


Complaints/Grievance Policy and Procedure

Section 1 for Employers and Apprentices

Section 2 for HEE Employees

HEE Apprenticeship Team NE&Y



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Contents

1 – Introduction for Employers and Apprentices	3
2 – Definitions	3
3 – Employers Guide to making a complaint.....	4
4 - Apprentice Guidance Notes for Appeals & Complaints Procedure	6
5 - HEE Apprentice Complaints / Appeals Process.....	7
Executive Summary for HEE Employees	11
Contents	12
1. Introduction	13
2. Purpose.....	13
3. Scope.....	13
4. Definitions	14
5. Responsibilities	14
6. Procedure	16
7. Time Limits.....	17
8. Support	18
9. Records Management.....	18
10. Equality Analysis	18
11. Monitoring Compliance and Effectiveness	18
Appendix 1 – Grievance Procedure	20
Appendix 2 - Notification Form.....	25

1 – Introduction for Employers and Apprentices

This policy sets out Health Education England's (HEE) complaints process for employers or apprentices who want to make a complaint about the service provided by HEE in relation to the apprenticeship programs that we deliver.

HEE is committed to delivering a high-quality service and takes feedback from both our apprentices and employers very seriously. It is HEE's aim to settle complaints promptly, fairly and courteously in the best interest of all parties, and to address areas where improvement is needed. HEE is keen to ensure that the interests and well-being of all those associated with a complaint are properly safeguarded.

HEE aims to handle complaints in a manner which:

- encourages information conciliation nearest to the source of the complaint;
- is both efficient and fair;
- treats complaints with appropriate seriousness, sympathy and confidentiality;
- where relevant, ensures that HEE practice improves as a result.

For effective oversight of processes and provision, our Quality Assurance lead will monitor the complaints received to check for evidence of trends in failure of provision or delivery. An anonymised summary of complaints on record and how they have been managed will also be reported quarterly to the Apprenticeship Quality Improvement Group and reported annually to our regional Quality Team.

2 – Definitions

An 'Informal Complaint' is defined as an issue which an apprentice or Employer wishes to raise with a member of HEE staff, without using the formal complaints process. Informal complaints are usually quick to resolve and unlikely to require an in-depth investigation.

A 'Complaint' is defined as 'an expression of dissatisfaction about HEE's action or lack of action, or about the standard of service provided by, or on behalf of HEE.

An 'Appeal' is 'a request for a review of a decision taken by an individual or academic body charged with making decisions about student's progression, assessment, and awards.

3 – Employers Guide to making a complaint

The process for raising a complaint by an employer of an apprentice studying with HEE is detailed below.

Stage 1: Informal complaints

Where possible, informal complaints should be raised immediately with relevant departments at the source of the complaint, or via the Widening Participation and Apprenticeship Team (apprenticeships.ne@hee.nhs.uk). The aim is to resolve the problem directly and informally at the earliest opportunity. It is anticipated that the vast majority of informal complaints will be resolved in this manner.

Although Stage 1 is informal, the member of staff involved should provide a written outcome to the employer complainant, copying in the Widening Participation and Apprenticeship Team at (apprenticeships.ne@hee.nhs.uk) who will record the details of all informal employer complaints. Acknowledgement of the complaint will be provided within 2 working days and a full response given within 4 weeks.

If the employer is unable to raise the complaint at the source, or is dissatisfied with the outcome, they should make a formal complaint (see Stage 2 below).

Stage 2: Formal complaints

To make a formal complaint employer should put the matter in writing to NE&Y HEE Widening Participation and Apprenticeship Team by email to: apprenticeships.ne@hee.nhs.uk . Where HEE is working in conjunction with another organisation the NE&Y Widening Participation and Apprenticeship Team will include them in the correspondence and liaise closely with them throughout. If the complaint is in relation to fees and funding it should be addressed to HEE widening participation & Apprenticeship Team directly.

The email should be titled as a complaint and set out the details of the complaint in full and what would be an appropriate resolution.

The Widening Participation and Apprenticeship Team will log the complaint on the Quality Escalation Log.

HEE will acknowledge receipt of the complaint within two working days, and the complaint will be forwarded to an 'Investigating Officer' who has not been previously involved with the complaint. The Investigating Officer will be an appropriately trained person working locally with the site where the apprenticeship is being delivered.

The Investigating Officer will review all information submitted and meet with relevant members of staff to review the complaint. The Investigating Officer will also speak with the employer complainant to clarify facts where required. As part of the process, mediation may be offered to resolve the complaint. If mediation is offered, revised timescales for the resolution of the complaint will be agreed in writing between HEE and the complainant.

A written response relating to findings of the inquiry will be issued by the Investigating Officer within a maximum of four weeks from the date of receipt of the original complaint.

If the employer complainant is not satisfied with the action taken, he/she may proceed to Stage 3 of the procedure.

Stage 3: Review

Where the employers are not satisfied with the response provided at Stage 2, they should refer their complaint to Helen Suddes HEE NE&Y Widening Participation and Apprenticeship Team Helen.Suddes@hee.nhs.uk who will review the investigation and the complaint.

The complainant can also request that the complaint is escalated for investigation by an independent reviewer. The reviewer will not re-investigate the complaint unless new evidence is presented. The independent reviewer will ensure that appropriate procedures are followed, the decision was reasonable, as well as considering any new evidence submitted.

Stage 4: Complaints Adjudicator

If after exhausting this process the complainant is still not satisfied, they can escalate their complaint to the Complaints Adjudicator at the Education and Skills Funding Agency (ESFA).

4 - Apprentice Guidance Notes for Appeals & Complaints Procedure

A study complaint is a specific concern about the provision of a programme of study or related education service e.g. delivery of teaching, availability of learning resources, final grading for each. For complaints of a non-study nature apprentices should also follow the process detailed below.

Any Apprentice has the right to appeal or complain against an assessment or internal quality assurance (IQA) decision if they believe that the decision is unfair or unreasonable. Apprentices are made aware of this appeals and complaints procedure at induction and the link to this policy is added to their commitment statement (and is also referenced on our HEE website).

It is the policy of HEE to try and find solutions that make formal appeal unnecessary. To this end, it is the responsibility of the Apprentice, Assessor and the IQA to discuss objections to assessment decisions in an attempt to find a solution before the formal process of appeal is invoked. Apprentices wishing to appeal against assessment decision must do so in writing to the appropriate Programme Lead or Apprenticeships.NE@hee.nhs.uk within **21 working days** following the assessment decision.

Should an apprentice have problems during their apprenticeship programme, they will be able to sort these out straightaway, in most cases, by talking them through with their tutor. However, it occasionally happens that there are serious grounds for dissatisfaction which can be dealt with only by someone other than the course tutor(s) concerned. If you, as an individual or as a group of apprentices, feel that the basic requirements of good teaching are not being met, or that there are other issues to do with the programme or its tutor(s) which give grounds for complaint, then this should be addressed through the HEE Complaints Process detailed below. This process is also followed if you wish to appeal against the grade you achieved at the end of a unit.

Dissatisfied appellants and complainants on a HEE Apprenticeship Programme who have exhausted the relevant HEE procedures:

If the complaint is judged to be justified you may wish to claim that it has affected your final assessment, in which case your complaint will be brought to the attention of the End Point Assessment Organisation after exhausting the HEE procedure. Alternatively, the complaint could be raised with ESFA complaints website: <https://www.gov.uk/complain-further-education-apprenticeship>

5 - HEE Apprentice Complaints / Appeals Process

HEE recognises that there will be a small number of cases where a mutually satisfactory resolution may not be achieved informally. Apprentices are entitled to make a complaint and The Apprentice Complaints Procedure, is in place to deal with such cases. Please remember that apprentices' right to express opinions is balanced by the responsibility to do so without being defamatory or derogatory to or about individuals whether online, in writing, or in person and in line with Apprentice Fitness to Practice

Informal Stage

If you are considering making a complaint, in the first instance you should raise the matter informally with your tutor. If this is not appropriate you can contact any member of the HEE NE&Y Widening Participation and Apprenticeship Team at Apprenticeships.NE@hee.nhs.uk. Your complaint will be acknowledged within 2 working days and be resolved within 5 working days of acknowledgement. Where this timeframe needs to be extended you will be notified and told of the period within which we will have it resolved by.

We hope that the majority of complaints can be resolved informally without the need to use the formal process.

Formal Stage

If after following the informal route you do not feel your complaint has been dealt with satisfactorily, or if you feel the informal route is not appropriate for your specific complaint, we ask that you follow a formal procedure by providing the following details:

1. Nature of the complaint
2. Date the matter occurred
3. Consequences for you as result
4. Remedy sought
5. Supporting evidence

When you have completed the complaints form please email it to Apprenticeships.NE@hee.nhs.uk

Formal Stage actions

1. We will acknowledge receipt of your complaint in writing within 5 working days, together with a copy of this procedure and include the following:
 - a statement of what they understand the complaint to be about
 - the action they intend to take to investigate the matter
 - a date by which they expect to be able to respond to the complainant

2. Quality Assurance lead will then investigate the complaint. This may involve passing your complaint to the relevant Programme Lead who will review the complaint to identify the cause and may investigate or seek feedback where required from any associated teams, or indeed require further clarification from yourself.

Every attempt will be made to ensure that a level of confidentiality is maintained. However, the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality. Should this be the case we will inform you of this before we take action, unless there were exceptional circumstances, for example, where doing so could pose a risk of harm to you or others.

In the case of apprentices under the age of 18 raising a complaint, depending on the nature of the complaint, we may be obliged to inform their parent/guardian.

3. We will respond to you within 15 days of your complaint being acknowledged to let you know, in writing, if your complaint has been upheld or not. If further information is required or we are likely to exceed the 15 days response period, you will be informed of the status of your complaint and the period within which we will have completed any investigations.
4. If the complaint is found to be justified, the apprentice will be informed of any action which has been taken, or will be taken, in order to remedy the complaint. However, if the complaint is not upheld, the apprentice will be given reasons for the decision.
5. If an apprentice complaint gives rise to action under the staff disciplinary or poor performance procedures, the apprentice cannot be told what action, if any, was taken. They may only be told that appropriate action was taken. It may also be that the resolution or redress they were seeking is inappropriate. In this situation, it will be necessary for the HEE NE&Y Widening Participating and Apprenticeship Lead to provide support and guidance to the apprentice as appropriate.

At any stage during the process you can try and resolve the complaint informally.

Appeal Stage

If you are not satisfied that your complaint has been dealt with effectively you should advise us within 28 days of the date of the decision. We ask that you send the following details to Apprenticeships.NE@hee.nhs.uk :

1. Your original complaint and all reasons relating to this complaint
2. The reasons why you are not satisfied with the outcome.

It will then be escalated to HEE NE&Y Widening Participation and Apprenticeship Lead who will be responsible for convening the HEE NE&Y Apprenticeship Team Quality Group, which is made up of the following staff members (if appropriate):

- HEE NE&Y Widening Participation and Apprenticeship Team Lead
- Appropriate Programme/Curriculum Lead
- Widening Participation and Apprenticeship Quality Assurance Lead

Where it is not appropriate for the Widening Participation and Apprenticeship Lead to escalate the complaint, the Quality Assurance Lead will do so.

Following the HEE NE&Y Apprenticeship Team Quality Group meeting, a member of the team will provide a written response within 28 days of receipt of the appeal. Please note this will be our final decision on the matter.

If you have any questions on our complaints procedure, please contact

Apprenticeships.NE@hee.nhs.uk

Following our appeal stage, if you wish to escalate your complaint you may contact the Education and Skills Funding Agency (ESFA). Employers may make a complaint either on their own behalf or on behalf of their apprentice where permission has been given.

Apprentices and their employers can contact the apprenticeship helpline regarding apprenticeship concerns, complaints and enquiries by calling 08000 150400 or by emailing nationalhelpdesk@apprenticeships.gov.uk in the first instance.

There is also additional guidance on complaints published by the ESFA on the GOV.UK website: <https://www.gov.uk/government/publications/complaints-about-post-16-education-and-training-provision-funded-by-esfa>

You can also email your complaint to complaints.esfa@education.gov.uk.

The HEE NE&Y Widening Participating and Apprenticeship office will keep a record of the complaint, in accordance with the provision of current Data Protection legislation, including:

- all documents submitted relating to the complaint
- dates and notes of meetings held with all parties during the investigation of the complaint, including any actions to be taken.

Complaints/ Grievance Policy and Procedure for HEE Employees

Executive Summary for HEE Employees

Grievances are concerns, issues, problems or complaints raised by a member of staff or group of staff with their organisation. Anybody may at some time have problems or concerns with their working conditions or relationships with colleagues that they wish to raise. This policy incorporates specific advice in relation to Apprenticeships being provided through HEE's Main Provider Contract.

This policy and appendices operate in line with the [ACAS code of practice](#) on disciplinary and grievance procedures and has been developed in full consultation with recognised Trade Union representatives.

HEE will ensure that the application of any part of this policy does not discriminate, directly or indirectly, against any member of staff on the grounds set out in the [Equality Act \(2010\)](#).

Supporting guidance and documentation issued in support of this policy

- HEE Dignity at Work policy
- HEE Raising Concerns policy
- HEE Equality Policy
- HEE Investigation – Manager toolkit
- NHS Constitution
- ACAS code of practice
- Data Protection Act (1998)

Contents

Paragraph	Page
1 Introduction	13
2 Purpose	13
3 Scope	13
4 Definitions	14
5 Responsibilities	14
6 Procedure	16
7 Time limits	17
8 Support	18
9 Records Management	18
10 Equality Analysis	18
11 Monitoring Compliance and Effectiveness	18
Appendix 1	20
Appendix 2	25

1. Introduction

1.1 HEE aims to promote fairness and respect in the treatment of all HEE members of staff.

1.2 HEE is committed to good staff/management relations and encourages members of staff, Trade Union representatives and management to resolve any grievances fairly, quickly and as near to the point of origin as possible.

1.3 HEE is committed to ensuring that all members of staff responsible for dealing with grievances are appropriately trained and competent to do so.

2. Purpose

2.1 The Grievance policy and procedure provides the mechanism through which HEE members of staff may seek to resolve any problems that arise from their employment with HEE or their relationship with any other colleagues.

2.2 Its purpose is to facilitate the early settlement of individual and collective grievances. It is HEE's aim that grievances will be resolved, where possible, informally and at the point of origin, or if that is not achievable at the earliest opportunity.

2.3 This policy may also be used to address grievances and complaints in relation to apprenticeships being delivered on HEE's Main Provider contract.

3. Scope

3.1 This policy applies to all HEE members of staff and includes individual and collective grievances.

3.2 HEE acknowledges that most grievances are raised because of genuine concerns. However, members of staff who make malicious and vexatious allegations may be subject to further action depending on the circumstances.

3.3 The resolution process can deal with the following types of matters:

- a) Application and interpretation of conditions of service
- b) Working conditions
- c) Working procedures/practices
- d) Working relationships

3.4 If the subject of complaint is one of harassment, bullying or unlawful behaviour, the member of staff may refer the matter through the [HEE Respect and Dignity at Work](#)

Policy. If the complaint relates to unsafe practices, it may be referred through the Raising Concerns at Work policy.

4. Definitions

4.1 Where referenced within this policy, the following definitions apply:

Grievance: Grievances are concerns, problems or complaints that members of staff raise with their employer.

Individual Grievances: Individual grievances arise where a single member of staff, or a Trade Union representative on their behalf, raise a complaint with their employer.

Collective Grievances: Collective grievances arise where two or more members of staff, or a Trade Union Representative on their behalf, raise a complaint with their employer regarding the same issue.

Companion: A companion may be a Trade Union representative, an official employed by a recognised Trade Union or a fellow member of staff. A Trade Union representative who is not an employed official of that Union must have been certified by their Union as being competent to accompany a member of staff.

Member of Staff: An employee or worker (as defined below) of Health Education England. This definition extends to employees who have left employment of the organisation provided the grievance is raised within 3 months of the date of leaving.

Worker: Individuals who have been contracted to work for Health Education England.

Apprentice: Individuals who are completing an Apprenticeship that are employed by HEE or are receiving Training and support from HEE to complete an apprenticeship that is being delivered through HEE's main Provider contract with the ESFA.

5. Responsibilities

5.1 All individuals involved with grievance issues have a responsibility to maintain complete confidentiality at all times.

5.2 Members of Staff responsibility

Members of staff are responsible for engaging with the grievance process, including making reasonable efforts to attend meetings and providing all relevant and appropriate information in a timely manner.

Members of staff are responsible for engaging with their Trade Union/companion in a timely and effective manner.

5.3 Management responsibility

Each manager is responsible for the application of this policy within their area. Managers have a responsibility to resolve grievances informally wherever possible. Managers receiving formal written grievances should contact their HR department promptly.

Managers are responsible for ensuring that an equitable and transparent process is conducted throughout all stages of the process and that the principles of natural justice are upheld throughout.

If the individual raising the grievance or concern is an Apprentice, then the Apprenticeship Hub Team should be contacted for support and advice.

5.4 Trade Union/Companion responsibility

The Trade Union representative/companion is responsible for engaging with members of staff and the organisation in a timely and effective manner.

The Trade Union representative/companion is responsible for ensuring that the support offered to members of staff is appropriate to their needs and facilitates resolution at the earliest possible point.

5.5 HR responsibility

HEE's HR and OD team are responsible for ensuring, on behalf of the organisation that;

- An equitable and transparent process is conducted throughout all stages of the process and that the principles of natural justice are upheld throughout.
- Advice and support is provided to all members of staff involved in the grievance process and to encourage and facilitate the early resolution of grievances.
- All members of staff involved in the handling of grievances are adequately trained and competent to do so.
- All members of staff involved in the handling of grievances are entitled to a reasonable amount of paid time off to prepare and participate in the procedure.

The time afforded must be reasonable and proportionate to the circumstances and with due regard to ensuring that the service is not unduly disrupted.

HR will ensure that induction processes incorporate information about this policy and its application for new members of staff.

5.6 Investigating Officer responsibility

The Investigating Officer is responsible for the development of a clear and thorough plan based on the documented issues to be investigated and for the production of a comprehensive report in a timely manner.

The Investigating Officer is responsible for ensuring that they remain appropriately trained and competent for the role.

The Investigating Officer is responsible for ensuring that an equitable and transparent process is conducted throughout all stages of the process and that the principles of natural justice are upheld throughout.

6. Procedure

6.1 The procedure to be followed throughout all stages of the grievance process is contained in Appendix 1. The following principles underpin the procedure and process throughout.

6.2 All members of staff have the right to discuss any grievance that relates to their employment without fear of victimisation.

6.3 All members of staff have the right to discuss any grievance that relates to their employment without the fear of the grievance being downplayed, belittled, ridiculed or judged.

6.4 All members of staff have the right to be accompanied by a trade union representative or companion at all stages of this process. Members of staff are responsible for securing their own representation and for their chosen representative to attend meetings as required.

6.5 The Trade Union representative/companion may address meetings to put forward and sum up the member of staff's case, respond on behalf of the member of staff to any views expressed at the meeting and confer with the member of staff during the hearing. The Trade Union representative/companion does not, however, have the right to answer questions on the member of staff's behalf, or address the hearing if the member of staff does not wish it or if it prevents the employer from explaining their case.

6.6 All members of staff involved with a grievance are entitled to a reasonable amount of paid time off to prepare and participate in the procedure. Due regard to ensuring that the service is not unduly disrupted must be given by all parties.

6.7 All parties required to attend meetings should make every effort to do so. Postponements will be considered if the reason for non-attendance is considered reasonable and unavoidable however a member of staff wishing to postpone a meeting must provide a further date for consideration which must not be more than 5 working days after the original date offered.

6.8 When applying the procedure, all parties should be mindful that the aim is to support the member of staff raising an issue to seek resolution at the earliest possible opportunity.

6.9 It is encouraged that grievances raised are addressed through an informal procedure prior to recourse to formal procedures.

6.10 All members of staff have a right to appeal against the decision made. The appeal procedure is listed as an appendix to this policy. The appeal decision is final and there is no further right of appeal.

6.11 If the grievance is raised during a disciplinary or capability matter it may be appropriate to deal with both issues concurrently. Alternatively, consideration may be given to suspending the disciplinary investigation/hearing or capability matter in order to deal with the grievance. HR will advise on the appropriate course of action.

6.12 Wherever possible, the status quo of working and management arrangements, which applied immediately before the grievance was lodged, will continue until the matter is resolved or the formal grievance procedure has been exhausted (whichever is the earlier). Where it is not possible to maintain the status quo HR advice should be sought on suitable interim arrangements whilst the grievance process is conducted.

7. Time Limits

HEE recognises that excessive delays can be detrimental to all parties and therefore all reasonable steps will be taken to hold meetings within a timely manner. However, where there are extenuating circumstances (e.g. lack of availability, or number of people involved) time limits outlined in this policy and procedure may need to be extended. Every effort must be made in such cases to ensure that extensions are kept to a minimum and that all parties involved are kept informed.

8. Support

8.1 HEE recognises that the grievance process can be stressful for members of staff. It is therefore important that all grievances are treated sensitively and confidentially, and appropriate support is provided where required.

8.2 Various forms of support are available through HR; Occupational Health; the Employee Assistance Programme; Trade Unions or the HEE Contact Officer programme.

8.3 When considering grievances, all individuals are expected to have regard to the [Values of the NHS Constitution | Health Careers](#)

9. Records Management

9.1 It is important, and in the interest of HEE and its staff, to keep written records during the grievance process including the complaint; statements; records of interviews; findings made; action taken; and written correspondence issued.

9.2 Records should be treated as confidential and retained no longer than necessary in accordance with the [Data Protection Act \(1998\)](#). This act gives individuals the right to request and have access to certain personal data held by the organisation.

9.3 The organisation will be responsible for ensuring the appropriate management of records relating to the grievance process.

10. Equality Analysis

10.1 As a public body, HEE will give due regard to the need to avoid discrimination and promote equality of opportunity for all protected groups when making policy decisions.

11. Monitoring Compliance and Effectiveness

11.1 The organisation is responsible for recording and monitoring information relating to grievances.

11.2 The organisation reserves the right to modify, amend or alter the policy and its appendices as appropriate, in partnership with the recognised trade unions and only within the recognised national forum. The organisation will review the policy periodically to ensure it is relevant, up-to-date and compliant with current legislation and best practice.

11.3 Available information on grievances handled by the organisation will be presented to HEE Partnership Forum with the aim of identifying themes and monitoring the effectiveness and application of the policy. HEE will aim to provide information quarterly.

Approved by: **Helen Suddes**

Position: **Widening Participation and Apprenticeship Lead**

Signature: 

Date of Approval: **1st February 2022**

Appendix 1 – Grievance Procedure

1 Informal stage

1.1 Any member of staff with a grievance about their employment should, in the first instance, raise the matter with their line manager. All efforts should be made to resolve the matter informally.

1.2 Mediation is available to all members of staff and, if appropriate, should be considered before entering into the grievance process. Mediation will only be delivered by appropriately trained and qualified individuals. Mediation will only take place if all parties agree to its use.

1.3 If the grievance relates to the line manager, the grievance should be raised with the line manager's manager or alternatively with the geography HR team.

1.4 It is anticipated that grievances will be settled in an informal manner. However, members of staff have the option of invoking the formal stage of this grievance procedure if appropriate.

1.5 Organisation representatives should keep notes of any agreed informal action for reference purposes and the member of staff should be given a copy of these notes, and the opportunity to ensure the notes accurately reflect what was agreed.

2 Formal Grievance

2.1 The member of staff should set out all the grounds for their grievance in writing by completing the form in Appendix 2. The form should then be sent to the relevant manager and a copy provided to the geography HR team.

2.2 On receipt of a notification of grievance managers should seek advice from HR in the first instance and in a timely manner.

2.3 The manager should arrange to meet with the member of staff and their trade union representative/companion (should the member of staff request this) to discuss the grievance issues and possible remedies within 5 working days of receiving the notification. A member of the HR team may also be present at the meeting.

2.4 The outcome of this initial meeting may result in:

- a) Resolution and agreement of steps and timescales for closure of the grievance
- b) Mediation. Mediation will only be delivered by appropriately trained and qualified individuals. Mediation will only take place if all parties agree to its use.
- c) Utilisation of an alternative policy and procedure

- d) Adjournment to consider options for resolution at an agreed follow up review meeting
- e) The commissioning of an investigation by the manager or an appointed office

2.5 Where the issues raised are deemed to require further investigation, the manager responsible for dealing with the grievance will either act as Investigating Officer or appoint an Investigating Officer. All Investigating Officers must be able to exercise objectivity in their role and be appropriately trained and competent to undertake the role. The manager and member of staff will discuss, agree and document the issues requiring investigation and timescales for completion.

2.6 The Investigating Officer should plan the investigation carefully and consider all relevant parties and information relating to the grievance issues. Where appropriate, written invitations to attend investigation meetings should be issued or witness statements sought. Members of staff involved in grievance issues may put forward witnesses for consideration by the Investigating Officer. Statements are to be collated by the Investigating Officer.

2.7 All meetings required in relation to the investigation should be held as soon as is reasonably feasible and normally within 10 working days of the initiation of the investigation. All members of staff should take all reasonable steps to attend investigative meetings. Members of staff are entitled to be accompanied by a Trade Union representative or companion. Members of staff are responsible for arranging their representation and their attendance at scheduled meetings. A member of the HR team may also be present at the investigation meetings. Notes taken at the meeting will be submitted to individuals to review as soon as possible after the meeting takes place.

2.8 Where an investigation has taken place the investigation report should be submitted to the relevant manager within the agreed timescales.

2.9 On conclusion of the investigation, a meeting will be convened to hear and review the findings and consider the decision. The member of staff raising the grievance should be given written invitation to the meeting, confirming the right to be accompanied by a Trade Union representative or companion.

2.10 Any documents relevant to the meeting, including the investigation report and appendices including witness statements, must be exchanged by both parties no later than 5 working days before the meeting takes place.

2.11 Witnesses may be called by either party. It is the responsibility of the party to ensure the availability and attendance of witnesses. Witness lists should be exchanged no later than 5 working days before the meeting takes place. Witnesses

should only be requested to attend the meeting if there is a reasonable belief that information material to the decision making process, that is not already contained within the investigation report, will be provided or, if there is reasonable belief that information provided as part of the investigation can be legitimately challenged by either party. All requirements for witnesses to attend should be discussed and agreed with the chair of the meeting in advance.

2.12 The meeting will be chaired by the relevant manager with appropriate HR support. The member of staff will be given full opportunity to put forward their case and the outcome of any investigation will be shared with them. If appropriate the Investigating Officer and HR support will also attend the meeting.

2.13 In some cases it may be necessary to adjourn to allow extended investigation to take place. Any further investigation should be carried out promptly whilst ensuring all members of staff involved are kept fully informed of the progress and the reconvened meeting date.

2.14 The manager hearing the grievance must confirm the outcome of the meeting in writing to the member of staff within 5 working days of the meeting taking place and include reasons for their decision. The decision will fall under one of the following categories:

- a) Adjournment for further investigation with a date for a reconvened meeting
- b) Dismissal of the grievance
- c) Uphold the grievance with a set of recommendations or remedies and timescales for implementation
- d) Partially uphold the grievance with a set of recommendations and timescales for implementation.

2.15 The outcome letter should include:

- The outcome and the reasons for the decision
- If the grievance is upheld/partially upheld what actions will be taken to resolve the situation (actions may include, although not exclusively, an action plan; counselling; changes to working practices; and mediation).
- Inform the member of staff of their right of appeal and the grounds under which an appeal can be made
- Who the appeal should be addressed to and the date by which it must be lodged

3. Appeal process

3.1 If a member of staff wishes to appeal the decision made at the formal review meeting they must do so in writing within 10 working days from the date of the outcome letter.

3.2 The member of staff should set out all the grounds for their appeal in writing by completing the form in Appendix 2. The form should then be sent to the relevant manager and a copy provided to the geography HR team. The member of staff should clearly explain the reasons why they do not feel their grievance has been fully addressed.

3.3 The appeal should be considered without reasonable delay, and a meeting take place providing at least ten working days' notice upon receipt of the appeal notification. The manager responsible for receiving and hearing the appeal should seek HR advice and support in a timely manner.

3.4 The appeal meeting will be convened to hear and review the findings of the formal review meeting; the reasons for appeal; and consider the decision issued. The member of staff should be given written invitation to the meeting, confirming the right to be accompanied by a Trade Union representative or companion.

3.5 Any documents relevant to the appeal meeting must be exchanged by both parties no later than 5 working days before the meeting takes place.

3.6 The meeting will be chaired by a relevant manager with appropriate HR support. The manager selected to chair the appeal will not have had any previous involvement in the case and should be of a higher level than the manager making the original decision. The HR representative will also not have had any previous involvement in the case. The member of staff will be given full opportunity to put forward their case for appeal. The Investigating Officer and manager responsible for issuing the decision (if different) will attend the meeting with HR support in order to set out the reasons for their decision, and where possible address the reasons given for appeal

3.7 In some cases it may be necessary to adjourn to allow extended investigation to take place. Any further investigation should be carried out promptly whilst ensuring all members of staff involved are kept fully informed of the progress and the reconvened appeal meeting date.

3.8 The manager hearing the appeal must confirm the outcome of the appeal meeting in writing to the employee within 5 working days of the meeting taking place

and include reasons for their decision. The decision will fall under one of the following categories:

- a) Adjournment for fresh review or further investigation with a date for a reconvened appeal meeting
- b) Dismissal of the grievance and endorse the management decision
- c) Dismissal of the grievance but recommend an alternative decision
- d) Uphold the grievance and overturn (or partially overturn) the management decision. A set of recommendations or remedies must be provided with timescales for implementation

3.9 The appeal outcome letter should include:

- The outcome and the reasons for the decision
- If the grievance is upheld/partially upheld what actions will be taken to resolve the situation
- Inform the member of staff that the decision made at appeal is final and no further right of appeal is provided

Appendix 2 - Notification Form

Notification Form – Strictly Private and Confidential

1. Guidance on the use of the form

This form should be used to submit a formal complaint under the Grievance Policy and Procedure. Therefore, the Policy and Procedure should be read before completing the form.

The use of the procedure and the outcomes reached will be monitored in accordance with section 11 of the Policy. All personal details will remain highly confidential.

If you believe your complaint concerns harassment, victimisation or bullying, then the Dignity at Work Policy should be referred to. The Policy can be accessed on HR Direct.

Please note that grievances are to be registered within 3 months of the circumstances or event occurring unless otherwise agreed following discussions with HR.

If you require help or support in filling out this form, you can get in touch with your line manager, local Contact Officer, local HR team or Trade Union representative.

2. Grievance Notification Form

Name:

Local Team:

Email:

Tel:

Job Title:

Line Manager:

Representative (if applicable and known):

Representative Email:

Representative Tel:

3. Stage

Please indicate which stage of the Grievance Procedure you are invoking.

Formal Stage ☐

Appeal Stage ☐

4. Details of the Grievance

Please state the grounds for your grievance, giving details of the circumstances or events that have occurred (you may continue on further pages or attach additional papers in support).

5. Remedy

If appropriate, please indicate what you could consider to be a satisfactory remedy to your grievance or appeal.

6. Statement of Truth

I believe that, to the best of my knowledge, the facts stated in this document are true

Signed:

Date:

Name (block capitals):