



# **Grievance**

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## Policy and Procedure

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# Grievance

**We are pleased to be launching the revised Grievance Policy which is a 'National Collective Agreement' across Post Office Limited with Unite and CWU.**

The policy aims to help employees and managers resolve work-related concerns in a positive, constructive and timely way, by providing a robust process for managers to deal with these concerns. The process for dealing with grievances has been simplified to make sure concerns can be dealt with quickly and effectively.

We believe many workplace concerns can be dealt with through day-to-day discussions. A key aim of the revised policy is to encourage employees to discuss the matter with their manager as soon as possible after it arises. By talking through the concern in this way, we think the majority will be resolved at this point.

The revised policy improves on good practice set out by ACAS and has been agreed jointly with our unions, replacing the existing policy and guide.

We believe the new approach will benefit the business, our employees and union representatives. We hope you find this policy useful in helping you resolve employee concerns.

Andy Furey

Assistant Secretary



Mike Eatwell

UNITE Officer



Lee Kelly

Employee Relations &  
Policy Director



## 1. POLICY STATEMENT

At Post Office Limited, we are keen to provide a positive and supportive working environment for all of our employees, and as such we recognise that from time to time an employee may have a problem or concern related to their work, working environment or working relationships.

It is Post Office policy that a culture of good communications, openness and a willingness to cooperate and listen will exist, and therefore it is envisaged that the majority of these issues or misunderstandings will be capable of being addressed informally in an efficient and effective manner. However, where such issues are unresolved they may become grievances.

The aim of the grievance procedure is to:

- confirm Post Office's approach towards grievances,
- provide a framework to ensure that grievances are dealt with fairly, consistently and promptly before they escalate into major problems,
- ensure that all employees are aware of their responsibilities regarding raising problems and concerns and will not suffer a detriment for doing so,
- give guidance to managers who have responsibility for the maintenance of good employee relations.

This policy applies with effect from 11<sup>th</sup> November 2019 and replaces all earlier versions of the policy.

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## 2. SCOPE

This policy applies to current employees and workers employed by the Post Office. This policy does not apply to agency workers or self-employed contractors.

Issues that could give rise to a grievance may include:

- Term and conditions of employment
- Health and safety
- New work practices
- Working environment
- Working relationships

**ONLY APPLICABLE FOR MANAGER GRADES EMPLOYEES:** This policy and procedure would also be followed in cases of PDR grievances for managers. Any grievance submitted against a mid-year or year-end rating would need to be submitted within the 6 week window from rating confirmation.

If a group want to raise an issue, one employee from that group should

represent the collective at the grievance hearing meeting.

If an employee is dissatisfied with any disciplinary action, they should submit an appeal as per the [Conduct Code](#). Employees could submit a grievance if they do not believe that the policy has been followed correctly.

We take allegations of bullying, discrimination, harassment and victimisation very seriously. If you believe you're being bullied, discriminated against, harassed or victimised please refer to the [Dignity at Work Policy and Procedure](#).

We operate a separate [Whistleblowing Policy](#) to enable employees to report criminal activities, wrongdoing and/or dangerous practices in Post Office. This would include serious accidents, bribery, fraud, criminal activity, regulatory breaches, miscarriages of justice, health and safety risks, damage to the environment and financial impropriety. There are three ways in which you can

report a concern through the [Whistleblowing Policy](#):

1. Contact your line manager or HR Director
2. Contact the **Speak Up** confidential reporting service run by InTouch MCS Ltd on **0800 048 4531** or via <https://wrs.expolink.co.uk/postoffice>
3. Contact the Whistleblowing Officer at [whistleblowing@postoffice.co.uk](mailto:whistleblowing@postoffice.co.uk)

Industrial relations collective issues should be raised through the [Collective Engagement Framework](#).

If an employee is unsure whether they are using the correct procedure they should seek advice from HR or their Trade Union Representative.

### 3. PRINCIPLES

- Complaints will be handled sensitively and everyone will be treated with dignity and respect.
- Complaints will be handled as quickly as possible. The formal procedure should take no longer than 28 days from when the complaint was raised.
- The formal procedure should be completed and the outcome shared with the employee within 28 working days of the complaint being raised.
- No employee will be disadvantaged in any way if they raise a complaint under this procedure.
- Managers and employees should actively work together to find a reasonable solution to any complaint raised.
- No decisions on the outcome of a formal grievance will be made before the case has been investigated.
- Employees raising a grievance (complainant) may only do so on their own behalf, they cannot raise a grievance on behalf of another colleague.
- The complaint will be dealt with in confidence. Very occasionally some details may need to be shared with others so that the problem can be dealt with. It's the manager's responsibility to explain this to the employee and to get their agreement

before the need arises.

- Employees raising a grievance may ask to see documents that are directly related to the complaint. Access will be provided in line with data protection regulation (i.e. an employee would not be provided with another employee's personal data)

## 4. SUMMARY OF RESPONSIBILITIES

### COMPLAINANT

- Where possible, bring issues to the attention of their line manager as soon as they arise and before they escalate further.
- Make every effort to resolve the issue informally with their line manager before invoking the formal grievance procedure. Employees can raise issues with their line manager verbally or in writing if preferred.
- If the informal route is not appropriate or does not resolve the issue, raise a formal grievance in accordance with the company's formal grievance procedure.
- Maintain confidentiality and answer questions openly and honestly.

### LINE MANAGER

- Role model our values and behaviours and promote positive working relationships.
- Challenge and stop unacceptable behaviour in the workplace.
- Adopt early intervention strategies to resolve workplace issues and avoid them escalating to formal grievances
- Ensure that the concerns and issues of employees raised informally are taken seriously and dealt with in a timely and professional manner.
- Where the matter is raised informally and where it is deemed appropriate by either party the manager will record the discussion and agree the minutes with the employee. A record of these would be maintained on the employees file.
- Where the matter is raised informally and action has been taken, the manager will record the discussion and agree the minutes with the

employee. A record of these would be maintained on the employees file.

- Provide support to employees who raise a formal grievance

### **GRIEVANCE HEARING MANAGER**

- Accountable for ensuring a consistent and fair application of the formal procedure (stage 2).
- Ensure that the concerns and issues of employees raised formally are taken seriously and dealt with in a timely and professional manner.
- Ensure that a balanced picture of the issue is achieved by obtaining and understanding all sides of the story before making a decision in relation to the outcome of the grievance.
- Prioritise meetings and maintain confidentiality.

### **APPEAL HEARING MANAGER**

- Accountable for ensuring a consistent and fair application of the formal procedure (stage 3).
- Ensure that the appeal is taken seriously and dealt with in a timely and professional manner
- Carefully consider all of the information presented and make a final decision in relation to the appropriateness of the outcome of the grievance.
- Prioritise the meeting and maintain confidentiality.

### **HUMAN RESOURCES**

- To provide timely professional advice to employees and managers on the implementation of this policy and procedure.

## **5. PROCEDURE**

In order to provide an effective and timely resolution of employee concerns, the below procedures will be followed to ensure that grievances receive full and careful attention.

### **5.1 STAGE 1: INFORMAL APPROACH**

Post Office will wherever possible look to resolve any grievance informally. By dealing with issues at an early informal stage, this allows any breakdown of understanding or professional relationships to be repaired quickly and allow all individuals to move forward.

An informal approach does not consist of any prescribed steps but the focus of informal resolution is on exploring whether the complaint or concern can be resolved through discussion and in particular by agreement on ways of avoiding similar issues arising in the future.

Where a meeting is required to discuss the grievance employees are entitled to be accompanied by a work colleague or union representative.

In more serious cases, or where an employee feels that the informal process would not resolve the complaint, they may move directly to the [Formal Procedure](#) without following the informal approach.

#### **5.1.1 MEDIATION**

Where there are working relationship difficulties and conflict between two individuals, this could be between a manager and employee or two employees, the individuals may want to consider mediation.

Mediation is a voluntary option and can only take place with the full co-operation of both individuals involved.

If an employee wishes to explore mediation they should speak to their line manager or union representative. Information is also available on [PeopleHub](#).

This important activity will be undertaken by a Post Office ACAS trained mediator.

The role of the mediator is to provide impartial, non-judgemental support to

both individuals in order to reach a mutually acceptable agreement, having no vested interest in the outcome and not determining who was right or wrong in the past.

A mediator will ensure that both individuals get the opportunity to speak and listen and support them to generate ideas and agreements for the future.

A request for mediation can be made at any point during this process. The formal grievance procedure would be suspended during mediation. If mediation is unsuccessful, the issue will revert back and be dealt with as part of the grievance procedure.

## 5.2 FORMAL PROCEDURE

If an employee is dissatisfied with the response received as part of the informal procedure (or where an employee feels that the informal process would not resolve the complaint) then they may invoke the formal grievance procedure.

The grievance procedure provides detailed stages and actions which are to be taken to formally raise and to handle a grievance. These stages are given below.

For the purpose of this policy 'working days' are defined as the days employees work Monday – Friday.

### 5.2.1. THE RIGHT TO BE ACCOMPANIED

Employees have the right to be accompanied by a work colleague or representative of a Trade Union at grievance or appeal meetings.

If the accompanying individual is unable to attend on a scheduled meeting date, the employee may request to postpone the date of the grievance meeting by up to 5 working days from the date of the original meeting. Any request to postpone a meeting should be made as soon as possible. Any revised date requested by the employee must be reasonable.

The employee representative should be permitted reasonable time to confer privately with the employee, before, during adjournment and after the meeting either in the meeting room or outside.

If an employee is disabled, it may be appropriate to allow them to be accompanied by a suitable person because of their disability, in addition to any chosen representative.

The companion can observe, provide active support or act on behalf of the employee - but it's important to ensure the employee is given every opportunity to respond personally.

It is the employee's responsibility to ensure the attendance of their representative.

An employee can choose not to be accompanied at a formal grievance meeting; this should be recorded in the notes of the meeting. Similarly, the person requested to accompany someone at a grievance meeting (an accompanying individual) can decline that request.

### 5.2.2 STAGE 2

An employee should raise a Stage 2 complaint with their second line manager. This should be done by putting the complaint in **writing** using the **Formal Grievance Form** and sending to their second line manager.

If the employee feels uncomfortable sending their complaint directly to the second line manager they can submit this to the HR Service Centre ([hr.grievance@postoffice.co.uk](mailto:hr.grievance@postoffice.co.uk)) in the first instance who will allocate to the correct manager for investigation.

The employee will be invited to attend a meeting to discuss the grievance within 5 working days and will be given 3 working days' advance notice of the meeting. Employees have the right to be accompanied by a work colleague or representative of a Trade Union.

The manager will listen to, and discuss with the employee the grievance. The employee will have the right to bring with them any available evidence and will have the opportunity to submit witness statements. Any witness statements taken by the Post Office in the course of any investigations will be made available to the employee who will be given an opportunity to comment on them before a decision is made. Following the meeting with the employee and any subsequent investigations the line manager should confirm the outcome to the employee and follow this up in a formal letter.

Within 5 working days of this meeting, the employee should receive a letter informing them of the outcome of the grievance.

The following are potential outcomes of the formal stages of the grievance procedure:

- Grievance not upheld
- Grievance partially upheld
- Grievance upheld

Where the grievance is upheld fully or in part, appropriate actions will be determined as a result of the grievance. Recommendations can still be made, where appropriate, even when a grievance is not upheld in order to prevent similar complaints being raised in the future.

If it is not possible for the manager to respond within the required timeframe, the employee will be informed in writing the reason for the delay and when the response can be expected.

## **6. STAGE 3 - RIGHT TO APPEAL**

Employees have the right to raise an appeal if they feel their grievance has not been satisfactorily resolved.

Employees who wish to appeal should complete an appeal form in [SuccessFactors](#) within 5 working days of gaining written confirmation of the outcome of the grievance.

Where an employee does not have access to [SuccessFactors](#) for reasons such as 'Long Term Sickness' an employee can complete the [Appeal Form](#) (paper version) and send this to the HR Service Centre [hr.appeals@postoffice.co.uk](mailto:hr.appeals@postoffice.co.uk)

The employee should clearly set out the grounds of their appeal, their key concerns and propose an expected or desired solution. On receipt of the appeal the employee will be invited to attend an appeal meeting.

Appeal meetings will be heard outside of the management line by an independent manager (minimum grade 3a). Employees are entitled to be accompanied by a work colleague or union representative during the appeal meeting.

At the meeting the appeal manager will confirm the current position and will ask the employee questions to clarify that position. The employee will have the right to bring with them any additional evidence.

In some circumstances, such as where a further investigation takes place after the appeal meeting, it may be necessary to hold a second meeting to discuss any further evidence gathered during the investigation before making a decision. Within 5 working days of this meeting, the employee will receive a letter informing them of the outcome of the grievance. If it is not possible for the manager to respond within this time frame, the employee will be informed in writing the reason for the delay and when the response can be expected.

This is the final stage of the procedure and the process will be considered exhausted upon its completion.

## **7. GRIEVANCES FROM THIRD PARTIES**

Ex-employees may raise a complaint linked to harassment or discrimination, all such complaints should be managed



as per the [Dignity at Work Policy and Procedure](#).

Agency workers may sometimes try to raise a complaint, however it may be more appropriate for them to raise their complaint with a third party - such as the agency that's supplying them to the business. For example, this would be appropriate where a complaint is about a deduction from wages, and an agency is responsible for paying the individual.

Where a grievance is received by someone other than an employee or worker of Post Office, managers must contact their HR Business Partner.

## **8. RECORDS**

Records will be kept of all formal meetings in relation to the grievance raised. All records will be maintained on the employee's personnel file and will remain confidential. In some circumstances information may be withheld, e.g. to protect the identity of a witness.

Where the matter is raised informally and where it is deemed appropriate the manager will record the discussion and agree the minutes with the employee. A record of these would be maintained on the employees file.

Where the matter is raised informally and action has been taken, the manager will record the discussion and agree the minutes with the employee. A record of these would be maintained on the employees file.

The Company does not permit anyone to make electronic recordings of any meetings conducted under this procedure.

## **9. VEXATIOUS GRIEVANCES**

The purpose of the grievance procedure is to ensure that the appropriate channels are available through which employees can raise genuine concerns.

Where, after an investigation, **strong evidence** suggests a grievance has been raised vexatiously or maliciously the complainant may be subject to disciplinary action and investigated as per the [Conduct Code](#).

## **10. CONDUCT**

In some instances the result of the investigation and grievance outcome may result in a case being recommended for conduct. For further information see the [Conduct Code Policy](#).

Sometimes, grievances can be made during conduct procedures. Depending on its nature, the disciplinary process can be paused to deal with the grievance first. If the disciplinary and grievance cases are related, they can be dealt with at the same time. In these circumstances the outcome of the grievance should be confirmed before reaching an outcome to the conduct case.

## **11. DIVERSITY AND INCLUSION**

Post Office aims to secure equality of opportunity in all its activities, and in this respect, the grievance procedure must be objective, clear, transparent and free from discrimination. Post Office will ensure that the application of this policy does not discriminate employees on the basis of; age, disability, gender reassignment (including, gender identify, gender expression), marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, ethnic or national origins), religion or belief, sex or sexual orientation.

This policy will be applied and monitored in accordance with the Post Office [Equality Diversity and Inclusion Policy](#).

## **12. REVIEWS**

The Employee Relations team will monitor compliance of this policy.

The Employee Relations and Policy Director is responsible for the monitoring, revision and updating of this

policy. Formal reviews will take place every 12 months in conjunction with our unions to identify any trends through statistics and review opportunities for improvement.

### **13.FURTHER SUPPORT**

Further support is available as below:

- [Peoplehub](#)
- [Occupational Health](#)
- For Managers – [My HR Help](#)
- [People Management Fundamental Training](#) – Our Employee relations Policies
- [Grievance Toolkit](#) (fact sheets, letters, checklists, forms)

## DOCUMENT CONTROL RECORD

SUMMARY			
GE Policy Sponsor	Policy Owner	Policy Implementer	Policy Approver
Group HR Director TBC	Employee Relations and Policy Director Lee Kelly	Employee Relations Manager Janene Mellor	Group HR Director TBC
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1	Annual	11/11/19	UK

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Version	Date	Changes	Approved by

DOCUMENT DISTRIBUTION STATUS			
Distribution	Mark x as appropriate	Document Sensitivity	Mark x as appropriate
Internal	x	Non-sensitive	x
External		Sensitive	

QUALITY STATEMENT	
Quality Control	Next Review Date
<p>This document is periodically reviewed, and at least on an annual basis starting from the last effective date.</p> <p>This policy has been reviewed against the latest Post Office policy standards and legislative requirements.</p>	Nov 2020

