**Grievance hearing guide**

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# Introduction

## Policy statement

Dealing with employee grievances and managing grievance hearings requires skill and tact. Those responsible for managing the process must balance thoroughness with fair treatment towards those involved. This can be achieved with a little forethought.

Before holding a grievance hearing, it is crucial that managers prepare thoroughly and, where necessary have considered any investigation reports or other evidence.

The purpose of this document is to set out guidance for those involved in managing or conducting a grievance hearing. It should be read in conjunction with the Organisation’s grievance policy and procedure.

## Status

The Organisation aims to design and implement policies and procedures that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the Equality Act 2010. Consideration has been given to the impact this policy might have in respect to the individual protected characteristics of those to whom it applies.

This document and any procedures contained within it are non-contractual and may be modified or withdrawn at any time. For the avoidance of doubt, it does not form part of your contract of employment.

## Training and support

The Organisation will provide guidance and support to help those to whom it applies understand their rights and responsibilities under this policy. Additional support will be provided to managers and supervisors to enable them to deal more effectively with matters arising from this policy.

# Scope

## Who it applies to

This document applies to all employees who may be involved in managing or chairing a grievance hearing.

# Guidance

## Overview

Grievance hearings should take place within seven days of receipt of the written grievance. The hearing should be held somewhere private where there will be no disruptions.

Formal grievance hearings are normally chaired by the employee’s manager with a second manager, or another person to support the hearing manager in attendance. The employee has a statutory right to be accompanied at a formal grievance hearing and, therefore, their representative or colleague will also be present with them

Other named parties (or witnesses) should be invited to submit written comments but may also be invited to the hearing or met with separately (this is not essential).

With the invitation letter, a hearing pack should be provided and the aggrieved party should be reminded that they have the right to be accompanied by a trade union representative or colleague. Template letters are available from the Practice Manager.

The hearing pack would usually consist of:

* All relevant correspondence
* A copy of the Organisation’s grievance policy and procedure
* The grievance and evidence
* A copy of the management response to any informal grievance stage
* Copies of any responses from named parties/an investigation report
* Copies of any other relevant policies or procedures

Named parties must be given a chance to respond to any complaints made about them – but they do not need to be invited to the hearing unless the manager hearing the case would consider it useful. In some cases, having the two parties in the room at that time may inflame the problem and it is better to meet separately – steps can be taken to repair the relationship once the grievance is concluded.

## Managing the grievance hearing

Before the hearing:

* Seek advice from your HR advisor/Practice Manager
* Familiarise yourself with the grievance procedure so that you are aware of the formal next steps
* Give careful consideration to the grievance case presented by the employee

During the hearing:

* Avoid a defensive attitude
* Remember that it this is not a disciplinary hearing but an occasion where discussion may lead to an amicable solution
* Make introductions as necessary
* Use your introduction to set the tone of the meeting - calm and objective with the aim of resolving the issues
* Invite the employee to re-state their grievance and how they would like to see it resolved, bearing in mind that those present will have read the grievance case
* Invite the companion to add any points, if relevant
* Ask questions for clarification
* Sum up the main points
* Adjourn the meeting to consider the case
* Inform the employee that they will be informed of the outcome/decision within seven days

After the meeting:

* Consider the evidence carefully
* Make any further enquiries if necessary, for example, with the person who is the subject of the grievance
* Provide a written response

When considering a grievance, a manager needs to bear in mind that all parties will need to work together afterwards – that is why it is important to consider the matter promptly, thoroughly, to give named parties a chance to respond, and to provide a

clear conclusion.

## What should the response letter cover?

The grievance response should summarise the case presented and any other evidence, provide the decision and the rationale, and set out any further action or next steps to resolve any problems long term and to help ensure a productive working environment for the future.

It should also include details about the employee’s right to appeal the formal grievance hearing outcome and how they can go about this.

Template letters are available from the Practice Manager.

## Appeals

After raising an initial grievance and receiving the outcome of the formal grievance hearing, the employee can appeal the decision to the next level of management. Usually an appeal hearing is arranged, and the outcome communicated to the employee. The decision of the appeal panel is final, and the employee has no further right of appeal after this.

The process for appeals is set out in the Organisation’s grievance policy and procedure.

## Returning to work after the grievance

Once the grievance is completed, it is important to get back to a good working relationship. Managers need to take the lead in putting the grievance behind them and making a fresh start. Where old grievances are raised, it is important to

maintain a positive focus on the future.