

Academies Trust

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# Grievance Procedure

Approved by Trust Board on 25 July 2019  
Applicable from 01 September 2019

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## 1.0 Purpose

1.1 The purpose of this procedure is to ensure fair and consistent handling of colleague grievances. The Co-op Academies Trust (“the Trust”) recognises the right of every colleague to express a grievance and be given a fair hearing.

1.2 This procedure has been drawn up to comply with the ACAS Code of Practice on Grievance Procedures (March 2015). It is intended to provide a system which can enable colleague grievances to be resolved fairly, consistently and promptly in order to minimise any conflict or disruption in the workplace. Grievances can occur at all levels and this policy applies equally to management and colleagues.

1.3 This Procedure will be applied with due consideration to the Trust’s Equality, Diversity & Inclusion Policy and our co-operative values.

## 2.0 Applicability

2.1 This procedure applies to all employees of the Trust, whether permanent or on a temporary / fixed term contract. It does not apply to agency workers, contractors or volunteers. Guidance on dealing with grievances from former colleagues can be found in section 10.

2.2 The Grievance Procedure does not apply when:

- the colleague wishes to complain about an actual or threatened dismissal or other matters under the disciplinary procedure. However, a grievance may be raised under the Disciplinary Procedure if it is regarding unlawful discrimination or that action under the Disciplinary Procedure is not genuinely on the grounds of conduct;
- the colleague raises a concern as a ‘protected disclosure’ such as whistle blowing in compliance with the Public Interest Disclosure Act 1998 (refer to the Whistleblowing Policy);
- the colleague wishes to complain about matters being dealt with under the Capability Procedure. These will normally be considered as part of the capability process.
- the colleague wishes to complain about matters related to selection for redundancy which would be dealt with by appeal under the Trust’s Managing Change Procedure.

2.3 This procedure applies to complaints made by a group of colleagues (collective grievances) about a matter related to their employment. Where there is a collective grievance the details must be set out in writing and signed by all who are party to the grievance. The case for the colleagues should be presented by one representative for the group. One representative from each trade union has the right to be in attendance at the hearing.

2.4 The Trust operates a separate Dignity at Work Policy which outlines the provisions, along with guidance and support for dealing with complaints relating to alleged bullying,

harassment, victimisation and/or discrimination at work. This follows the same approach to handling grievances but provides specific advice and support.

### 3.0 Roles and responsibilities

3.1 Headteachers / Principals and management are responsible for:

- responding promptly and sensitively to complaints or concerns raised by colleagues;
- investigating grievance matters, if required;
- attending/chairing formal grievance and/or appeal hearings as required;
- ensuring that this policy is applied consistently and that colleagues are aware of this policy.

3.2 Colleagues are responsible for:

- making every reasonable effort to resolve their grievance at the earliest possible opportunity and the lowest level of the procedure;
- presenting a clear and detailed complaint, with a suggested resolution;
- co-operating with the management of the Trust and its academies so that complaints or concerns may be resolved.

3.3 Human Resources are responsible for:

- providing advice and guidance to all parties on grievance procedures;
- advising on the management of individual cases;
- updating this policy as appropriate to ensure compliance with legislation in consultation with recognised trade unions
- facilitating access to training for those investigating and hearing grievances.

### 4.0 Principles

4.1 Grievances are concerns, problems or complaints regarding their employment that colleagues wish to raise with their employer. This includes complaints against the employer, including employee relations issues and also matters arising between colleagues. This may include complaints of bullying, harassment, discrimination and victimisation. Further information, support and guidance regarding these types of issues can be found in the Trust's Dignity at Work Policy.

4.2 Colleagues should try to resolve grievances informally wherever possible at the lowest level of concern. However, where a colleague states in writing that they wish to raise a formal grievance, this procedure must be followed.

4.3 A grievance must be raised by the colleague personally. A grievance cannot be raised on behalf of someone else. If a colleague witnesses inappropriate behaviour of any kind in the workplace it must be reported to the appropriate Manager.

4.4 An aggrieved colleague should submit their grievance as soon as is practical and at least within 3 calendar months of the last occurrence.

4.5 A colleague raising a grievance has the right to be accompanied or represented by either a trade union representative or a work colleague at meetings held at any formal stage of this procedure. The companion should be allowed to address the meeting in order to:

- put forward the colleague's case
- sum up the colleague's case
- respond on the colleague's behalf to any view expressed at the hearing
- confer with the colleague during the meeting.

The companion does not, however, have the right to answer questions on the colleague's behalf, address the hearing if the colleague does not wish it, or prevent the employer from explaining their case.

Colleagues being interviewed or attending a hearing as a witness have no right to be accompanied, however where a reasonable request to be accompanied (by either a trade union representative or a work colleague) for personal support is made in advance and can take place without creating a delay in the proceedings, as long as there is no conflict of interest the Trust will seek to accommodate this. The person attending for support is not expected to be a participant in the meeting, and is expected to maintain full confidentiality regarding the proceedings.

4.6 Written records will be kept during the process and treated as confidential. Formal minutes will be given to the colleague if taken (see section 11).

4.7 The timescales within this procedure may be changed by mutual agreement.

4.8 In the event that the Trust determines, in the course of following this Grievance Procedure that there has been possible misconduct on the part of one or more colleagues it may be necessary to investigate these concerns separately under the Disciplinary Procedure.

4.9 Confidentiality should be maintained during all stages throughout the Grievance Procedure. This is to be done by ensuring that only those people who need to know through the course of their duties have access to the details of the grievance.

4.10 A postponement may be granted if the colleague or their representative is unable to attend meetings on the proposed dates. A postponement should not be for more than 5 working days after the original date proposed (subject to management availability), however, an extension to this time limit can be made by mutual agreement.

4.11 Colleagues may, at any time, withdraw their grievance by confirming this in writing. Management may, with HR advice, continue to investigate the matter and take appropriate action on the outcomes.

4.12 Raising a complaint at work can be a very difficult time both for the colleagues involved and their colleagues, whether it is tackled informally or formally. The Trust is committed to supporting all members of staff and will ensure that additional support is provided if requested. Where colleagues choose to raise a grievance, it is recommended that they first contact their Trade Union or other representative for advice.

4.13 Please note extra care should be taken when distributing papers in advance of a hearing. In line with GDPR, sensitive personal data must be processed securely and all sensitive information should therefore be hand delivered or posted by recorded delivery with a return address in case of any postal issues. Please ensure all tracking evidence is retained to confirm direct receipt from intended recipients.

## 5.0 Informal resolution

5.1 It is expected that, wherever possible, colleagues will have attempted to address grievances informally before pursuing the formal procedure. This is because referral to the formal procedure can extend the process longer than necessary and increase feelings of conflict and anxiety for all parties.

5.2 It is expected that the colleague will raise concerns at an early stage as part of normal management processes. If the complaint is about their line manager, it is expected that the colleague will raise the matter with a more senior manager.

5.3 Informal resolution may involve a number of different avenues. Some examples are given at Annex One.

## 6.0 Registering a Grievance

6.1 Where a colleague's grievance has not been resolved informally or the matter is of a very serious nature they should put the grievance into writing and submit to their Headteacher / Principal, or manager if a member of the central team. A suggested format for registering a grievance is available at Annex Two.

6.2 If the grievance is against, or being raised by, the Headteacher / Principal and informal procedures have failed to resolve the situation, it should be passed directly to the Chair of Governors who will assume responsibility for ensuring the procedure is adhered to. The Chair of Governors will inform the relevant Chief Education Officer (or the Trust CEO if the grievance is against the Chief Education Officer) who may nominate an appropriate person to respond on behalf of the Trust. All other rights and procedures as stated in this document apply.

6.3 The written grievance should make clear the nature and extent of the grievance as well as the resolution sought by the colleague.

6.4 On receipt, the Headteacher / Principal or manager may, in with the agreement of with the colleague and/or trade union representative, refer it back to the informal stage to try and resolve it informally if this has not been explored. Alternatively, they may progress to hearing the formal grievance themselves, or they may nominate a manager to hear the grievance.

6.5 There may be occasions where a colleague's grievance would be better addressed through another procedure such as capability, disciplinary or ill health. It is not necessary to obtain the colleague's consent to refer the subject of their grievance to another process; but the colleague should be informed and the situation explained.

6.6 The Headteacher / Principal or manager should write to the colleague within 5 working days of receiving their Formal Grievance to confirm receipt. See Annex Three for standard letter.

## 7.0 The Grievance Hearing

7.1 The manager identified will arrange a grievance hearing to discuss the matter with the aggrieved colleague.

7.2 The hearing should take place no later than 20 working days after receipt of the written grievance, and the colleague will be given a minimum of 5 working days to prepare. The colleague will be informed of their right to be accompanied by either a trade union representative or a work colleague. HR may attend to provide procedural advice.

7.3 The colleague should be given the opportunity to state their grievance and explain the resolution sought. Where appropriate the manager may adjourn the hearing in order for further investigation of the matter to be carried out. Investigations should be carried out expediently, and the meeting reconvened as soon as possible.

7.4 The manager may appoint an investigating officer to carry out the investigations on their behalf, or may carry out the investigation themselves. If an investigating officer is appointed, this should be by mutual consent, and the complainant should be advised in writing. The investigating officer may be another manager, a member of the HR team, or an external person if appropriate in the circumstances of the case. In all events, the person should be independent to the complaint, and will be bound by the requirements of confidentiality set out in this procedure.

7.5 An investigation may involve meeting and interviewing colleagues or other witnesses, viewing of records and CCTV etc. Ordinarily the manager / investigating officer will compile a report containing a written summary of their findings and details of any witnesses interviewed. The report will be used as a basis for the discussion with the individual at the reconvened hearing. To avoid confusion, the manager should ensure that all parties are clear when a meeting is an investigatory meeting and when it is a hearing.

7.6 The manager will conclude the hearing with one of the following options:

- uphold the grievance
- partially uphold the grievance
- dismiss the grievance.

As well as giving their decision on the outcome, they may agree with the resolution proposed by the colleague or propose an alternative resolution.

7.7 Where there is evidence that the colleague's grievance amounts to a serious allegation of bullying / harassment / discrimination or some other conduct matter being committed by someone other than the complainant, the manager would normally refer the matter to be managed under the Disciplinary Procedure. Where this occurs another

manager, who has had no dealing with the initial grievance, should take on the disciplinary investigation. A copy of all the evidence gathered during the grievance investigation should be passed over to the manager investigating the disciplinary.

7.8 The manager will respond to the colleague's grievance in writing, within 5 working days of the hearing, or the reconvened hearing where there has been an adjournment, to advise the colleague of the outcome. The colleague will be informed of their right to appeal and to whom that appeal should be addressed in the first instance.

7.9 Where it is proven that the allegations were vexatious / malicious (i.e. allegation without grounds and which has been raised with negative intent towards the alleged perpetrator), a disciplinary investigation will be considered. Note, this is different to a genuine complaint not being upheld.

## 8.0 Appeal

8.1 Where the colleague is dissatisfied with the outcome of the grievance hearing they may appeal.

8.2 The appeal must be made in writing, addressed to the person identified in the outcome letter and stating the grounds for the appeal, within 5 working days of being advised in writing of the outcome of their grievance. In submitting the written appeal, the colleague should explain why they remain aggrieved and how they believe the grievance can be resolved.

8.3 The appeal will be heard by a panel of three people who have not previously been involved in the grievance (see section 9).

8.4 The appeal will be held as soon as possible and normally no later than 20 working days after receipt of the appeal letter. The chair of the appeal hearing will notify the colleague of the date and time of the hearing and their right to be accompanied by either a trade union representative or work colleague. If the Trade Union Representative is unable to attend on that date it may be rearranged within 5 days or to a mutually agreeable time.

8.5 At the appeal hearing the colleague will be able to explain further why they remain aggrieved and how they believe the grievance could be resolved. The manager from the grievance hearing will normally attend as a witness to explain their decision and any investigation that was undertaken. HR may attend to provide procedural advice.

8.6 Where appropriate the appeal hearing may be adjourned for further investigation.

8.7 The colleague will be informed of the appeal decision in writing, normally within 5 working days of the appeal hearing or the reconvened appeal hearing where there has been an adjournment. The decision of the appeal hearing is final.

## 9.0 Authority to act under the Grievance Procedure

In all instances, those hearing the grievance and appeal should not have previously been involved in the case.

AGC = Academy Governing Council

Grievance raised by ...	Grievance Hearing	Appeal Hearing
All academy based colleagues except those listed below	Headteacher / Principal (or nominated manager)  If complaint is against the Headteacher / Principal: Chair of Governors (or nominated Trust manager / Governor from AGC)	Panel of three from the AGC
Headteacher / Principal	Chair of Governors (who may nominate a Trust manager or Governor from AGC)	Panel of three drawn from AGC, Trust CEO and/or Trust Board
Central team colleagues except Executive Leadership Team (ELT) members and Trust CEO	Member of the ELT (or nominated manager)  If complaint is against an ELT member: Trust CEO	Panel of three drawn from ELT members, Trust CEO and/or Trust Board members
Executive Leadership Team members	Trust CEO (who may nominate an independent person or member of the Trust Board)	Panel of three from the Trust Board
Trust CEO	Chair of the Trust Board, or nominated member of the Board	Panel of three from the Trust Board

Note: whilst it would be usual to draw panel members from an individual academy's AGC, the Trust may appoint Governors from another Trust academy in order to ensure neutrality or expediency of proceeding. This should only take place in exceptional circumstances.

## 10.0 Grievances from ex-colleagues

10.1 There is no legal requirement to deal with grievances raised by ex-colleagues. However, Headteachers / Principals or managers may want to consider dealing with such grievances in order to identify possible employment tribunal complaints, and where appropriate try to prevent them from becoming tribunal complaints. These will be managed on a case by case basis. Advice can be sought from Human Resources.

## 11.0 Records

11.1 Records of meetings and discussions relating to the grievance should be written during, or as soon after the event as possible, to ensure the accuracy of the record. Written records should be circulated to relevant parties to allow amendments or clarifications as required.

11.2 Records should include:

- the nature of the grievance
- witness statements and other evidence gathered during the investigation
- what was decided and actions taken
- the reason for the actions
- whether an appeal was lodged
- the outcome of the appeal
- any subsequent developments.

11.3 All records relating to grievances should be stored confidentially and securely on the individual's personal file, and in accordance with the Data Protection Act (2018) which includes the rules set out in the General Data Protection Regulation. No duplicate records should be kept.

11.4 Records should be retained for six years after employment ceases, after which time they must be destroyed as confidential waste.

11.5 The colleague may also wish to keep records of events to support their case.

## 12.0 Review

12.1 This procedure will be reviewed to respond to any changes in the employment legislation, and at least every three years. The policy should be Equality Impact Assessed; and the anonymised results shared with Trade Unions.

## Annex One - Informal Action / Resolution

### *Raising the matter directly*

If the colleague decides to raise the matter directly with the person against whom they have a grievance, they must choose an appropriate time and use a non-confrontational manner. It may be helpful to outline the particular action which is causing concern and try to make clear exactly what it is they find unacceptable. It is important to allow the other party to have the opportunity to respond from their point of view. The colleague may find that shared information with the other person will throw a new light onto the situation and allow both parties to reflect on things differently. It is expected that there will be an agreed method of moving forward at the end of this process.

### *Involve a colleague*

As an alternative to raising the matter directly, the colleague could request a colleague, manager or school representative to outline the matter on their behalf by speaking direct to the person involved. After the initial meeting the colleague may choose to become more involved at that stage. It is expected that there will be an agreed method of moving forward at the end of this process.

### *Put it in writing*

Where the colleague feels unable to use raise the matter verbally (directly or via a colleague) they can choose to put their concerns in writing to their manager or the Headteacher / Principal explaining how the particular action is affecting them. It is recommended that they seek advice from a Union Representative about the wording of the letter. Once the colleague has taken this step it may be appropriate to arrange for the matter to be taken forward using one of the other informal methods. The other party will also be given an opportunity to respond in an appropriate manner and this may include a written response. It is expected that there will be an agreed method of moving forward at the end of this process.

### *Restorative meeting*

It may be appropriate to ask the Headteacher / Principal or other suitable individual to arrange for a meeting between the colleague and the individual against whom the complaint is raised. This should take place in a location suitable to both parties. It is expected that there will be an agreed method of moving forward at the end of this process.

### *Mediation*

This is a meeting where a trained independent mediator can help both parties raise issues of concern, assist with understanding the issues and help both parties plan a way of working together effectively in the future. This can only happen in both parties agree and if other informal methods haven't been successful.

These are examples of informal resolution, and another informal course of action might be appropriate in the circumstances. If either party is unhappy with the particular method, at any stage, they may adopt the use of one an alternative method. If informal methods fail to resolve the situation the aggrieved colleague may wish to pursue a formal complaint; however, it is recommended that sufficient time is allowed for all parties to reflect on the matter and to try to reach an agreeable way forward.

Do be aware that people often become defensive and relationships can become more strained when going through the grievance process, which can lead to further tensions and additional stress. For these reasons it is recommended that every effort to be made to try and sort things out informally as soon as possible, and for advice and support from workplace representatives to be sought.

The initial informal approach should be made as soon as possible after the event has occurred. The complainant may exercise their right to move to formal procedures where matters at this stage are not being addressed in a timely manner.

Where informal action has been taken to resolve the complaint, any records maintained should merely record the action taken and should not contain any implied decisions.

## Annex Two - Suggested format for registering a formal grievance

Date:	.....
Name:	.....
Post Title:	.....
Place of Work:	.....
Contact Details:	.....
Trade Union Representative:	.....
Trade Union Contact Details:	.....
	.....
Signed:	.....

### Nature of the Grievance:

*This should set out clearly the nature and extent of the problem and include any relevant details to explain the issue that you want to resolve. Attached further information if required.*

What Informal steps have you taken to resolve the issue so far?

*Explain what you have done so far to try and resolve the matter, and who has been involved*

What is your expected outcome and how do you believe the grievance could be resolved?

*What needs to happen to resolve this issue? What outcome are you hoping to achieve?*

## Annex Three - Acknowledge receipt of formal grievance

Dear <Name>

### Formal Grievance

I write to confirm receipt of your formal Grievance dated <Date> and I can confirm that it will be dealt with in accordance with the Trusts Grievance Procedure, a copy of which is enclosed for your reference.

A meeting has been arranged to take place on <Date> at <Time> at <Location>. The purpose of the meeting will be to openly discuss the issues you have raised and it will be chaired by <Name>, <Job Title>. <Name>. <Job Title> will also attend to take notes.

You have the right to be accompanied at this meeting by a colleague or Trade Union Representative and you should be aware that it is your responsibility to arrange for someone to accompany you.

Please confirm your attendance with me, along with the name and job title of any representative that you wish to accompany you, no later than <Date> at <Time>. If you are unable to attend we will try to arrange an alternative date.

If you have any specific requirements or feel that any reasonable adjustments could be made regarding the arrangements for the meeting, please let me know as soon as possible in order that any such request can be considered and actioned as appropriate.

I appreciate that this may be a time of considerable anxiety for you and you are welcome to contact the Trust's confidential Employee Assistance Programme which can provide support to you and your family when you need it. The service is available 24 hours a day on 0800 269 616 or by visiting [www.bupa.co.uk/eaponline](http://www.bupa.co.uk/eaponline)

Thank you for raising this matter and I hope that we will be able to reach a satisfactory outcome.

Yours sincerely

<Name>

<Job Title>

Encl: Grievance Procedure

## Annex Four - Order of Grievance Hearing

The following procedure will apply to grievance hearings, including appeals.

A notetaker who is not involved in the case should be appointed to take notes on the proceedings and Human Resources may be present throughout the hearing.

1. The colleague should be provided with an explanation concerning the purpose of the meeting i.e. to consider as fully as possible the nature and the validity of the grievance and should be provided with an explanation of how the meeting will be conducted
2. The aggrieved colleague or their representative shall state their case and how they would like it to be resolved.
3. The aggrieved colleague will have the opportunity to call any witnesses if appropriate.
4. The person/panel hearing the grievance will have the opportunity to question the aggrieved colleague or their representative in order to progress the case.
5. If appropriate, the hearing should be adjourned whilst an investigation is carried out.
6. When the investigation is complete the meeting should reconvene and the investigating officer (who may be the Chair) should present their findings.
7. The colleague will be given the opportunity to question the investigating officer.
8. The person/panel may adjourn the grievance meeting to give proper consideration to all the evidence before making a decision.
9. The person/panel hearing the grievance should ensure that the hearing has been conducted fairly and record any objections made.
10. All those present apart from the person/panel hearing the meeting and Human Resources will withdraw whilst the panel reaches its decision.

## Annex Five - Guidelines for Investigating Officers

A grievance investigation normally takes place after the colleague has explained their grievance at a grievance hearing. The hearing is normally adjourned so that the investigation can take place. Once the investigation has taken place the hearing will reconvene so that the findings can be considered.

The investigation may be carried out by the person chairing the hearing, or they may nominate an investigating officer to carry out this role on their behalf.

### Role of the investigating officer

As investigating officer you are responsible for:

- Gathering all the relevant facts promptly, establishing the exact nature of the grievance and finding evidence to substantiate or refute the case
- Summarising findings in an investigation report
- Presenting evidence when the grievance hearing is reconvened after the investigation and answering questions as required.
- Attending appeal hearings as a witness when required

### Conducting an investigation

When carrying out an investigation, the investigating officer should:

- Ensure the investigation is carried out as quickly as possible
- Be thorough and fair
- Remain impartial and objective
- Consider whether there are any mitigating circumstances
- Maintain confidentiality as appropriate
- Seek supporting evidence, including both that which supports the grievance, and any that refutes the grievance
- Talk to relevant witnesses as appropriate to establish the full facts
- Keep notes of investigation meetings
- Compare statements and notes and attempt to resolve any discrepancies
- Where the findings of the investigation support the grievance, consider possible resolution, including that suggested by the colleague

### Preparation

- Familiarise yourself with the colleague's grievance. Fully consider the points that they have raised and any evidence that they have put forward. Determine the Terms of Reference of the investigation.
- Plan your investigation before you begin – consider what information you need to gather and how best to gather this. This will depend upon the nature of the grievance. E.g. where the grievance is about work location or equipment you may decide to visit the site or where the grievance involves the colleague's manager you may want to speak to the manager.
- Before meeting the colleague and other witnesses, plan the questions you wish to ask. Think about the grievance that has been raised and the facts you need to gather.
- Questions may include:
  - Why was the decision made?
  - What other options were available?
  - Are there any records that substantiate or refute the grievance?

- Plan where the investigation meetings are going to be held – this needs to be in a private place that is free from interruptions.
- Take notes of the key points raised at the meetings. A copy of the notes should be given to the relevant colleague/witness following the meeting and they should be asked whether there is anything they wish to add to them. Where the colleague/witness provides alternative notes following the meeting both versions should be included in the evidence supporting the investigation report.
- Throughout the investigation a member of Human Resources will be available to provide advice and support. E.g. on the preparation of questions.

Meet the colleague raising the grievance (*only for investigating officers who are not hearing the grievance*)

- Carefully read the colleague's written grievance before meeting them
- Give the colleague notice of the meeting so they can prepare. Remind the colleague of their right to be accompanied by a trade union representative or work colleague.
- Ask the colleague to explain their grievance and how they would like it to be resolved.
- Use open questions to gain information. Clarify issues that arise and check your understanding of what has been said.
- Where appropriate ask the colleague to provide evidence to support their grievance and ask if there is anything they would like to include

Meet the witnesses

You may decide that it is not necessary to interview every witness, in this instance a written statement from the witness that is signed and dated will suffice. Where you decide to meet with the witness, the following will apply:

- You may wish to ask the witnesses to write a written statement prior to meeting them. Where appropriate you would ask them to respond in their written statement to certain questions.
- Where a witness provides a written statement you need to ensure you are happy that you have obtained all the information that you require from them, and that there are no un-answered questions. If you are not satisfied then you can re-interview the witness.
- Discuss with HR if a witness is unwilling to get involved.
- Use open questions to gain information, clarify issues and check your understanding of what has been said.
- Do not lead the witness but do encourage them to concentrate on the main facts.
- Advise witnesses that their statements may be made available to the colleague and management side. Witnesses also need to be made aware that they may be called to give evidence at a hearing.

Witness statements

Witness statements may include the following:

- The name and job title of the person giving the statement
- Summary of the grievance being investigated
- The reason for the witness being able to comment on the issues
- Facts that can be provided by the person
- Sketch or plan if appropriate
- Date, time and place the statement was taken

- The signature of the witness

#### Gather other evidence

- Ask/seek supporting evidence to substantiate information provided by the colleague/witnesses. Keep copies to use as supporting documentation.
- You may need to look at documents such as work rotas, attendance records, appraisal documents, e-mails, letters, training records, development plans etc. You will need to take copies of the documents for supporting documentation.
- You may wish to compare records for different colleagues', for example where the colleague's grievance is that they believed she has been treated less favourably.
- You may wish to carry out site visits.

#### Preparing the investigation report

Once the investigation has been completed, you will need to write a report, Human Resources can provide advice. The report will provide the main source of reporting the findings to the aggrieved colleague at the reconvened grievance hearing.

The report should be clear, concise and presented in a logical format.

Suggested format of Grievance Investigation Report:

1 - Introduction

2 - Background information relating to the colleague:

- Name and job title of the colleague
- Hours of work

3 - Background information about the workplace, such as:

- Environment
- Staffing levels
- Workload and shift pattern

4 - The Grievance. Specify the grievance and how the colleague would like to see it resolved. Refer to the colleague's written grievance (attach a copy of the colleague's grievance as an Annex)

5 - Investigation

- Who conducted the investigation (your name, and job title)
- How the grievance was brought to your attention
- How you carried out the investigation
- Refer to the sources of information that you accessed
- Refer to any witness statement, and clarify why these are relevant

6 - Statement of Case. From the information that you have gathered, state the grievance and state whether your investigation substantiates or refutes this, cross referencing to documents, statements etc. within the appendices as appropriate:

- Highlight the salient points of the statements
- Explain the correct procedures

- Refer to any additional supporting evidence

7 - Possible Solutions. Where your investigation has substantiated the colleague's grievance, state the colleague's preferred resolution.

- If you are both investigating and hearing the grievance, specify any other realistic solutions, listing pros and cons for each.
- If you are acting purely as an independent investigating officer, you should not include other possible solutions – as this is for the person hearing the grievance to determine.