



Little Cherries

Grievance Procedure

Introduction

The following procedure should be followed in order to settle all grievances concerning all employees at Little Cherries.

Principles

- 2.1 The aim of this Grievance Procedure is to enable any employee to have his/her grievance heard and to seek redress as appropriate. The intention is that grievances should be settled quickly and fairly and should be first dealt with as close to the source as possible whilst allowing employees the opportunity to appeal to a higher level if necessary.
- 2.2 The procedure applies to all employees at Little Cherries and includes volunteers and students. If it is the manager who has a grievance, then the Chair of Committee is the person to whom the manager refers to as their immediate line manager at Stage 2. If the grievance is not resolved at that stage, the matter should be referred to Stage 3, the appeal meeting of the committee.
- 2.3 If individual committee members are the subject of the grievance, such person(s) shall not sit with the Committee but may attend the appeal meeting to present their case.
- 2.4 A grievance is a complaint by an employee about any aspect of their employment and covers:
 - Terms and conditions of employment
 - Health and safety
 - Work relations
 - Bullying and harassment
 - New working practices
 - Working environment
 - Organisational change
 - Discrimination
 - Pay
- 2.5 The grievance must be one that lies within the power of management and committee of Little Cherries to resolve, e.g. it must not be a grievance about matters determined by legislation or decisions on strategic business issues or collective agreements, however, will not exclude the operational impact of

those decisions.

- 2.6 A grievance arising from dismissal or disciplinary action is to be resolved by appeal within the disciplinary procedure. The grievance procedure is not available in addition to, or in substitution for the disciplinary procedure, unless:
- the grievance is against the person(s) who are the decision makers of the disciplinary issue
 - the disciplinary action amounts to discrimination,
 - the action was not taken on the grounds of the employee's conduct or capability.
- 2.7 An employee who is a member of a trade union may consult that trade union's representative before invoking the grievance procedure, but the employee should normally raise the problem personally with the immediate supervisor before involving their trade union representative.
- 2.8 Those responsible for dealing with employees' grievances will treat them seriously and attempt to resolve them as quickly as possible. There should be no attempt to block an employee's wish to raise the grievance at a higher level.
- 2.9 Employees should recognise that an investigation may be necessary which may delay the process beyond normal time limits.
- 2.10 At any stage of the procedure the manager and/or Committee may take advice from an external advisor for the group. The aim of this is to obtain guidance and bring about a resolution of the grievance acceptable to both sides outside the formal hearing within the Grievance Procedure. Such conciliation is without prejudice to the position of both parties in the procedure.
- 2.11 This procedure has been implemented following consultation with employees and committee.

Stages of the Grievance Procedure

3.1 Stage 1: Raising Grievances Informally

The employee should raise the grievance with the person causing the grievance in the first instance (or alternatively, if uncomfortable, to the Committee chair). If the grievance cannot be resolved directly, or the employee feels unable to raise it directly then the employee should personally present the grievance, either orally or in writing, to the deputy manager. The deputy manager should give a reply as soon as possible, even if it is only an interim reply. If the employee's grievance is against the deputy manager personally, the grievance may be referred direct to Stage 2 but it would be reasonable to let the deputy manager know this move is intended.

3.2 Stage 2: Verbal Grievance Hearing

If the employee is not satisfied with the reply of the deputy manager, the employee should take the grievance verbally to the Manager. The grievance should contain a brief description of the nature of the complaint, including any relevant facts, dates and names of individuals involved. It is important to stick to the facts and avoid language which could be abusive or insulting. The manager will normally meet the employee to hear the grievance and reply as soon as possible, usually within 5 working days in writing even if it is only an interim reply pending further investigation.

3.3 **Stage 3: Written Grievance Hearing**

The employee must submit the grievance in writing to the Manager and/or the Committee Chair. The grievance should contain a description of the nature of the complaint, including any relevant facts, dates and names of individuals involved. It is important to stick to the facts and avoid language which could be abusive or insulting. Normally within five working days of receiving a grievance, the manager will write to the employee, inviting them to attend a meeting where the alleged grievance can be discussed. The meeting should be scheduled to take place as soon as reasonably possible, and normally at least 48 hours' notice of this meeting should be provided to the employee.

3.4 If it is necessary for the manager to attempt conciliation between two or more employees at this stage, each employee may be accompanied by a "companion" at any meeting called by the manager. The manager may be accompanied by another employee. If the manager is unable to resolve the grievance and/or the employee raising the grievance is not satisfied with the outcome, then the employee may appeal to the Appeal Committee at stage 4.

3.5 Where the grievance is against the manager Stage 2 shall be heard by the committee in accordance with paragraphs 3.2 and 3.3 above.

Stage 4: Formal Appeal Hearing

- An Appeal Committee consisting of 3 committee members shall be convened. The Appeal Committee may have adviser(s) in attendance who may also be involved in its private deliberations. The adviser(s), who should not have had any previous involvement in dealing with the grievance, shall not have a vote in the decision of the Appeal Committee.
- At this stage, the employee has a right to be accompanied by a companion (such as a trade union representative or a work place colleague) at any meeting to discuss the grievance.
- Employees are required to take all reasonable steps to attend the meeting. However, should, for a reasonably unforeseen reason, either the employee, employee's companion, or the line manager be unable to attend the meeting, it must be rearranged.
- Should an employee's companion be unable to attend, then the employee should make contact within five days of the date of the letter to arrange an alternative date that falls within 10 days of the original date provided. These time limits may be extended by mutual agreement.

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- The Appeal Committee shall decide the procedure by which it will hear the grievance which will allow all parties to present their cases. The Appeal Committee shall advise all parties, prior to the start of the hearing, of the procedure it intends to follow.
- The Appeal Committee's decision is final.
- The Chairperson of the Management Committee must write to the employee informing them of the employer's final decision. This letter should be sent within 10 working days of the appeal hearing.
- This is the final stage of the procedure.
- A panel of committee members who are willing to be representatives on the appeal committee are as follows: - Jennie Peacock, Emily Walker and Lorna Torkington. The Early Years Foundation Stage Adviser (EYFSA) and/or the Early Years Alliance (EYA) Business Adviser would also be invited to attend.

This policy was adopted at a meeting of Little Cherries

Held on:

Date to be reviewed: April 2022

Signed on behalf of the management committee:

Name of signatory: Jennie Peacock

Role: Chairperson