

Grievance Procedures Policy:

The following has been prepared in accordance with the statutory Acas Code of Practice.

The Code sets out the principles of what an employer and employee should do to achieve a reasonable standard of behaviour. It does not require employers and employees to follow mandatory steps in the process. Employment tribunals will take the Code into account when considering relevant cases. The tribunal will consider whether a failure to follow the Code was unreasonable, taking into account factors such as the size and resources of the business. If a tribunal regards a failure by either the employee or the employer to follow the Code of Practice unreasonable, it has the power to adjust awards by up to 25 percent.

More comprehensive advice and guidance on how to deal with disciplinary and grievance situations is contained in the Acas guidance which accompanies the Code. This does not form part of the Code but has been prepared by Acas to help employers and employees understand the Code and how to reflect it in their procedures and behaviour. The guidance also contains sample disciplinary and grievance procedures.

To access the Acas Code and accompanying guidance, go to: www.acas.org.uk/dgcode2009

Grievance Policy / Procedure:

- There are both practical and legal reasons why the Anthony Keith Architects Ltd wishes to deal quickly and fairly with any individual grievances that our employees may have in relation to their employment. From a practical viewpoint, a contented workforce is more likely to be a productive workforce. If grievances are not dealt with, they may not only affect individuals' work performance, but may also escalate into a larger problem. Further, all employees are legally entitled to have their grievances dealt with promptly.
- Wherever possible, the Company encourages grievances to be settled by an informal chat between employee and their line manager, and where an employee raises a matter of concern with their line manager, the manager should make every effort to resolve the situation at that stage.
- If that's not possible, fair and transparent procedures should be used in accordance with the Acas Code of Practice. Adopting this approach will almost always be less time consuming and less likely to damage working relations. Where problems are not resolved using internal procedures Anthony Keith Architects Ltd will consider using an independent third party to help resolve the problem.
- However, where the employee has been unable to satisfactorily resolve their grievance on an informal basis, he/she should register the grievance formally through the Company's grievance procedure. The purpose of this document is thus to set out the Company's procedure and rules for the handling of formal employee grievances. This procedure is in accordance with The Employment Act 2008 and with the ACAS (Advisory, Conciliation & Arbitration Service) Code of Practice on Disciplinary and Grievance Procedures (April 2009). The following general principles will apply:

1. Each step and action of the procedure must be taken without unreasonable delay.



2. Supervisors/Managers conducting Grievance Hearings should be suitably capable/experienced to do so, or where experience is lacking, should undergo prior coaching to ensure they are satisfactorily equipped to carry out such a role.
3. The timing and location of meetings must be reasonable, and suitably private.
4. Meetings must allow both the Company Representative and the employee to explain their cases.
5. The employee may choose to be accompanied by either a work colleague (or a trade union representative) at each of the meetings.
6. The employee has the right to appeal against the Company's decision, following the Grievance Hearing.
7. In the case of an Appeal Hearing, the Company Representative will (wherever possible and practicable) be a more senior manager than the manager who attended the Grievance Hearing.
8. Where the meeting involves a disabled employee, the Company will make "reasonable adjustments" to ensure that the employee is not disadvantaged in any way.
9. The Company will keep records of any action taken under this Grievance Procedure. These will be treated as confidential and processed in accordance with the Data Protection Act 1998.

The Company recognises that misunderstandings or grievances can occur as in any other company. It is important that these be discussed openly and resolved as quickly and as fairly as possible. This procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors. This procedure does not form part of any employee's contract of employment. It may be amended at any time and we may depart from it depending on the circumstances of any case.

Investigations:

- In some cases it may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. The investigation may be carried out by your line manager or someone else appointed by us.
- You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

Stage 1 - Informal Procedure:

Most grievances can be resolved quickly and informally through discussion with your line manager or immediate manager. If this does not resolve the problem you should initiate the formal procedure below (Stage 2 onwards) reasonably promptly.



1. You should take your grievance informally to your immediate manager. If there is no satisfactory resolution at this stage, then Stage 2 may be invoked.
2. If your grievance is particularly directed at your immediate manager, it is still preferable that you discuss it with him/her first, but, if the matter is of such a nature that you feel it is unreasonable to do this, you may omit this stage.

Stage 2 – Formal Procedure:

Step One: Written Grievance:

- a. You should put your grievance in writing and submit it to your line manager.
- b. If your grievance concerns your line manager you may submit it to an alternate manager of equivalent seniority.
- c. If a grievance is being registered by a group of employees, then the matter should be raised initially by a spokesperson for the group. It will then be decided mutually whether to proceed with just the spokesperson and, if desired, one other employee from the group, or with the group as a whole.
- d. The written grievance should set out the nature of the complaint, including any relevant facts, dates, and names of individuals involved so that we can investigate it.

Step Two: Meeting:

- a. We will arrange a grievance meeting, normally within one week (but this may be extended, for example in circumstances where detailed investigation is required) of receiving your written grievance. You should make every effort to attend.
- b. You may bring a companion to the grievance meeting if you make a reasonable request in advance and tell us the name of your chosen companion. The companion may be either a trade union representative or a colleague, who will be allowed reasonable paid time off from duties to act as your companion. If you or your companion cannot attend at the time specified you should let us know as soon as possible and we will try, within reason, to agree an alternative time. We may adjourn the meeting if we need to carry out further investigations, after which the meeting will usually be reconvened.
- c. We will write to you, usually within one week of the last grievance meeting, to confirm our decision and notify of you of any further action that we intend to take to resolve the grievance. We will also advise you of your right of appeal.

Step Three: Appeal:

- a. If the grievance has not been resolved to your satisfaction you may appeal in writing to the Managing Director, stating your full and detailed grounds of appeal, within one week of the date on which the decision was sent or given to you.
- b. We will hold an appeal meeting, normally within two weeks of receiving the appeal. This will be dealt with impartially by a senior manager who has not previously been involved in the case.
- c. You will have a right to bring a companion as stated above.
- d. We will confirm our final decision in writing, usually within one week of the appeal hearing.
- e. There is no further right of appeal.

Overlapping disputes:

Where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently. This decision will be made by a Director.

Mediation:

A mediator can sometimes help resolve disciplinary or grievance issues, although mediation may not be suitable for serious misconduct.

Mediation is a voluntary process where an independent and impartial third party helps two or more people in a dispute to try to reach an agreement.

Mediation can be used at any stage in the dispute and, in some organisations, may even be written into formal discipline or grievance procedures.

In appropriate circumstances if mediation cannot be provided in house Anthony Keith Architects Ltd will appoint a suitable qualified and registered external mediator.

A list of registered workplace mediation providers for England and Wales can be found at www.cmcregistered.org.

Pre-claim conciliation:

Acas has a statutory role to promote the resolution of claims, or prospective claims, to an employment tribunal. Where no claim has yet been submitted, this service is referred to as pre-claim conciliation.

Pre-claim conciliation is a free service available to all employers and employees in appropriate circumstances. It is delivered via a network of Acas conciliators across Great Britain. Disputes that employees and employers have been unable to resolve by other means (such as internal grievance, discipline or appeal procedures), and which are likely to give rise to an employment tribunal claim if third party help is not provided, may be suitable for pre claim conciliation.

If you think that you are facing a claim, despite having done all you can to resolve the dispute, call the Acas helpline on 08457 47 47 47. The helpline adviser you speak to will be able to identify whether the case is suitable for referral to the pre-claim conciliation service, and if so, will put you in touch with a conciliator.

Daniel Cogdon:
Director

Date: 3rd January 2018

