



**Bournemouth CVS**

Registered Charity No: 1081381  
Company Reg'd in England & Wales No: 4024662

Registered Office  
Boscombe Link,  
3 - 5 Palmerston Road,  
Bournemouth,  
BH1 4HN

Tel & Fax: (01202) 466130

Email: [contactus@bournemouthcvs.org.uk](mailto:contactus@bournemouthcvs.org.uk)

## **GRIEVANCE PROCEDURE**

### **1 Organisational Policy**

a) If you have a grievance or complaint to do with your work or the people you work with you should follow this policy. It is the policy of Bournemouth CVS to ensure that employees with a grievance relating to their employment can use a procedure which can help to resolve grievances as quickly and as fairly as possible.

### **2 Aim**

a) In any organisation employees may have problems or concerns about their work, working environment or working relationships that they wish to raise and have addressed. This procedure is intended to provide a mechanism for these to be dealt with fairly and speedily, before they develop into major problems. This procedure should be read in conjunction with the ACAS Code of Practice on Discipline and Grievance.

(b) In the case of a grievance being taken out as a counter-grievance, or in response to the start of disciplinary action, it may be appropriate to deal with both issues at the same time. If appropriate, the disciplinary procedure may be temporarily suspended in order to deal with the grievance.

### **3 Informal discussion**

a) Many problems can be sorted out informally by discussing the issue with the person with whom an employee feels aggrieved, whether this be a colleague, supervisor or manager. The Grievance Procedure is not intended to prevent such informal discussion taking place between employees but it is recognized that this may not resolve the problem or may not be the most appropriate approach in all circumstances.

b) Where it has not been possible or appropriate to resolve the problem as at paragraph 3(a) then the employee should raise the issue with their line manager. The line manager will then attempt to resolve the issue. This process will normally take no more than five working days but where, due to the circumstances in question, it is anticipated that a longer period will be required the line manager will advise the person raising the issue that this is the case and,

if not satisfied with this, the employee may consider moving onto the formal stage of the procedure.

(c) Employees may wish to consider using mediation (see 9) before or during the formal grievance procedure

d) Where the problem concerns the behaviour of the employee's line manager then paragraph 3(b) will not be appropriate and the employee should invoke the formal procedure.

#### **4 Formal Procedure**

##### Written grievance

a) Where it has not been possible to resolve the grievance informally the employee should consider invoking the formal procedure. In order to invoke the formal procedure they should put their grievance in writing to the Chief Executive of Bournemouth CVS without unreasonable delay, normally within one month of the incident (or final incident) which gives rise to the complaint. The employee should set out the nature of and background to their grievance with dates times documentary evidence and witnesses, etc. and, if possible, should indicate what action they would like taken to resolve the problem. Employees should stick to the facts and avoid insulting or abusive language. The employee may consider asking a work colleague or union representative to help them with this letter. Neither side will be represented by a legal firm or individual until the procedures have been exhausted and legal proceedings have begun.

b) If appropriate a formal investigation will be carried out (following the good practice identified by Acas) by the Chief Executive or someone appointed by them before the formal meeting.

c) The Chief Executive will arrange a meeting with the employee to discuss their grievance. This will be conducted without unreasonable delay, normally within 5 working days of receiving the written grievance. The employee should make every effort to attend this meeting. The employee has the right to be accompanied at this meeting by a work colleague, a trade union representative, or an official employed by a trade union provided they inform the Chief Executive of their intention to be accompanied and of the name of the companion. Where the employee or their companion is unable to attend the meeting as suggested by the Chief Executive then efforts should be made to agree a mutually suitable time and date within five further working days of the meeting as originally planned.

##### Grievance Meeting

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

(b) The Chief Executive 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.

(c) The employee will be given the opportunity to put forward her/his 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.

(d) The Chief Executive may question the employee and any of the employee's witnesses.

(e) The employee will be given the opportunity to sum up but may not introduce any new material.

(f) If the employee has a companion that companion can:

- Put the employee's case
- Sum up the employee's case
- Respond on the employees behalf to any view expressed at the meeting
- Confer with the employee during the meeting.

However the companion does not have the right to answer questions on the employee's behalf or address the meeting if the employee does not wish it

g) The Chief Executive will consider the grievance and the action that should be taken. They will set out their response in writing to the employee without unreasonable delay, normally within 5 working days. If appropriate, the decision will set out what action BCVS intends to take to resolve the grievance or if the grievance is not upheld, will explain the reasons. At the same time the employee will be informed of their right to appeal against the decision.

## **5 Appeal**

a) Where the employee is not satisfied with the decision of the Chief Executive they should appeal in writing to the Chair of Bournemouth CVS 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.

(b) The Chair will arrange to conduct an appeal hearing with the employee or will appoint another trustee to do so on their behalf. This meeting will be held without unreasonable delay, normally within 5 working days. The employee should make every effort to attend this meeting. The employee has the right to be accompanied at the appeal by a colleague or a trade union representative or an official employed by a trade union. Where any person involved in the meeting is unable to attend then a suitable time and date should be arranged within five further working days.

(c) Arrangements for the appeal meeting will be made by the Chair or appointed trustee who will ensure that a note-taker is present if possible. 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.

d) The Chair, or other trustee conducting the hearing, will consider the grievance and the action that should be taken. They will set out their response in writing to the employee without unreasonable delay, normally within 5 working days. This decision will be final.

## **6 Grievances against or by the Chief Executive of Bournemouth CVS**

a) Where the grievance concerns the behaviour of the Chief Executive of Bournemouth CVS and it has not been possible to resolve the problem informally then it should be raised in writing with the Chair. The Chair will then appoint a trustee to conduct the meeting as at paragraph 4 on their behalf.

b) Should the employee wish to appeal against the decision they should again write to the Chair who will either conduct the appeal hearing themselves or appoint another trustee, not involved in the initial investigation and hearing, to do so on their behalf and to respond in writing. This decision will be final.

(c) If the Chief Executive wishes to raise a formal grievance then they should follow the above procedure but any reference to the 'Chief Executive' is replaced by the Chair, or if the grievance relates to the Chair, then with the Vice-Chair or another person appointed by the trustees.

## **7 Adjournments to meetings**

a) It may be necessary to adjourn a meeting under this procedure in order that advice can be taken or further enquiries made. When this occurs the meeting should be reconvened without unreasonable delay.

## **8 Records**

a) Written records should be made at all stages of the procedure and these will be retained in accordance with the Data Protection Act.

## **9 Mediation**

(a) An independent third party or mediator can sometimes help resolve grievance issues before or during the formal procedure. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other

wrong, or to tell those involved in the mediation what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.

(b) If both parties to a grievance agree to use mediation Bournemouth CVS will source an external mediation provider. Mediators will work individually or in pairs as co-mediators.

(c) There are no hard-and-fast rules for when mediation is appropriate but it can be used:

- for conflict involving colleagues of a similar job or grade, or between a line manager and their staff
- at any stage in the conflict as long as any ongoing formal procedures are put in abeyance
- to rebuild relationships after a formal dispute has been resolved
- to address a range of issues, including relationship breakdown, personality clashes, communication problems and bullying and harassment.

(d) Mediation is not part of Bournemouth CVS's formal grievance procedure. However if both parties agree to mediation, then the grievance procedure can be suspended in an attempt to resolve the grievance through that route. If mediation is not successful, then the grievance procedure can be re-commenced.

## **10 Use of External Facilitators**

(a) BCVS reserves the right to seek assistance from external facilitators at any stage in the grievance procedure, for instance to ensure impartiality in the formal process.

## **11 Absence of the Chief Executive**

(a) If for whatever reason the Chief Executive is unable to carry out their responsibilities in this policy then the Chair of Trustees, or the Vice Chair in their absence, will appoint an appropriate person to fulfil those responsibilities.

Date:

Signed

Chair of BCVS Board

Chief Executive BCVS

Policy agreed: April 2016

Policy to be reviewed and amended: April 2020