



## Honest Employment Law Practice Ltd

*Help! On your terms!*

## Dealing with a formal grievance

The following notes are not intended as a substitute for assistance obtained from HELP relating to a particular grievance matter and are only intended to act as a quick reference to ensure legal requirements are being observed.

1. A formal grievance should be made in writing to the immediate line manager or the designated senior manager referred to in the Company's policy.
2. A letter should then be sent to the employee confirming receipt of the letter and explaining the steps the company will be taking to investigate the situation.
3. If the formal grievance letter does not give enough information a meeting should be arranged with the employee to gather all of the facts relating to the situation. A letter should then be sent to the complainant confirming the steps to be taken, as above.
4. An investigation should be conducted and the amount of the investigation will depend on the circumstances of the particular case. In certain instances a particular person may be appointed to conduct the investigation and this may involve the taking and recording of witness statements and collation of other evidence.
  - When the employee who the complaint against them is interviewed they have the right to be accompanied by a colleague or a trade union representative.
5. The employee who is the subject of the grievance may be suspended (on full pay) while the investigation takes place dependant on the nature of the alleged complaint.
6. Once the investigation has taken place a meeting should be arranged with the complainant to discuss the matter with them and how it can be resolved.
7. When holding the grievance meeting with the complainant explain the company's position fully following the investigation and give them the opportunity to put forward any further issues they may have following the company's findings.
  - The employee is entitled to be accompanied by a colleague or a trade union representative
  - At all the meetings someone should take minutes, these should be documented and copied to H.E.L.P

- None of the meetings during the investigation should be conducted in an oppressive manner.
8. The grievance meeting should be adjourned at any time should the situation become aggressive or evidence comes to light which changes the circumstances of the grievance, At this point you may wish to contact H.E.L.P for further guidance.
  9. The decision of the grievance investigation will normally be given to the employee verbally and confirmed in writing. **The employee must be advised of their right to appeal.**
  10. If possible the minutes of the grievance meetings should be agreed and signed on behalf of the company and the employee.