

Swift Office Cleaning Services (Hounslow) Limited

Grievance Procedure

Policy

It is the Swift Office Cleaning's policy to encourage employees with grievances relating to their employment to use the procedure below to seek satisfactory solutions. The organisation will try to resolve grievances as quickly as possible to the satisfaction of the individual(s) concerned. Where this is not possible, every effort will be made to explain the reasons for the decision. This Grievance Procedure is entirely non-contractual and does not form part of an employee's contract of employment.

If employees are not satisfied with the outcome, they have the right to pursue their grievance to the next stage. It is hoped that most grievances will be resolved during the informal discussion. Employees who have raised grievances will be treated fairly at all times before, during and after the grievance hearing(s).

Procedure

Informal stage

If you have a grievance about your employment you should discuss it informally with your immediate manager. The manager will give a response within five working days.

Formal stages

Stage 1

If you feel that the matter has not been resolved satisfactorily through informal discussions you must put your grievance in writing to your immediate manager outlining the nature of your grievance and the outcome you are looking for.

You will receive a reply within five working days and a meeting will be arranged. Before the meeting, the organisation may carry out such reasonable investigation as necessary so that it can properly deal with your grievance. You, any relevant witnesses and the manager will attend the meeting. You may choose to be accompanied by a colleague, lay or trade union official. The manager will give a response within five working days of the meeting and will inform the employee of the appeals procedure.

Stage 2

If you are not satisfied with the manager's response, you may raise the matter, in writing, with the relevant senior manager. A meeting will be arranged, constituted as in Stage 1, except that the senior manager will replace the manager. The senior manager will give a response within five working days of the meeting and will inform the employee of the appeals procedure.

Stage 3

If the matter is not resolved to your satisfaction, you should put your grievance in writing to a director. You will receive a reply within seven working days and a meeting will be arranged. The constitution of the meeting will be as in Stage 2 except that the director or an authorised deputy will replace the senior manager. The director/deputy will give a decision within five working days of the meeting. This decision will be final.

Investigations

The organisation is committed to ensuring that all grievances are investigated fully. This may involve carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. The investigation report will be made available to all the parties concerned. The identity of witnesses will be kept confidential where necessary.

Notes

1. You may raise a complaint directly with a senior manager if it:
 - a. concerns your immediate manager
 - b. is of too personal or sensitive a nature to raise with your immediate manager.
2. Complaints concerning discrimination, bullying or harassment by your immediate manager may be raised directly with a senior manager. This may be done informally or formally, ie at Stage 2 of the procedure.
3. If your complaint concerns alleged wrongdoing or criminal offence by someone within the organisation, you should raise it immediately with a director, ie at Stage 3 of the procedure. See the Public Interest Disclosure Act 1998 (known as the Whistle-blowers' Act) for details of the additional protection available for protected disclosures.
4. You will be allowed to explain your grievance, how you think it should be resolved, and can respond to all information and evidence produced by the organisation.
5. The grievance procedure should not be used for appeals against disciplinary decisions, as that is the purpose of the disciplinary appeals procedure. If, however, you have a complaint against the behaviour of a manager during a disciplinary case, you may raise it as a grievance with a senior manager. The disciplinary procedure may be suspended for a short period if necessary until the grievance can be considered.
6. Employees are encouraged to raise grievances and will not suffer any detriment from doing so. If your grievance is found to be malicious or to have been made in bad faith, however, you will be subject to the organisation's disciplinary procedure.
7. A second management representative from another function may be invited to attend formal grievance meetings to act as a witness and note-taker.
8. The timescales listed above will be adhered to wherever possible. Where there are good reasons, eg the need for further investigation or the lack of availability of witnesses or companions, each party can request that the other agrees to an extension of the permitted timescale.
9. The organisation reserves the right to seek assistance from external facilitators at any stage in the grievance procedure.
10. For senior managers/directors and employees during their first year of employment, the organisation reserves the right to speed up the decision-making process and may choose to follow a shortened version of the above procedure.
11. You will be able to request mediation by an independent third party if this is agreeable to the organisation. Then the grievance process will be suspended whilst mediation is ongoing.
12. If you experience difficulty at any stage of the grievance procedure (e.g. for a reason related to a disability or because English is not your first language), you should discuss the situation with a senior manager as soon as possible.
13. This procedure is for guidance only and does not form part of employees' contractual rights. The contents may be subject to revision from time to time.

From 6th April 2009, The ACAS Code of Practice states an employee who wishes to use a grievance as the basis of a complaint to an employment tribunal may do so without first notifying their employer. However, any financial compensation awarded to them may be reduced by up to 25% for unreasonably failing to raise a grievance following an employer's procedure. Where an employee is persistently unable or unwilling to attend a disciplinary meeting without good cause, the employer will decide on the evidence available.

Swift Grievance Procedure cipd will be kept under review J Wright, Managing Director, March 2022