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## **GRIEVANCE AND DISCIPLINARY POLICY AND PROCEDURE**

### **1. Purpose and Scope**

This policy document applies to your employment at *[Insert organisation name and address]*, the "Organisation" and all other organisation sites that you may be asked to work at from time to time. This policy and procedure applies to all employees, irrespective of their seniority within the Organisation.

## **GRIEVANCE PROCEDURE**

### **2. Informal Procedure**

**2.1** An "open door" policy is operated by the employer in respect of all matters concerning an employee's terms and conditions and general welfare. Employees are encouraged to discuss any problems or concerns that they have on an informal basis with their immediate supervisor/manager in a confidential interview. The decision of any interview will remain confidential, (unless there is a risk of personal danger or a criminal offence has occurred).

**2.2** Decisions about what to do can be made by the complainant themselves, (if appropriate). If this is not possible or the nature of the complaint makes informal action inappropriate then the following formal procedures are available to employees.

### **Formal Procedure**

**2.3** In the event that the grievance is not resolved by the informal procedure at paragraphs 2.1 and 2.2 above or the complainant is not satisfied with the decision taken by his or her immediate supervisor/manager they must put their grievance in writing and send a copy to their department head, and request a meeting.

**2.4** A meeting will normally be arranged within *[Insert number of days, e.g. 7-21]* working days of the request and the complainant will be entitled to request that he/she be permitted to be accompanied by a work colleague of their choice or trade union representative, or an official employed by the trade union where the complaint

is about a duty owed by the employer to the employee. Such a request must be reasonable. The employee's chosen companion will be allowed to address the meeting and out forward the employee's case as well as summing up the employee's case if the employee consents. The companion may also respond on behalf of the employee and confer with them during the meeting. The companion cannot however answer questions on behalf of the employee or prevent the employer from putting their case. The employee must take all reasonable steps to attend the meeting. Consideration will be given to adjourning the meeting if an investigation is necessary first.

**2.5** The complainant will be given every opportunity to raise any concerns or queries and agree with the department head how they, the complainant, should be supported during the investigation and in the event that it leads to disciplinary proceedings. The department head will then take brief notes of the discussions with the employee and these will be sent to *[Insert name and position of person to receive notes]*. The employee will be entitled to a copy of any meeting records or formal minutes, which exist.

**2.6** The complainant will be informed of the employer's decision regarding his or her complaint shortly after the meeting. The complainant will also be informed of the right to appeal the decision.

**2.7** Any fellow worker who acts as a companion at a disciplinary hearing will be entitled to take paid time off work to prepare for and go to a hearing.

**2.8** The grievance procedure may be suspended at any stage if the employer considers that mediation is an appropriate method of resolving the dispute and all the parties involved agree to enter into mediation.

**2.9** In the case of the grievance leading to disciplinary proceedings *[Insert name of person to receive notes]* will notify the respondent, (the person who is the subject of the complaint) that a formal complaint has been made against them and before proceeding with an investigation will decide whether legal advice should be taken or the police contacted. All parties will be reminded of the requirement to maintain confidentiality.

**2.10** *[Insert name of person to receive notes]* will investigate the complaint or appoint an appropriate member of staff to investigate the complaint and specify the time scale for the investigation and the date by which an investigation report must be prepared and ensure that all parties receive appropriate information regarding the investigation. On the basis of the investigation report *[Insert name of person to receive notes]* will then determine if a disciplinary hearing will be held against the respondent.

## **Appeals**

**2.11** In the event that the grievance remains unresolved or the complainant is still not satisfied with the outcome they may appeal to *[Insert name of person who will hear appeal]* within *[Insert number of days, e.g. 5-10]* working days. A meeting will normally be arranged within *[Insert number of days, e.g. 7-14]* working days of the request and the complainant will be entitled to be accompanied by a work colleague

of their choice or trade union representative. The employer will inform the complainant of his decision in writing shortly after the meeting.

## **DISCIPLINARY PROCEDURE**

### **3. Purpose and Scope**

**3.1** The employer's policy and procedure on discipline at work applies to all employees. It is intended to set out the procedures for giving warnings in the event of the employee's failure to meet standards set by the employer; including conduct which the employer finds unacceptable, poor attendance or breaches of the terms and conditions of the employee's contract of employment.

**3.2** The employer's aim is to encourage improvement in individual conduct. The employer may commence the disciplinary procedure at any stage if the employee's conduct deems it necessary. However, no disciplinary action will be taken until the matter has been fully investigated.

**3.3** At every stage employees will be given the opportunity to hear the case made against them and to state their case. The employee is entitled to make a request to be accompanied by a work colleague of their choice or trade union representative or official employed by the trade union, (such a request must be reasonable) at disciplinary proceedings. Any fellow worker who acts as a companion at a disciplinary hearing will be entitled to take paid time off work to prepare for and go to a hearing. The employee's chosen companion will be allowed to address the hearing, put forward the employee's case and sum up the employee's case provided the employee consents. The companion may also respond on behalf of the employee and confer with them during the hearing. The companion cannot however answer questions on behalf of the employee or prevent the employer from putting their case.

**3.4** The employer will set out in writing prior to the hearing, the employee's alleged conduct, characteristics or other circumstances, which has led to the employer taking disciplinary action against the employee and all relevant evidence relating to the alleged conduct. This will be sent to the employee.

**3.5** Where the employer or employee intends to call relevant witnesses they are required to give advance notice to each other that they intend to do so.

**3.6** Employees also have the right to appeal against dismissal or other disciplinary action as set out below at clause 8. The right of appeal will also be notified to the employee in the written statement at paragraph 3.4 above.

**Sample document – the remaining are clause headings only**  
**Full document contains all clauses**

## **4. The Procedure**

Investigation

Hearing

Oral Warning

Written warning

Final written warning

Dismissal

**5. Gross Misconduct**

**6. Suspension**

**7. Overlapping Grievance & Disciplinary Cases**

**8. Appeals**

**9. Date of Implementation**

**10. Questions**

**11. Alteration of this Policy**

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