

Policy summary

Grievances and disagreements at work are common events in the best of workplaces and should not be unwelcome or an indicator of an unhealthy culture. However, where grievances and disagreements are not addressed this can lead to poor working relationships, reduction in performance and a negative impact on motivation and morale in the workplace. In a creche setting this may also affect the quality of childcare.

There is an expectation that both The Park Academy Childcare and the employee(s) should actively work together to resolve the dispute with a commitment to attend any meeting arranged to discuss the issue concerned.

The purpose of the Grievance & Dispute Resolution Policy is to resolve both individual and collective disputes raised by an employee or group of employees as quickly as possible and as near as possible to the point of origin and to establish a means of resolving employee grievances and disputes to allow a fair and final resolution.

Most grievances can be handled by the immediate line manager without recourse to formal procedures. However, it is in both parties' (employee and employer) interests to have a clear procedure for the resolution of all issues arising between them. It is accepted that grievances may occur in the normal course of interaction in any organisation and that failure to provide a procedure to deal adequately with these grievances, in a timely manner, may lead to disputes affecting not only the aggravated party but potentially all those employed within the organisation. Full recognition is given to the significance of personal grievances and both employees and employer are determined that all grievances will be dealt with without undue delay and at the earliest possible stage of this procedure.

The Company has the following grievance procedure in place and is committed to complying with the same thus ensuring that all grievances raised are handled consistently in accordance with the procedure.

The purpose of this document is to inform employees about the procedure.

The main aims of the procedure are:

1. To ensure aggrieved employees have a readily available and prompt method of airing a complaint.
2. To provide a clear guide of how the complaint can be raised and with whom.
3. To provide for an avenue of appeal, if an employee is dissatisfied with a decision at any level.
4. To ensure a consistent policy is applied to employees.
5. To avoid employee dissatisfaction being expressed in the form of either individual or group conflict.

Responsibility

All employees must read the grievance procedure and if they have any questions in relation to their understanding about the procedure address them immediately to their immediate Line Manager or the Human Resources (HR) Department.

Supervisors and Managers conducting a meeting, formal or informal, to address a grievance must do so in accordance with the procedure. Managers must inform the HR Department when a formal grievance is raised by a member of staff.

The HR Department are responsible for providing assistance to Managers in dealing with grievances.

Scope

This policy applies to all employees of The Park Academy Childcare regardless of job role, professional status, level of role or length of service.

Procedure

The procedure may be used where an individual employee needs to raise issues about their work, such as:

- interpretation of conditions of employment;
- pay;
- work allocation;
- staffing levels;
- promotion and grading;
- changing working practices;
- health and safety issues

The procedure is not intended to apply to the settling of differences relating to:

- Dismissal or other disciplinary matters (See Disciplinary Policy)
- Suspension from work (see Disciplinary Policy)
- Any other formal procedure being instigated (e.g. poor performance)
- To discuss serious accounts of harassment and bullying (See Anti-Bullying and Harassment Policy)
- To report protected disclosures or Whistleblowing (See Speak up Policy)

Employee(s) are encouraged to initially approach their Centre Manager / Deputy Centre Manager and the outcome of conversations should, where necessary be recorded in a File Note. It is important for the employee to declare at the outset that they are making use of the Grievance & Dispute Resolution Policy.

In the interests of good employee relations, each stage of the procedure should be undertaken without any unreasonable delay. Whilst it is anticipated this should be kept to a minimum it is also acknowledged that each case will be individual. The time limits specified are guidelines and may be extended in the interests of ensuring a better resolution. Centre Managers should communicate the timeframe within which they will respond to the dispute.

Employee's using the Grievance & Dispute Resolution Procedure will be treated in a fair and equitable manner and care taken to ensure that confidentiality is maintained, and any form of victimisation prevented. Any malicious allegation raised as part of the dispute, may lead to disciplinary action being taken in line with disciplinary policy. Each stage of the procedure

will be confirmed in writing to the employee(s) by management. These records will be retained on the individuals' personal file.

Complaints should be raised at the earliest opportunity. This is to ensure swift action and resolutions can be made whilst events are still fresh in the minds of those involved. Any disputes that are raised post-employment will be acknowledged and investigated however the employee may not receive a written response of the findings of the investigation.

Stages

Informal Discussion

It is often preferable for all concerned that grievances are dealt with informally. This is likely to produce solutions, which are speedy and effective. The informal procedure for dealing with grievances is outlined below.

If you have a grievance you should approach your manager/supervisor who will discuss the matter with you.

If discussing the issue informally does not result in an acceptable outcome, you should invoke the formal procedure as outlined below.

Formal Grievance Discussion

At any stage in the formal process, you may choose to be represented by a colleague or trade union representative (if applicable).

Stage One: Initial Formal Meeting

It is expected that all disputes will be attempted to be resolved informally between Centre Manager and employee. Where this has not been possible a grievance / dispute will be raised by an employee to their Centre Manager in writing, making it clear they wish to follow the procedure at the formal stage and stating the nature of the issue.

The Centre Manager concerned will then invite employee in writing for a meeting, within a reasonable timeframe, to discuss the issue. This meeting will take the form of a discussion at which both parties will attempt to reach an agreed resolution. A summary of the conversation will be documented in writing and a copy is given to the employee.

The employee has the right to appeal against the decision.

Where the issue is about other members of the team, an investigation will be required which should be held as sensitively as possible to ensure the Centre Manager has all viewpoints required to continue in considering the correct resolution. Where alleged inappropriate conduct is highlighted, formal disciplinary proceedings may be taken in line with the Disciplinary Policy.

If your grievance involves personal or other sensitive issues, which you would consider inappropriate to raise directly with your immediate supervisor, you should seek advice from the HR department.

Stage Two: Second Formal Discussion

Should the problem remain unresolved, a meeting will be arranged between you, your manager/supervisor (optional) and a more senior member of the management team.

Stage Three: Final Discussion

Should the problem remain unresolved, you should present the problem or dissatisfaction in writing to the [Insert relevant person]. You should also give your manager/team leader a copy of this letter. A meeting with the [Insert relevant person] and any other interested parties will then be scheduled

Mediation

If the issue is regarding a relationship issue including bullying and harassment (see Anti-Bullying and Harassment Policy) a mediation meeting may be required between the colleagues. Mediation meetings should allow the allegation to be shared and give both parties the opportunity to respond to the allegation and discuss in detail. Often in these cases it is about how someone has been made to feel emotionally and therefore this must be taken into consideration.

The mediation meeting should also attempt to explore resolutions to the issue to ensure both parties can continue to work harmoniously and professionally in the future. Although a mediator is present they should be there to keep the meeting on track and to ensure that both parties speak, listen and respond in a professional way. Mediation is about moving forward.

Appeal

If the employee is dissatisfied with the outcome of the formal Grievance & Dispute Resolution Meeting, they can lodge an appeal. Any appeal should be submitted in writing, clearly stating why they do not feel the resolution made was satisfactory and to input a resolution they wish to be considered.

This appeal should be completed and sent within 7 working days of receipt of the outcome of the Grievance & Dispute Resolution Hearing, to the HR Department. This will then be forwarded along with a copy of all previous paperwork relating to this dispute to another member of Management who should be independent.

The HR Department will then arrange an Appeal Meeting, of which the employee will be invited in writing to attend with reasonable notice, to hear the employee present their reasons for appeal, consider the resolution and look to explore other resolutions that may be appropriate. Upon conclusion the outcome of appeal will be documented and a full written response will be sent to the employee. The decision of the appeal meeting shall be final.

External Stage

Should the matter remain unresolved, and the employee is dissatisfied and wishes to pursue the matter further then they may do so externally. It may be referred to an appropriate 3rd party.

During the period in which the above procedure is being followed, normal working – under protest, if necessary, will continue.

Representation

Employees are entitled to be accompanied to the Appeal Meeting by either an existing employee of The Park Academy Childcare or a Trade Union / Professional Body Representative.

An employee asked to act in this capacity does have the right to refuse.

The Park Academy Childcare reserves the right to refuse a companion if it feels there is a risk or conflict of interest, e.g. also a family member.

Where the representative is unable to attend the meeting owing to previous commitments the meeting will be re-scheduled once only if the employee suggests an alternative date and time within 5 working days of the original meeting. The representative's role is to support the employee, they may not answer questions on behalf of the employee.

Employees have the right to representation at the other stages also - but not the informal discussion stage.

Resources

- Workplace Relations Act 2015

Review date

June 2023

Contact

For further information please contact the HR Department