

Reviewed September 2013

This policy applies to all preschool employees and -aims to ensure that all employees are treated fairly, reasonably and consistently.

1.1. A grievance is a concern, problem or complaint that the employee wishes to raise with their employer. Examples of issues which may be considered a grievance are

- terms and conditions of employment,
- health and safety,
- work relations
- workplace changes,
- equal opportunities
- relationships with colleagues or managers.

In the first instance, the employee should raise the grievance with their line manager and every effort must be made to try to resolve the grievance informally. If the grievance cannot be resolved, the formal grievance procedure must then be followed.

If an employee is dissatisfied with the decision made following the grievance hearing, they must appeal in writing to their line manager. For the manager this would be the committee chair. Every aim will be made to resolve the grievance at the earliest stage, however, if the grievance persists, a management panel will be set up for the purpose of further discussion, at which the employee may, if s/he wishes, be accompanied by a work colleague or trade union representative.

Minutes will be taken at each hearing and a copy of the minutes will be given to the employee. The outcome of the grievance will also be put in writing to the employee.

A member of the preschool committee may also be present at each hearing.

This policy complies with the statutory requirements and reflects best practice as recommended in the ACAS code of practice.

NB. For further advice, employees should refer to the 'ACAS Guide on Disciplinary and Grievance'.

Standard statutory minimum procedure

The line manager must ensure that the following statutory minimum procedure is always followed when an employee has raised a grievance. The procedure consists of the following three steps.

Step 1: statement of grievance

The employee must set out the grievance and the basis for it in writing to their line manager. (For the Manager, this is the Committee Chair)

Step 2: Hearing

The line manager must invite the employee to attend a hearing to discuss the grievance. The meeting must not take place unless the employee has informed their line manager what the basis for the grievance is when s/he made the statement under step 1, and the line manager has had a reasonable opportunity to consider her/his response to that information. The employee must take all reasonable steps to attend the hearing. After the hearing, the line manager must inform the employee of their decision in response to the grievance, in writing and notify her/him of the right to appeal against the decision if s/he is not satisfied with it. The employee should be notified of the decision within 5 days of the meeting. Any appeal must be submitted within 5 days of the date of the decision letter.

Step 3: appeal

If the employee does wish to appeal, s/he must inform the line manager in writing. If the employee informs the line manager of her/his wish to appeal, the line manager must invite her/him to attend a further meeting. The employee must take all reasonable steps to attend the meeting. After the appeal meeting, the pre-school must inform the employee of its final decision.

Hearing the appeal

The appeal hearing should be heard, if possible within 15 days of receipt of the appeal. The Committee Chair and one other committee member - if possible, one who was not involved in the initial grievance meeting - will serve as an appeals committee. If this is not possible, the appeal group may consist of the same people as the previous panel, and they must make every effort to hear the appeal as impartially as possible. A written record of the meeting will be kept and copied to the employee.

Modified statutory procedure

A modified procedure will apply in the following cases:

- i) the (former) employee is no longer employed by the pre-school;
- ii) the standard grievance procedure had not commenced or, if it had been commenced, had not been completed before the last day of the employee's employment; and
- iii) the parties have agreed in writing, after the pre-school became aware of the grievance, that the modified grievance procedure should apply in relation to that grievance.

In such circumstances the following procedure will apply:

Step 1 – statement of grievance

The employee must set out in writing the grievance and the basis for it, and send a copy of it to their line manager. If the employee wishes for the modified procedure to be followed after the employment has ended, then s/he must include this in their statement at step 1 of the process. The pre-school can decide whether to accede to the employee's request to have the employer respond in writing or to insist that a meeting takes place in line with the standard grievance procedure.

Step 2 – response

The line manager must set out their response in writing and send the statement or a copy of it to the former employee.

Time scales

Each step and action under the grievance procedure must be taken without unreasonable delay. Early meetings to resolve grievances will help to facilitate resolution of issues. Consideration should be given to timings and locations of meetings to ensure that the employee and their representative are able to attend. Two reasonable attempts to arrange a meeting will normally be sufficient if they prove abortive because of the employee's non-attendance. If an employee is not able to attend the first grievance meeting arranged then s/he will be required to provide an alternative date to take place within 5 days of the original date given by the pre-school. Failure to do so will normally result in the grievance processes being aborted unless there are extenuating circumstances.

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