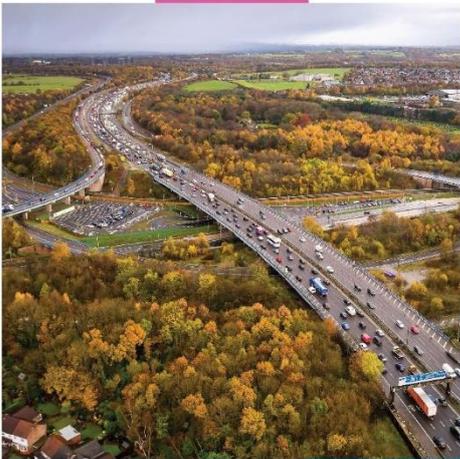


# GRIEVANCE POLICY



*The policy incorporated in this document shall apply to all employees of TfN. The policy has regard to the ACAS Code of Practice relating to grievance issues.*

*The purpose of the procedure is to formally enable employees to raise issues relating to their work or relating to their colleague's actions that affect them.*

*All issues that may become a source of grievance are covered by this procedure. However, particularly sensitive issues such as harassment, bullying and victimisation will be dealt with under the Dignity at Work Policy.*

## **1. Principles**

TfN recognises that from time to time employees may wish to seek redress for grievances relating to their employment. In this respect, the TfN's policy is to encourage free communication between employee's and their Managers to ensure that questions and problems arising during the course of employment can be aired, and where possible, resolved quickly and to the satisfaction of all concerned.

To this end the following procedure should be adopted where an employee has a grievance arising from their employment, except where the matter constitutes an appeal against disciplinary action, which should be taken up in accordance with, the TfN's separate disciplinary policy. The aim of the policy is to resolve all potential issues at the earliest opportunity to avoid escalation into a serious dispute.

Any difference, which may arise, between the TfN and the employee(s) shall be discussed through the following procedure. Whilst discussions are being conducted under this policy, work shall continue as usual in all respects.

## **2. General Principles**

If it is not possible to resolve a grievance informally, employees should raise the matter formally and without unreasonable delay with a manager who is not subject to the grievance.

The Grievance Policy is designed to enable an employee or groups of employees to raise and have dealt with any matter with which they feel aggrieved.

The Grievance Policy is designed to produce agreement as rapidly as possible and to resolve disputes effectively, efficiently and as sensitively as possible.

It is in everyone's best interest to ensure that a grievance be resolved quickly and fairly and at the lowest level possible within TfN.

Most routine complaints and grievances are best resolved informally in discussion with the employee's immediate Line Manager. A file note should be kept of these meetings by the Line Manager and placed on the employee's personal file. All records shall be treated as confidential.

Employees will have the right to be accompanied/represented by a work colleague or a Trade Union Representative at all grievance meetings held at Stage One, Two and Three.

The onus is on the employee to arrange such representation and notify the Line Manager. The representative may address the hearing to put forward an employee's case, sum up their case or respond on their behalf to any view expressed at the hearing. He or she may confer with the employee during the hearing but does not have the right to answer questions on their behalf or address the hearing if the employee does not want him or her to do so, or prevent anyone, including the employee, from making his or her contribution to the hearing.

All parties involved in the grievance meetings are advised that these matters shall be dealt with in the strictest confidence. Any records relating to action taken under this grievance procedure will be retained, and shall be treated as confidential. Any party found to be in breach of this confidentiality clause, may be dealt with through the TfN's Disciplinary Policy.

Where investigations are necessary, all parties are advised that these matters shall be dealt with in the strictest confidence.

Where necessary and with the agreement of the employee a statement may be used in subsequent disciplining proceedings.

Where a grievance is substantiated, the disciplinary procedure may be invoked if found appropriate. Employees who invoke any stage of the grievance procedure should find confidence in knowing that if raising a grievance they will not be a subject to any detrimental treatment.

Where considered appropriate TfN reserves the right to negate Stage One of the procedure and immediately instigate Stage Two of the procedure in order to deal with any such complaints as expediently as possible. The employee also has the right to negate Stage One of the policy and progress directly to Stage Two.

### **3. Investigation**

In order to speedily resolve a grievance it may be necessary, at any stage of the procedure, to instigate a formal investigation. In that event, the HR & Skills Representative will arrange to appoint an appropriate Investigating Manager.

The Investigating Manager will interview all parties involved and, on occasions, it may be appropriate to bring the parties together as part of the investigation process under mediation agreement; including where

considered appropriate affording both parties the opportunity to ask questions to witnesses.

A copy of the verbatim notes will be provided.

#### **4. Mediation**

As an alternative method, TfN promotes the use of mediation. Mediation is when an independent, impartial third party discusses a problem between two employees or an employee and employer to try and find a solution. It's often used after informal discussions haven't solved the issue.

Mediation is voluntary and confidential. The mediator can't force anyone to accept a solution - both parties must agree on the way to solve the dispute.

It shouldn't be used for problems that have to be formally investigated (e.g. harassment or discrimination). Any employee wishing to use this service should notify a HR & Skills Representative.

#### **5. Grievance Procedure**

If the grievance raised is with the employee's Line Manager then the employee should bring this to the attention of the HR & Skills Representative in order that an appropriate manager is identified to hear the grievance.

The stages of the grievance procedure, along with the appropriate timescales, are detailed below:

- In the event that circumstances arise when the timescales cannot be met, then an extension may be mutually agreed by the HR & Skills Representative, and the employee raising the grievance and their representative (if applicable);
- If the employee who has raised the grievance and/or their representative, fail to comply with the timescales set out and does not invoke the clause above, then the procedure will be deemed exhausted;
- If having raised a grievance, it is agreed by the parties that the issue should be addressed through a different procedure, then no further recourse will be made to the grievance procedure.

#### **6. Grievance Stages**

##### *Stage One*

An employee wishing to raise a grievance in which they have direct involvement should, in the first instance, discuss this with their immediate Line Manager in order to try to resolve the matter.

If the grievance is unresolved and the employee wishes to pursue the matter further, the grievance should be put in writing and brought to the attention of the HR & Skills Representative.

Where appropriate, the HR & Skills Representative will arrange for a Stage One meeting to be convened without unreasonable delay for all parties concerned to discuss the grievance in question, with a view to achieving an agreed resolution.

HR & Skills Representative will also be present throughout the hearing to provide advice and ensure a fair and consistent process.

The HR & Skills Representative should inform in writing that employee has the right to be accompanied by a work colleague or a Trade Union Representative.

The Hearing Manager will summarise the meeting before adjourning in order that further evidence may be produced by either party and proper/full consideration to the hearing may be given.

After the adjournment the chair of the meeting advises the employee of the outcome, explaining his/her reasons and offering the right to appeal.

The outcome of this meeting will be confirmed in writing by the HR & Skills Representative to employee's home address, normally within 5 working days of the meeting taking place, setting out any agreed action to be taken. If it is not possible to respond within this period the employee will be given an explanation and informed when a response can be expected.

If the employee is not satisfied with the outcome the employee should inform the Head of HR in writing, of their intention to move to Stage Two of the procedure and confirm why they are dissatisfied with the outcome of Stage One.

### *Stage Two*

Where the employee is not satisfied with the outcome of Stage One, the HR & Skills Representative will arrange for a Stage Two meeting to be convened without unreasonable delay for all parties concerned to discuss the grievance in question, with a view to achieving an agreed resolution.

A HR & Skills Representative will also be present throughout the hearing to provide advice and ensure a fair and consistent process.

The HR & Skills Representative should inform in writing that employee has the right to be accompanied by a work colleague or a Trade Union Representative.

The Hearing Manager will summarise the meeting before adjourning in order that further evidence may be produced by either party and proper/full consideration to the hearing may be given.

After the adjournment the chair of the meeting advises the employee of the outcome, explaining his/her reasons and offering the right to appeal.

The outcome of this meeting will be confirmed in writing by the HR & Skills Representative and sent to employee's home address, normally

within 5 working days of the meeting taking place, setting out any agreed action to be taken. If it is not possible to respond within this period the employee will be given an explanation and informed when a response can be expected.

If the employee is not satisfied with the outcome the employee should inform the Head of HR in writing, of their intention to move to Stage Three of the procedure and confirm why they are dissatisfied with the outcome of Stage Two.

#### *Stage Three (Appeal)*

The Stage Three meeting will, if practicable, be heard without unreasonable delay, normally within 2 working weeks of receipt of the written particulars.

A HR & Mobilisation Director (or nominated HR & Skills Representative) will also be present throughout the hearing to provide advise and ensure fair and consistent process.

The HR and Skills Representative should inform in writing that employee has the right to be accompanied by a work colleague or a Trade Union Representative.

The Hearing Manager will summarise the meeting before adjourning in order that further evidence may be produced by either party and proper/full consideration to the hearing may be given.

The Hearing Manager will consider the decision in private with the HR & Mobilisation Director and will then announce the final decision to the parties concerned, ensuring the final decision is made in writing to the employee, normally within 5 working days of the outcome. This decision will be final.

**In all cases the procedure will have due regard to the ACAS Code of Practice.**



0161 244 0888



Engagement@transportforthenorth.com



Transport for the North  
2nd Floor, 4 Piccadilly Place  
Manchester, M1 3BN

Ground Floor  
West Gate, Grace Street  
Leeds, LS1 2RP



transportforthenorth.com

