



Developing young people through personal challenge

# Grievance Policy & Procedure for Employees and Volunteers

## Version Control

Version	Author	Summary of Changes	Date
1.0	Dominic Taylor	Full Review into new format	29/08/23

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## Audit Control

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### Policy Statement

To give employees and volunteers access to a procedure that will help deal with any grievance relating to their work with the charity Youth Challenge Oxfordshire (YoCO) and to help resolve grievances fairly and promptly. If a young person wishes to raise a complaint, grievance or safeguarding issue against a YoCO employee, volunteer or trustee they should refer to YoCO's Safeguarding Policy.

### Scope

This policy applies to all employees and volunteers of the charity Youth Challenge Oxfordshire (YoCO). This policy does not form part of any employee's or volunteer's contract and it may be amended at any time.

### Use of grievance procedure

Issues that may cause grievances include:

1. terms and conditions of employment or volunteering
2. health and safety
3. work relations
4. bullying and harassment
5. new working practices
6. discrimination
7. organisational change

The grievance procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal to the board of trustees.

YoCO operates a separate Whistleblowing Policy to enable employees and volunteers to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimized for an act of whistleblowing, you may raise the matter under the grievance procedure.

In the event that the Charity discovers a grievance previously raised by you is malicious, fabricated or falsified it reserves the right to take disciplinary action against you. Please note that this could result in your dismissal for gross misconduct.

### Raising grievances informally

If you have a grievance relating to your work you may discuss it with the Youth Group Manager, who may be able to resolve the situation on an informal basis. If you feel unable to approach the Youth Group Manager (e.g. because your complaint concerns him or her, or if the complaint is from the Youth Group Manager), then you should contact a Trustee of your choice who will discuss ways of dealing with the matter. A Trustee can ask who else has been contacted regarding the grievance matter and should know the outcome of that contact. Where attempts to resolve the matter informally do not work, you should raise a formal grievance under this policy.

### The right to be accompanied

You have the right to be accompanied at any grievance meeting or subsequent appeal. The person need not be an employee or volunteer of the Charity. The choice of companion is yours, but the Charity reserves the right to refuse to accept a companion whose presence would undermine the grievance process.

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At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing and sum up the case on your behalf. However, both the hearing and appeal hearing are essentially meetings between you and the Youth Group Manager and/or Trustee so any questions put directly to you should be dealt with by you and not your companion.

### **Accessibility**

If any aspect of the grievance procedure causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language then you should raise this issue with the Youth Group Manager who will make appropriate arrangements.

### **Conduct of grievance procedure**

The Charity recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated fairly and with respect. The Charity will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

### **Formal grievance procedure**

#### **Stage1: Making the complaint**

1. Your complaint should be put in writing. This written statement will form the basis of any subsequent hearing and any investigations therefore it is important that it sets out clearly the nature of the grievance, any relevant facts, dates, names of individuals involved and indicates the outcome that you are seeking.
2. Your complaint should be headed "Formal grievance" and submitted to the CEO. If the complaint concerns the CEO then the complaint should be sent to one of the Trustees.
3. Further attempts may be made to resolve the matter informally, depending on the nature of the complaint. However, if you are not satisfied with the outcome, then you may insist on the matter proceeding to a full grievance hearing.

#### **Stage 2: Investigation**

1. It may be necessary to carry out an investigation into your grievance. The investigation may involve interviewing and taking statements from you and any witnesses and reviewing relevant documents. You must co-operate fully and promptly in any investigation. The CEO will nominate the most appropriate person to carry out this investigation.
2. In exceptional circumstances, some evidence may have to remain confidential. Where confidentiality is necessary, this will be explained to you and an appropriate summary of the evidence gathered will be provided instead.

#### **Stage 3: The grievance hearing**

1. The hearing will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, within a month of the receipt of your written complaint. It will be conducted by the CEO. The purpose of the meeting is to enable you to explain the nature of your complaint, how you think it should be resolved and to assist us to reach a decision based on the available evidence and the representations you have made. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

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2. You and your companion (if any) should make every effort to attend the meeting at the specified time. If you or your companion cannot attend, you should inform the CEO as soon as possible and we will try within reason to agree an alternative time.
3. While you will be given every opportunity to explain your case fully, you should confine the explanation to matters that are directly relevant to the complaint. Focusing on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of the complaint. The person conducting the hearing may intervene if s/he thinks that the discussion is straying too far from the key issue. They may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of the complaint.
4. Following the meeting, you will be informed in writing of the outcome, usually within five working days, and told of any action that the Charity proposes to take as a result of the complaint. The letter will also contain details of the appeal procedure.

## Appeal

1. If you are dissatisfied with the outcome of the hearing then you should submit an appeal in writing to the Chair of Trustees as stated in the outcome letter. You must clearly state the grounds of the appeal, i.e. the basis on which you say that the result of the grievance was wrong or that the action taken as a result was inappropriate. This should be done within five working days of the written notification of the outcome of the grievance. An appeal meeting will be arranged to take place as soon as is reasonably practicable.
2. You and your companion (if any) should make every effort to attend the appeal meeting at the specified time. If you or your companion cannot attend, you must inform the Chair of Trustees as soon as possible.
3. The appeal hearing will be conducted by the Chair of Trustees (not previously involved in the grievance) who will consider the grounds that have been put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate. The appeal is not a rehearing of the original grievance, but rather a consideration of the specific areas with which you were dissatisfied. The appeal may therefore be confined to those specific areas rather than reconsider the whole matter afresh.
4. Following the appeal meeting, the employee/ volunteer will be informed in writing of the outcome within seven working days. This is the end of the procedure and there is no further right to appeal.