

GRIEVANCE

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RELATED POLICIES/GUIDANCE

[Mediation Policy](#)

[Dignity at Work](#)

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[Employee Assistance Programme](#)

GRIEVANCE

POLICY SUMMARY

The Welsh Government is committed to promoting good employee relations and deliver fair and equal treatment of all employees, creating an environment of open and honest two-way communication and consultation, with constructive and informal discussion between managers and employees on all work-related issues.

We recognise that, from time to time, employees may have a concern or complaint about their work, working environment or working relationships that they may wish to raise so that it can be considered and, if possible, addressed.

We aim to deal with, and wherever possible, resolve these issues through normal day to day discussion and management. In some cases, help from an independent mediator can help resolve problems especially those involving working relationships.

We have a detailed process to be followed by employees who wish to raise a work-related grievance, and this explains how the organisation will take prompt and effective action to resolve the grievance, as far as is reasonably practicable.

All our policies are fully inclusive of all staff regardless of age, marriage and civil partnership (both same sex and opposite sex), pregnancy and maternity, race, religion or belief, sex, sexual orientation, whether they have an impairment or health condition, are neurodivergent or use British Sign Language, their gender identity or gender expression. We acknowledge that the terms 'gender identity' and 'gender expression' are not protected characteristics as defined by the Equality Act 2010, however, we believe that Government policy which includes provision for those persons who identify within the 'trans' umbrella (rather than on the basis of binary gender) is a more inclusive approach and one which ensures the Welsh Ministers are in a position to comply with all their statutory duties related to equality and the promotion of well-being in Wales. If you have any feedback on the inclusivity of this policy, please email EqualityintheWorkplaceTeam@gov.wales

The policy will be reviewed every two years or sooner if a relevant change in legislation occurs.

GUIDANCE AND PROCEDURES

1. AIMS

This procedure aims to promote good employee relations and deliver fair and equal treatment of all employees. It details the process to be followed by employees who wish to raise a work-related grievance and how the organisation will take prompt and effective action to resolve the grievance, as far as is reasonably practicable.

2. KEY PRINCIPLES

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- All employees at whatever level will have the opportunity to resolve a grievance in a fair and appropriate manner;
- Grievances will be dealt with as soon as is reasonably practicable and will be progressed without unnecessary delay;
- Informal approaches to addressing grievances will be exhausted before moving to the formal procedure;
- No employee will be discriminated against for raising a grievance, being the subject of a grievance or being a witness in a case;
- All discussions between individuals involved with the grievance will be in strict confidence. Any breach of this confidence may be regarded as a disciplinary offence;
- Raising a grievance that is known to be without foundation, or is in any other way vexatious or malicious or in bad faith may be regarded as a disciplinary offence;
- Grievances should be dealt with at the lowest level of management necessary to deal with the grievance appropriately and in line with this procedure;
- Managers and their staff have a joint responsibility to work together to resolve issues early and informally before they escalate and become more difficult to resolve;
- Mediation should be considered as a way of resolving the grievance during the informal stage, and before progressing to the formal stage, but participation in the mediation process is voluntary;
- Grievances dealt with through this procedure may not always produce the outcome desired by the complainant. However, effective application of the procedure should lead to all parties recognising that the outcome is fair, reasonable and appropriate in the circumstances;
- Once the grievance is dealt with, and internal rights of appeal have been concluded, there will be no further reference made to it unless the case proceeds to an Employment Tribunal, nor will the individual who raised it suffer any detriment as a consequence, unless it has been found to be without foundation or is in any other way vexatious, malicious or in bad faith; and,
- Employees may raise grievances about external or customer relationships with their line manager and these will be considered and, wherever possible, appropriate action taken.

3. APPLICATION

- 3.1 This procedure applies to all Welsh Government employees.

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3.2 It applies to situations where employees have a concern or complaint about their work, working environment or working relationships that may affect them individually or collectively. Some examples of issues which might give rise to a grievance are:

- Terms and Conditions of Employment
- Health and Safety
- Relationships at work*
- New working practices
- Organisational changes
- Equal Opportunities*

** Relationships at Work and Equal opportunities issues may sometimes be more appropriately handled under the Dignity at Work policy/Guidance and Procedures.*

3.3 It may be necessary in exceptional circumstances to vary this procedure to take account of specific or unusual circumstances. Before any variation is implemented, advice must be obtained from the HR Case Advisory Team.

3.4 The procedure does not apply to issues raised on behalf of two or more employees by a representative of a recognised trade union. These grievances should be dealt with in accordance with arrangements for dealing with collective consultation and negotiation issues with recognised trade unions.

3.5 If a member of the SCS has a grievance which cannot be resolved informally, they should direct their written statement to the Permanent Secretary who will determine the most appropriate person to deal with the grievance. The formal procedure outlined below will then be followed.

3.6 Where an employee who is leaving the organisation wishes to raise a grievance, they must make every effort to raise their complaint at the earliest opportunity to help ensure that the matter can be dealt with before they leave. Failure to do so may result in the Welsh Government not being able to deal with their issue fully. The employee should also ensure that they have gathered all the material they need to support their grievance prior to leaving the organisation, ensuring that they comply with the Security and Data Protection policies. The Welsh Government is not obliged to assist in assembling documentation to support an employee's complaint.

3.7 If a former employee raises a grievance, they should do so in writing to their former line manager. If the grievance is about their former line manager, they should write to the next senior line manager. The line manager should contact the HR Case Advisory Team who will consider the grievance and decide what, if any action should be taken. The former employee lodging the grievance will receive an acknowledgement letter confirming that the Welsh Government has noted the matter, and what, if any, further action will be taken. It should be noted that the longer the time between an employee leaving the organisation and raising a grievance, the less likely it is that the grievance will be considered. Unless there are exceptional circumstances, we expect grievances to be raised within 3 months of the employee leaving the Welsh Government.

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4. WELSH LANGUAGE

In accordance with the Welsh Language Standards the following requirements will apply to the formal stage of the Grievance procedure. The HR Case Adviser will ensure that employees are aware of these rights and that requirements are met.

- A complainant has the right to make a complaint in Welsh.
- The subject of a complaint has the right to respond to any complaint made about him/her in Welsh.
- In advance of any meetings with the complainant or the subject of the complaint, the member of staff will be asked whether or not s/he wishes to use the Welsh language at that meeting. If the individual wishes to use Welsh, we will confirm to them whether we will provide a simultaneous translation service from Welsh to English or conduct the meeting in Welsh.
- Any decision reached in relation to a complaint will be confirmed to the complainant or the subject of a complaint in Welsh if that member of staff:
 - made the complaint in Welsh
 - responded in Welsh to a complaint about them; or
 - asked to use the Welsh language at a meeting about the complaint.

5. TIMESCALES

To comply with the ACAS Code of Practice on Disciplinary and Grievance procedures, this procedure requires that all actions be carried out promptly and without unreasonable delay. Guidance on timescales is set out in Annex B.

6. WITNESSES AND EMPLOYEES WHO ARE THE SUBJECT OF A GRIEVANCE

- 6.1 Witnesses and employees who are the subject of a grievance i.e. the person being complained about may be called upon to give evidence to establish the facts at any stage in the informal or formal procedure by the Grievance Officer. They may be required to attend an informal discussion, a formal grievance meeting, provide a written statement, be interviewed separately or any combination of these as the circumstances of the case demand. The employee raising the grievance and the subject of the grievance may suggest possible witnesses for consideration by the Grievance Officer. However, witnesses will only be interviewed at the discretion of the Grievance Officer. If the Grievance Officer decides not to interview a witness, suggested by the subject of the grievance or the employee raising the grievance, they may ask the Grievance Officer to provide the reason for this decision.

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- 6.2 Any information given by witnesses or the employee who is the subject of a grievance must be recorded in writing, and they must be asked to sign and date this record to confirm its accuracy. If the witness or the employee is unable to agree the record, effort should be made to include any reasonable amendments and to resolve any remaining points of difference. If areas of disagreement about the record remain, the note will be marked as not agreed and the proposed amendments will be attached to it, so that they can be taken into account before any decision is made.
- 6.3 The employee who is the subject of a grievance is entitled to see the original complaint in order to develop and put forward their position regarding the issue complained about. They are also entitled to see any records relating to the informal or formal process and its outcome that refer specifically to them or their actions.

7. SUPPORT FOR EMPLOYEES

- 7.1 On occasions, the parties involved in the grievance may find the situation stressful or difficult and may want to talk things through in confidence with a professionally trained counsellor. Such support and counselling is available to Welsh Government employees and their families through the Employee Assistance Programme. This provides free, independent support and information and can be accessed at the [Vivup website](#) or by telephoning 0800 023 9387. The service is confidential, however, if an employee wants to remain anonymous, they do not have to give their name to access the support and advice.
- 7.2 The Occupational Health Team also provide support to individuals who may be experiencing personal well-being or health issues.
- 7.3 Staff who are members of a Trade Union may also obtain advice and support from their trade union representative.

8. MEDIATION

- 8.1 Mediation is a process that complements formal arrangements for dealing with workplace concerns and complaints that have resulted in conflict or disputes. Mediation can often prevent issues escalating into problems and employees and managers are recommended to consider mediation at any stage of the grievance process. Details on the mediation process are contained in Annex E.
- 8.2 Where the parties to a grievance agree to mediation, the Grievance procedure will be suspended pending the outcome of mediation.

9. INFORMAL STAGE

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9.1 The majority of grievances can generally be resolved informally by the employee raising the grievance with their line manager. An early discussion at the point where the issue begins to cause concern can often ensure that issues do not build up over time to a position where they become difficult to resolve.

9.2 An overview of the informal stage is contained in the flowchart in Annex C.

Resolving a grievance informally

9.3 The employee should advise the line manager that he/she wishes to raise an informal grievance. The line manager may be able to discuss the matter immediately, otherwise he/she should agree a date, time and appropriate venue for a meeting to discuss the grievance without delay.

9.4 If the employee's grievance relates to their line manager and the individual would prefer not to raise it directly with that manager, he/she should discuss the grievance with the next person in the line management chain.

9.5 Informal discussions of issues do not constitute formal grievance proceedings and therefore an employee is not legally entitled to be accompanied by a trade union representative or fellow employee at such meetings. However, the Welsh Government allows employees to be accompanied at such meetings by a trade union representative or a colleague if they wish.

9.6 In discussing their concern with the line manager, the employee should relate the facts of the situation, how this is affecting their performance or personal well-being and what they expect to be done to resolve the matter. The line manager should be objective, non-judgemental and ensure that the employee is given a fair hearing. When stating a grievance, employees should stick to the facts and avoid making abusive or inflammatory remarks.

9.7 If appropriate, the manager may wish to discuss the matter with the employee's colleagues or other involved parties to get to the root of the concern or gather further information as to how best to resolve the grievance.

9.8 These individuals must be advised that the information they provide will form part of the informal process and, if the grievance progresses to the formal stage, will form part of the information that is given in confidence to any subsequent person who deals with the grievance. They should also be reminded that all information is confidential and that any breach of this confidentiality may be regarded as a disciplinary offence.

Any employee involved in discussions should be given a note of the discussion and asked to sign and date it as a fair and accurate record and return it to the line manager. If any employee is unable to agree the record, effort should be made to include any reasonable amendments and to resolve any remaining points of difference. If areas of disagreement about the record remain, the note will be marked as not agreed and the proposed amendments will be attached to it, so that they can be taken into account before any decision is made.

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- 9.9 The line manager and employee should then work together to come to a mutually acceptable resolution to the concern, recognising that there may not be a perfect solution to the problem, and that it may take a little time to fully implement the agreed actions.
- 9.10 Further meetings and investigations may take place as appropriate to resolve the grievance.
- 9.11 Where it becomes obvious during an informal discussion that the matter would be better dealt with under another procedure or that the issues raised are so serious that they should be dealt with under the formal grievance procedure, the meeting should be adjourned. In these circumstances, the line manager should inform the HR Case Advisory Team who will advise on which procedure should be used to resolve the matter.
- 9.12 The line manager should keep a record of all discussions and meetings held under the informal stage. These should be held securely and in accordance with the [Data Protection policy](#).
- 9.13 If the line manager considers that the grievance should proceed straight to the formal procedure, they should prepare the case for this following discussion with the HR Case Advisory Team and present it to the Deputy Director Corporate Services who will decide whether there are exceptional reasons why the case should proceed directly to the formal stage.

Where the grievance remains unresolved after informal discussion

- 9.14 If the employee has not yet taken advantage of the mediation process, this should be considered as an option to resolve the grievance, prior to progressing to the formal grievance procedure.
- 9.15 If mediation is not appropriate or does not resolve the concern and the employee is dissatisfied with the outcome of the informal grievance procedure, they should follow the formal procedure outlined below.

10. FORMAL STAGE

Beginning the process

- 10.1 Where a grievance has not been resolved informally, the formal procedure set out below will be followed. The HR Case Advisory Team must be informed by the employee's line management before the formal procedure begins.
- 10.2 An overview of the formal stage including the appeal process is set out in Annex D.

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- 10.3 The employee must set out the details of their grievance in a written statement and send a copy to their Deputy Director as soon as possible after the outcome of the informal stage is known. If the Deputy Director is directly involved in the grievance, the statement should be forwarded to the Director or Director General. If a member of the SCS needs to raise a formal grievance, they should send their written statement to the Permanent Secretary.

Appointing the Grievance Officer

- 10.4 The Deputy Director, Director, Director General or Permanent Secretary (as appropriate) will consider the nature of the grievance and decide who is the most appropriate person to deal with the grievance (the Grievance Officer) in consultation with the HR Case Adviser. If the employee raising the grievance has any concerns for valid reasons about the individual nominated to be the Grievance Officer, they should make these known to the HR Case Adviser. The HR Case Adviser will consider these concerns and if they are for valid reasons will appoint another Grievance Officer in liaison with the Deputy Director, Director, Director General or Permanent Secretary as appropriate.
- The Grievance Officer must not have had any prior involvement with the case. If the employee is concerned that the Grievance Officer has had prior knowledge or involvement with the case, they may challenge this appointment.
 - Where a grievance arises from the decision or actions of a colleague, the Grievance Officer will be at least one management grade higher than the level of the employee who was responsible for those decisions or actions.
 - The Grievance Officer's role will be to hear the case as an independent, impartial and objective adjudicator.
 - All Grievance Officers must be at Executive Band 2 or above and have attended training to carry out their role.
- 10.5 The Deputy Director, Director or Permanent Secretary will write to the aggrieved member of staff to acknowledge receipt of the statement and advise how it will be dealt with.
- 10.6 The Grievance Officer will act promptly to consider the information in the written statement and contact the HR Case Adviser to make any enquiries he/ she needs to before conducting the formal grievance meeting. The Grievance Officer will then contact the employee to set a date for the grievance meeting.

The formal grievance meeting

- 10.7 The employee who raised the grievance will be required to attend a meeting to discuss the grievance with the Grievance Officer and the HR Case Adviser, as soon as practicable after the Grievance Officer has had time to consider the written statement of the grievance and any preliminary investigations. The Grievance

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Officer will write to the employee giving reasonable advance notice of the time and date for the meeting.

- 10.8 The HR Case Adviser's function is to advise on procedures and take a note of the proceedings.
- 10.9 The purpose of the meeting is to allow the employee to explain their complaint and to say how they think it should be resolved. They should also be reminded that all information is confidential and that any breach of this confidentiality may be regarded as a disciplinary offence.
- 10.10 The employee is entitled under our policy and guidance/procedures to be accompanied by a work colleague or trade union representative.
- 10.11 Any person who accompanies the member of staff to a grievance meeting may address the meeting to put the employee's case, respond on behalf of the employee to any views expressed, request that the Grievance Officer puts specific questions to witnesses and confer with him or her during the meeting. They do not, however, have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent management from explaining their position.

Failure to attend the Grievance meeting

- 10.12 The employee is responsible for ensuring that the person they choose to accompany them is available to attend the meeting. If they are not available on the proposed date, the employee can propose an alternative date and time so long as it is reasonable and no more than 5 working days after the original meeting date.
- 10.13 The employee will be advised that, unless there are exceptional circumstances, the meeting will go ahead in the event that their accompanying person is not able to attend.
- 10.14 The employee will also be advised that if they fail to attend the rescheduled meeting without good cause, they will be informed in writing by the Grievance Officer that a decision will be made on the basis of known information. The employee will be advised in writing by the Grievance Officer of the decision within a reasonable timescale of the rescheduled meeting date.

The meeting note and further investigations

- 10.15 The employee will be provided with a copy of the meeting note as soon as possible afterwards. They will be asked to check and sign this as a fair and accurate record of proceedings and return it to the Grievance Officer as soon as possible. If the employee is unable to agree the record, effort should be made to include any reasonable amendments and to resolve any remaining points of difference. If areas of disagreement about the record remain, the note will be marked as not agreed and the proposed amendments will be attached to it, so that they can be taken into account before any decision is made.

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10.16 After the grievance meeting, the Grievance Officer will decide what further information (if any) he / she needs to collect to assist with the decision. This may involve further investigations including interviewing other members of staff. These individuals must be advised that the information they provide will form part of the formal proceedings and will feature in the report. The provisions contained in paragraph 5 will apply.

The decision-making powers

10.17 The Grievance Officer may decide that:

- there is no basis for the grievance; or
- the grievance is legitimate and set out actions (if any) that need to be taken by the line manager and/or employees in order to resolve the grievance and avoid a recurrence; and /or
- the conclusions reached indicate that there is a case to answer which amounts to misconduct or irregularities which should be dealt with under the discipline procedure or that there are dignity at work issues which need to be dealt with under the Dignity at Work policy/procedures. In which case, the Grievance Officer's report (see paragraph below) will form the basis of the Discipline or Dignity at Work Investigation report and a Decision-Making Officer will be appointed in accordance with the appropriate procedure.

The Grievance Report and decision

- 10.18 The Grievance Officer will prepare a grievance report containing their findings. This report will be prepared as soon as possible but the circumstances of each case will determine how quickly this can be done.
- 10.19 The employee will be informed in writing of the outcome of their grievance as soon as possible after the report has been completed by the Grievance Officer. This letter should include the reasons that led to the decision, details of the appeal process and a copy of the Grievance Report.
- 10.20 If the Grievance Officer indicates in his report that any manager(s) are required to undertake any action to resolve the grievance, he/she will also write to them, with a copy to their deputy director(s) confirming the outcome and any such actions.
- 10.21 If the Grievance Officer decides that disciplinary procedures should be undertaken, the complainant will not be entitled to be advised of the outcome of those disciplinary proceedings, merely that they have been instigated.
- 10.22 The Grievance Officer, in liaison with the HR Case Adviser will also write to the employee who is the subject of the grievance to advise them of the outcome, if appropriate.
- 10.23 The HR Case Adviser will also write to any witnesses, thanking them for their participation and advising them that the matter has been concluded.

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11. APPEAL PROCESS

- 11.1 If an employee feels that their grievance has not been satisfactorily resolved at the formal stage of the procedure, they may appeal against the outcome. Appeals must be for legitimate, objective reasons, for example that new evidence has come to light, or the employee has reason to believe the Grievance Officer was biased.
- 11.2 The employee must prepare a written statement setting out the reasons for the appeal. This statement should be sent within a reasonable timescale of being advised of the outcome to their Deputy Director, Director, Director General or Permanent Secretary as appropriate who will consider if the appeal is for legitimate, objective reasons and if so, will appoint an Appeal Officer (in consultation with the HR Case Advisory Team) to consider the appeal. This person will be at least Executive Band 1, will be a manager who has not previously been involved with the case and is senior to the person who last dealt with the grievance. The Appeal Officer will have received training to carry out their role. If the employee making the appeal has any concerns for valid reasons about the individual nominated to be the Appeal Officer, they should make these known to the HR Case Adviser who will consider them further. If the HR Case Adviser concludes that there are valid reasons why the chosen officer should not hear the appeal, another Appeal Officer will be appointed in consultation with the Deputy Director, Director, Director General or Permanent Secretary as appropriate.
- 11.3 The Grievance Officer will ensure that all papers relating to the grievance are made available to the Appeal Officer including any information and records of actions taken to resolve the grievance.
- 11.4 The Appeal Officer will arrange a meeting as soon as possible to hear the appeal and confirm those arrangements in writing to the employee. The letter will also confirm that this is the final stage in the procedure.
- 11.5 The employee is entitled to be accompanied by a work colleague or trade union representative. This should be confirmed in the letter advising the employee of the arrangements and the employee should inform the Appeal Officer in advance of the name of the accompanying person. Any person who accompanies the member of staff to a grievance appeal meeting may address the meeting to put the employee's case, respond on behalf of the employee to any views expressed, requests that the Appeal Officer asks questions of any witnesses and confer with him or her during the meeting. They do not have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent management from explaining their position.
- 11.6 As the appeal is a review of the case, the Appeal Officer will only be able to consider the original grievance and will not be able to consider any new complaints.

The appeal meeting

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- 11.7 The aim of the appeal meeting is to review the case on the basis of the employee's grounds for appeal and assess whether there is anything further that can be done to resolve the grievance.
- 11.8 An HR Case Adviser should attend the meeting to advise the Appeal Officer on procedural matters and to take a note of the meeting.
- 11.9 At the meeting, the employee should explain why they are dis-satisfied with the outcome and why they feel this will not resolve their grievance.
- 11.10 Once the relevant issues have been thoroughly explored, the Appeal Officer will summarise the facts to check understanding and conclude the meeting. The Appeal Officer will then consider the issues and make further enquiries if necessary to arrive at a decision.
- 11.11 The employee will be provided with a copy of the meeting note as soon as possible after the meeting. They will be asked to check and sign this as a fair and accurate record of proceedings and return it to the Appeal Officer as soon as possible. If the employee is unable to agree the record, effort should be made to include any reasonable amendments and to resolve any remaining points of difference. If areas of disagreement about the record remain, the note will be marked as not agreed and the proposed amendments will be attached to it, so that they can be taken into account before any decision is made.

Decision-making and report

- 11.12 The Appeal Officer may decide:
- To uphold the appeal and therefore overturn or amend the decision, in which case he/she may recommend further actions to resolve the grievance, or
 - to uphold the original conclusions and confirm either that there were no substantive grounds for the grievance or that adequate measures have been put in place to resolve it.
- 11.13 The Appeal Officer will advise the employee (and their line manager where appropriate with a copy to the deputy director) of the decision in writing, giving reasons, as soon as is reasonably practicable.
- 11.14 The letter will inform the employee that this is the end of the process and that the Appeal Officer's decision is final.

12. KEEPING RECORDS

- 12.1 Confidential records regarding the grievance will be kept by the Case Advisory Team and retained in accordance with UK data protection law. Once their involvement in the case is concluded, all officers must forward all originals and copies of records

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(hard copy and electronic) to the Case Advisory team for confidential retention or destruction of duplicate copies. All electronic records held by officers involved in a case must be deleted. All parties involved in the grievance matter will have been given the opportunity at the appropriate point to check the accuracy of any written information, appropriate to their involvement in the disciplinary case. The records kept will detail:-

- the nature of the grievance raised;
- the Grievance Officer's response;
- details of action taken (if any);
- a record of the reasons for the action that was taken;
- whether there was an appeal, and if so, the outcome; and,
- any wider subsequent developments. For example, to revise bullying and harassment procedures or a need for additional training for all line managers.

12.2 Copies of any meeting records will be given to the parties concerned. However, on occasions, data protection considerations may mean that the organisation is not able to release the full information.

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Annex A

ROLES AND RESPONSIBILITIES

Employees are responsible for:

- ensuring that they are aware of the Grievance Policy and guidance/procedure;
- aiming to settle grievances, wherever possible, between themselves and the other party(ies) involved or if this is not possible, informally with their line manager;
- seeking to resolve the issues through mediation where appropriate and agreed by both parties ;
- where a grievance cannot be settled informally, raising it in writing and complying with the requirements of the formal procedure;
- co-operating with investigations and meetings as required; and,
- behaving in a sensitive manner and maintaining confidentiality when involved in grievance matters.

Line Managers are responsible for:

- ensuring they and their staff are aware of the Grievance Policy and guidance/procedure;
- taking prompt action when an employee raises a concern and aiming to resolve matters informally;
- handling all grievances sensitively and confidentially;
- familiarising themselves with any guidance and attending any relevant training help them deal effectively with grievance cases in accordance with this procedure; and,
- complying with the requirements of the policy and this guidance/procedure when dealing with cases.

Grievance Officers are responsible for:

- handling all grievances with impartiality, sensitivity and in the strictest confidence; and,
- attending training on the Grievance procedure and how to handle grievances effectively.

Appeal Officers are responsible for:

- exploring the reasons why the employee has appealed;
- considering carefully any new information; and,
- deciding whether or not to uphold the finding of the Grievance Officer; and, if appropriate, recommend any further actions that may be taken to resolve the grievance.

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HR Case Advisers are responsible for:

- supporting and advising line managers who are dealing with matters under this policy;
- providing guidance to employees who raise a grievance on the application of the policy and this guidance/procedure;
- providing impartial support to employees so that, wherever possible, the grievance may be resolved informally and speedily;
- arranging for any Welsh Language requirements to be met;
- organising mediation services where parties agree to engage in mediation to resolve a grievance or repair relationships after the procedure has concluded; and,
- informing any witnesses at an appropriate point in the procedure that the matter has been concluded.

Corporate Shared Service Centre are responsible for:

- responding to queries from staff on the policy and this guidance/procedure.

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Annex B

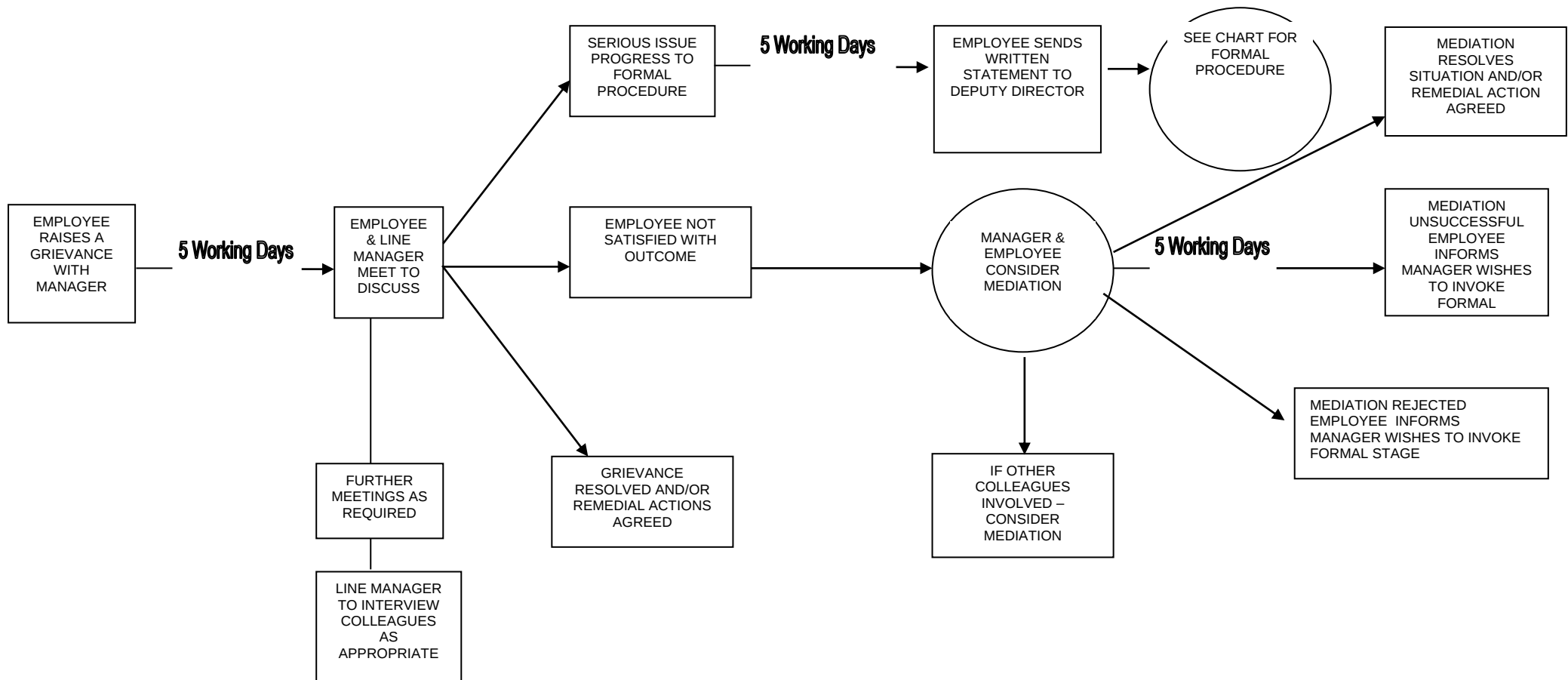
GUIDANCE ON TIMESCALES

1. The ACAS Code of Practice does not prescribe precise timescales for dealing with a grievance. However, it states that, *“Employers and employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.”*
2. The Grievance procedure therefore requires that all actions be carried out as speedily as possible. Depending on the nature of the grievance and practical considerations, the timescales for the various actions within the procedure may vary from case to case. But in all cases, those concerned should use their best endeavours to act promptly, not to delay matters without good reason and to ensure the process is completed within a reasonable timescale.
3. A guide to what might represent reasonable timescales is set out in the flowcharts (Annexes C & D) which give an overview of the informal and formal stages of the procedure and the appeal process. This suggested timetable is intended to assist employees in gauging what the organisation believes is a reasonable timetable for actions to occur within the normal course of events.
4. Obviously where it is possible to implement the actions within a shorter timescale without compromising the procedure, then this should be achieved. Similarly, if circumstances require a longer time to carry out actions effectively, then this is acceptable. What is most important is that all parties are clear about the expected timescales for particular actions and adhere to them as closely as possible. Wherever possible managers should expedite matters and aim to ensure that no party to a complaint, benefits or is disadvantaged from undue delays.
5. If at any time during the procedure the employee or an employee who is the subject of the grievance is on leave then this will be taken into account in determining what is reasonable.
6. If at any time, the employee or an employee who is the subject of the grievance is on long term sickness absence, then the line manager will consult the Occupational Health Team on whether the employee is fit to participate in the process. The HR Case Advisory Team should then be contacted for procedural advice.
7. If the employee or an employee who is the subject of a grievance is absent on a longer-term basis for any other reason, the person handling the grievance should consult the HR Case Advisory Team for guidance.

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Overview: Informal Stage of Grievance Procedure

This Chart details the MAIN Procedural Steps and should be read alongside the full procedure.



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TIMESCALES ARE SUGGESTED NOT PRESCRIPTIVE

MEDIATION CAN BE CONSIDERED AT ANY STAGE IN THE PROCEDURE

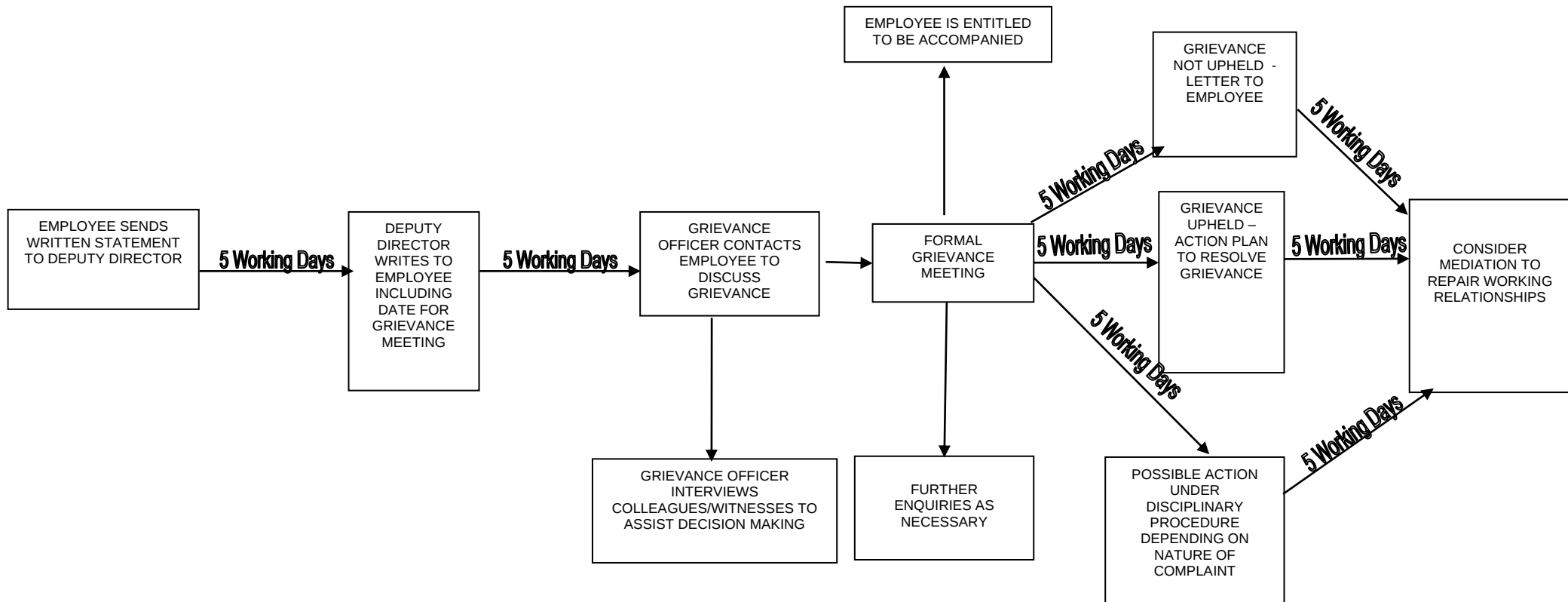
EMPLOYEES MAY BE ACCOMPANIED TO MEETINGS BY A TRADE UNION REPRESENTATIVE OR COLLEAGUE

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ANNEX D

Overview: Formal Stage of Grievance Procedure

This Chart details the MAIN Procedural Steps and should be read alongside the full procedure.



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TIMESCALES ARE SUGGESTED NOT PRESCRIPTIVE

MEDIATION CAN BE CONSIDERED AT ANY STAGE IN THE PROCEDURE

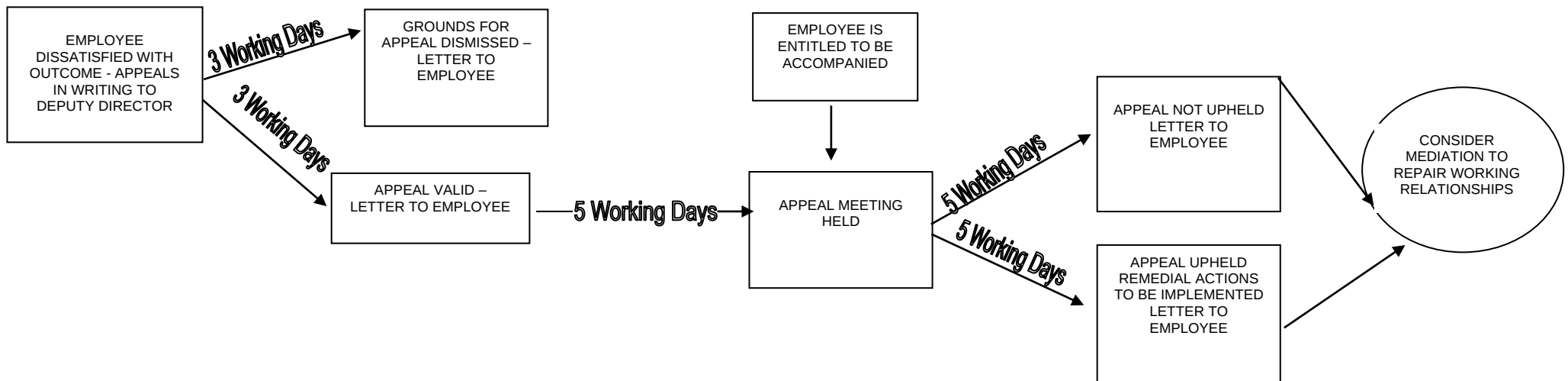
EMPLOYEES MAY BE ACCOMPANIED TO MEETINGS BY A TRADE UNION REPRESENTATIVE OR COLLEAGUE

GRIEVANCE

Formal Stage of Grievance Procedure

Appeal Process

This Chart details the MAIN Procedural Steps and should be read alongside the full procedure.



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GRIEVANCE

Annex E

MEDIATION

THE PROCESS

Mediation is a process that complements formal arrangements for dealing with workplace issues such as concerns and complaints from employees about their work, the working environment or relationships. It can also help to resolve complaints of harassment, discrimination, victimisation and bullying in the workplace.

Mediation offers early intervention before problems escalate into major issues for all concerned. It enables all parties to consider options to resolve situations and reach a mutually agreeable outcome, through the facilitation of an accredited and independent mediator.

APPLICATION TO GRIEVANCE PROCEDURE

Given the positive outcomes that can be achieved, employees and managers are recommended to consider mediation at any time during the informal or formal stage of the procedure. If they have not done so already, employees are strongly encouraged to consider mediation prior to progressing to the informal appeal stage or the formal stage of the procedure. Advice on mediation can be obtained from the HR Case Advisory Team.

Participation in the mediation process is entirely voluntary, as all parties need to enter into it in an open-minded and constructive way for it to be effective in resolving disputes and conflict. Where the parties to a grievance agree to participate in mediation, they will not be disadvantaged whatever the outcome.

Where mediation is agreed part way through the grievance procedure, the procedure will be suspended pending the outcome of mediation.

Mediation can also be used at the end of the grievance process to repair and rebuild relationships after a dispute or conflict. Managers should also bear in mind that the actions taken to resolve a grievance may have an impact on other individuals who may now feel aggrieved. Mediation may also be an option to help these individuals deal with the issue.

Full details on the mediation process can be found in the [Mediation policy](#).