegations made by the employee, either before proceeding to a full grievance meeting or during such a meeting. In the latter cases, the meeting will be adjourned to enable this to occur.

5.2 Scope of any investigation

5.2.1 This will be discussed with the employee, and in complex cases an investigating officer, with terms of reference agreed with them, may be appointed. The terms of reference should seek to identify the specific allegations/concerns that will be investigated. However, it will be the role of the investigator to determine the scope of the investigation and how best to carry it out.

5.3 Companion

5.3.1 There is no right to be accompanied at an investigatory interview with a manager, the purpose of which will be to establish the nature of the employee's grievance, rather than to deal with the grievance itself. However, the investigator may offer/agree for the employee's to be accompanied at any investigation meeting by a companion i.e. a trade union representative or work colleague, if the employee may find this helpful/supportive. Such requests should be submitted to the investigator, along with the proposed individual's name/designation, at least 24 hours in advance of any investigation meeting.

5.4 Evidence

5.4.1 If any evidence is gathered in the course of these investigations the employee will be provided with a copy in enough time in advance of the grievance meeting for they to consider the response. In exceptional circumstances, the evidence given by individuals may need to remain confidential. Where confidentiality is necessary, this will be explained to the employee and an appropriate summary of the evidence gathered will be given to them.

5.5 The grievance meeting

5.5.1 The meeting will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, usually within five (5) working days of the receipt of the employee's written complaint. The meeting will usually be arranged by the Human Resources manager.

5.5.2 The employee should ensure that they attend the meeting at the specified time. If the employee is unable to attend because of circumstances beyond their control, they should inform the Human Resources manager as soon as possible.

5.5.3 The employee will receive the following in writing at least five (5) working days before the meeting:

- Confirmation of the date, time and location of the meeting;
- Copies of the evidence to be considered;

- Notice of the people who will attend the meeting;

5.5.4 At the meeting the employee may:

- Be accompanied by a colleague or trade union representative;
- Have reasonable adjustments if they are disabled or have other special requirements;
- Call relevant witnesses in support of their case.

5.5.5 Ahead of the meeting the employee should:

- Advise the Human Resources manager of the person accompanying them (they wish to be accompanied) and any special requirements (e.g. disability, language requirements); Please note that the IfE reserves the right to refuse to accept a companion whose presence would undermine the grievance process and individual staff members are not obliged to agree to accompany the employee.
- Supply any evidence with their written grievance;
- Confirm their attendance
- Advise the panel of any witnesses that they wish to call.

5.5.6 During the meeting the employee will be given the opportunity to explain the nature of their complaint and what action they feel should be taken to resolve the matter. The employee is advised to keep the explanation to matters that are directly relevant to their complaint. To ensure that the complaint is handled effectively, it is suggested that the employee focuses on relevant issues or incidents that took place long before the matters in hand. The Human Resources manager conducting the meeting may intervene if they consider that the discussion is straying too far from the key issue(s) or to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of the employee's complaint.

5.5.7 On some occasions, the panel may inform the employee of its decision at the end of the meeting, however, in most cases the employee will be informed of the outcome by letter usually within ten (10) working days after the meeting. As part of the outcome, the employee will be told of any action that the IfE proposes to take as a result of their complaint.

5.5.8 If the employee is dissatisfied with the outcome, they may make a formal appeal and the outcome letter will advise them as to whom the appeal should be submitted to.

6 Appeals

6.1 In the event that the complainant feels that their grievance has not been satisfactorily resolved, they may appeal as per the IfE's [Appeals Policy and Procedures](#). Prior to any appeal meeting the employee will be reminded of their right to be accompanied by a Trade Union representative or workplace colleague.

7 Related documents

- [Appeals Policy and Procedures](#)
- [Sexual Harassment Policy and Procedures](#)

8 Version history

| Originator | Version | Date | Changes Done |
|------------|---------|------------|--|
| QA Dept. | 1.0 | 25/04/2017 | Initial Release |
| QA Dept. | 1.1 | 15/03/2022 | Updated scope and purpose article Gender mainstreamed the policy. |
| QA Dept. | 1.2 | 03/05/2024 | Updated links |