

Grievances

What are Grievances?

Grievances are concerns, problems or complaints which employees raise with their employers. Grievances can relate to any aspect of an employee's employment and issues which may cause grievances can include (amongst other things):

- Working relationships
- Terms and conditions of employment
- Health and Safety
- Bullying
- Discrimination
- Policies, practices and workplace change

An employee has a right to bring any grievances which they have to their employer's attention and that employee can expect the employer to consider the same with a view to reaching a resolution.

Grievance Policy

Employers should have a grievance policy which sets out not only how an employee can raise a grievance but which also encourages free communication between employees and their managers to ensure that questions and problems which may arise during the course of employment can be aired and where possible, resolved to the satisfaction of all concerned. The grievance policy should set out any formal process which will be followed in the event that a grievance needs to be considered formally.

How to bring a grievance

An employer is not usually expected to know when an employee has a grievance and it is up to an employee to bring their concerns to the attention of their employer. A grievance can be raised verbally but usually employers prefer to receive written grievances.

An employer can stipulate in any grievance policy how grievances are to be raised.

Informal Resolution

Ideally, in the event of a grievance being raised employers and employees should work together in order to try and resolve any issues informally. Usually, this will involve meeting with the employee to discuss their concerns and trying to identify a way forward. In some circumstances the employer may have cause to speak to an employee's colleague as a result of a grievance which has been received and again, any such action should be handled informally if possible.

Formal Resolution

If informal resolution is not possible then an employer should consider the grievance more formally by investigating the complaint in detail. When dealing with any grievances an employer should follow the terms of any grievance policy it has in place and take into account the provisions of the ACAS Code of Practice on Disciplinary and Grievances. Where an employee's complaint relates to

an appeal against a disciplinary decision, the matter should be taken up in accordance with the disciplinary procedure instead. Grievances should be considered without undue delay.

The formal grievance process should include a full investigation into all elements of the grievance and face to face meetings with the employee raising the issues and any witnesses. The employee should be offered a right to be accompanied by either a trade union representative or a colleague at any meetings. The employee will have a right to appeal against any formal decision made regarding their grievance.

Outcome and Appeal

Once a formal decision has been made in respect of any grievance the employer should write to the employee setting out their decision and the reasons for the same. The employer should give the employee the opportunity to appeal against their decision.

FAQs

Q Is a grievance submitted by email acceptable?

A It depends on the wording of the employer's grievance policy but an employer should always give consideration to accepting a grievance however it is submitted.

Q Who should hold the initial grievance meeting?

A The employee's line manager unless the grievance concerns this individual in which case another manager with sufficient seniority to consider the complaint should deal with the matter.

Q Should witnesses be interviewed as part of the grievance investigation?

A Yes, if necessary.

Q Do I have to consider a grievance that is received during a disciplinary process?

A Yes, but the way in which the grievance is considered may be slightly different from the usual process.