GRIEVANCE PROCEDURE OF AIREDALE METHODIST CIRCUIT AND THE CHURCHES IN THE CIRCUIT

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1. General Principles

It is the policy of the *Airedale Methodist Circuit* to ensure that all staff members have access to a procedure to help resolve any grievances relating to their employment quickly and fairly.

This policy does not form part of staff members' contracts of employment or other agreements relating to their work for *Airedale Methodist Circuit*, and it may be amended at any time.

This procedure applies to all staff members regardless of length of service. It does not apply to agency workers or self-employed contractors.

Any steps under this procedure should be taken promptly unless there is a good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so.

The *Airedale Methodist Circuit* may vary this procedure as appropriate to a particular case. In these circumstances agreement will normally be sought from the person raising the grievance. The procedure may also be discontinued if it becomes impossible or impracticable for either party to continue with it.

A staff member raising a grievance will be informed in writing of the final outcome of their grievance.

If a staff member has a difficulty at any stage of the grievance procedure because of a disability, they should ask their line manager for assistance.

Information and proceedings relating to grievances will remain confidential as far as is possible. However, it will not always be possible to deal with issues which are raised in a confidential manner. Where this is the case this will be explained to the person raising the grievance.

Every effort will be made to keep all information relating to the grievance process transparent to both parties with due regard to confidentiality and the nature of the issues raised.

2. Application

This procedure applies to any grievance of an employee relating to their employment apart from issues concerning the following:

- The basis of pay or salary grading of their employment/working arrangements.
- *Airedale Methodist Circuit* policies, unless the grievance is about how the policy has been applied to that employee.
- Decisions under any procedure which states that employees have no right of appeal or further right of appeal.
- Matters outside the *Airedale Methodist Circuit's* control (for example income tax, statutory sick pay).

3. General Considerations

All staff members have the right to proceed with the Grievance Procedure provided the conditions laid out below are adhered to.

This grievance procedure may not be used to delay the application of the *Airedale Methodist Circuit* disciplinary or capability procedures.

- This grievance procedure should not be used to complain about disciplinary action that the Church has taken against you. If you are dissatisfied with any disciplinary action taken against you, you must submit an appeal under the disciplinary procedure.
- A staff member cannot pursue the same grievance more than once.
- If a Manager has a prior involvement in a grievance, the matter should be referred to another Manager.
- If a grievance is shared by more than one staff member, the grievance may be presented by one or more representatives of that group. These collective grievances will be dealt with in a manner appropriate to the facts of the case and will not necessarily follow the process outlined in this policy.

- A staff member should not delay in formally making a grievance, as the timescales set out in this procedure must be adhered to. In any event, a grievance must be raised within one month of when a staff member became aware of the issue.

- Some cases will need extra time for either party to seek advice or for the person hearing the grievance to undertake an objective analysis of all the facts, so the parties may, by mutual agreement, modify the time limits set out in this procedure.

- There is no limit to the number of separate grievances which may be brought by one person. If a grievance is resolved, then the action which caused it occurs again, the employee may raise a fresh grievance.

- A staff member may withdraw a grievance at any stage in this procedure by informing their manager in writing.

4. Raising Grievances Informally

Most grievances can be resolved quickly and informally through discussion with the supervisor. If a staff member feels unable to speak to their manager, for example, because the complaint concerns them, then the staff member should speak informally to a more senior manager. In some cases, consideration should be given to inviting a third party as an external counsellor/mediator or a pastoral advisor. If this does not resolve the problem the staff member should follow the standard procedure below.

5. Mediation

Every effort will be made to resolve the issue(s) which form any grievance informally as early as possible. However, it is recognised that it is not always possible to resolve grievances at an informal stage.

If the grievance is not resolved at the informal stage, or if either part feels that the informal stage is inappropriate, either party may request mediation. Grievances may be referred to mediation at any stage in the procedure.

Mediation will only take place if both parties agree that they wish to enter into mediation. If mediation takes place, the timescale for initiating action under this procedure will be suspended while the mediator tries to resolve the matter.

Where both parties have signalled a wish to engage in mediation an independent person will be appointed (the "Mediator"). They will have no connection with any of the parties involved in grievance which damages his or her impartiality.

The Mediator will not make any decisions or seek to impose any solution. The Mediator's role will be to work with both parties to try to resolve the matters informally.

The mediation, including any preliminary steps, shall be conducted in a manner that the Mediator considers appropriate. This may include:

- the exchange and provision to the Mediator of brief written outlines of the matters in dispute and supporting bundles of documents; and

- preliminary discussions by one or both parties with the Mediator before the mediation.

Provided that this is agreed by all parties prior to the mediation, you may bring a companion to the meditation. You companion may be either a trade union representative or a colleague.

All information shared during the mediation will be on a confidential and without prejudice basis

6. Initiating the Formal Grievance Process

If your grievance cannot be resolved informally you should put it in writing and submit it to your line manager.

If the grievance concerns your line manager you may submit it instead to the line manager's manager or the Secretary of the Management Committee, the Secretary of the Church Council or the Minister in pastoral charge.

The written grievance should state that you are invoking this grievance procedure and contain the following:

- a description of the reasons for your complaint;
- any relevant facts, dates, and names of individuals involved.

Your statements will form the basis of the subsequent hearing and any investigations, therefore it is important that you set out clearly the nature of your complaint and indicate the outcome that you are seeking. If your grievance is unclear, we may need to ask you to clarify the subject matter of your grievance in advance of the meeting or to provide further information.

7. Investigations

In some cases it may be necessary for us to carry out investigations into your grievance. The amount of any investigation required will depend upon the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.

You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as a part of our investigation.

We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance with you after our investigation and before we reach a decision.

8. Next steps and timescales

You will be invited to a grievance meeting, which will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, within two weeks of the receipt (an appropriate manager) of your written grievance.

At the meeting, you will be asked to explain the nature of your complaint and what action you feel should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

Where it is not possible to hold a face-to-face meeting, we will conduct the grievance hearing remotely. We will ensure that you have access to the necessary technology for participating in the process.

You may bring a representative to any of the meetings under this procedure. You should bear in mind the following points:

- You and your companion must make every effort to attend any meetings. If you or your representative cannot attend at the time specified for a meeting, you should inform the person hearing the grievance immediately and they will make reasonable efforts to agree an alternative time.

- The purpose of the initial grievance meeting is to enable you to explain your grievance. If you have a representative, they may make representations to the person hearing the grievance and ask questions, but should not answer questions on your behalf. You may confer privately with your representative during the meeting.

- After the initial grievance meeting the person hearing the grievance may carry out such further investigations and/or hold such further grievance meetings as they consider appropriate. In this respect, you will be informed of the action they intend to take, and if appropriate your suggestions will be sought on this. Many issues may be resolved speedily after one meeting, whilst more complex cases may require more extensive investigation.

- The person hearing your grievance will inform you of their decision and of your right of appeal within two weeks of the final grievance meeting. If the necessary investigations require a longer timescale you will be informed of this.

- If you are dissatisfied with the outcome, you may make a formal appeal.

9. Appeals Procedure

Should you wish to appeal you should do so in writing to the Chair of the District in writing, stating your grounds of appeal, within five working days of the date on which the decision was sent or given to you. You should give as much detail as possible about why you are dissatisfied with the decision.

An appeal meeting will be held, normally no more than two weeks after the Chair of District has received your appeal. The appeal has the following key features:

- You may bring a representative to the appeal meeting.

- The appeal will be heard by a Manager senior to the one who heard your grievance, who will consider the grounds that you have put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate.

The procedure to be followed at the appeal hearing will be:

1. You will present their appeal, setting out clearly the reasons why you do not agree with the findings of the initial grievance hearing
2. The Appeal Manager may ask you questions.
3. If any other parties are present they may also ask you questions.
4. If other parties are present at the hearing they may be questioned by either the Chair of the Appeal Hearing or you.
5. You will then have the opportunity to sum up.
6. The Appeal Manager will then, if necessary, withdraw to consider the evidence.

The Appeal Manager's final decision will be notified to you in writing within two weeks of the appeal meeting, and full reasons will be given. There is no further internal right of appeal.

Where it is not possible to hold a face-to-face meeting, we will conduct the appeal hearing remotely. We will ensure that you have access to the necessary technology for participating in the process.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform your line manager of this as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

10. The Right to be Accompanied

You may bring a representative to any meetings held under this procedure. The representative may be either a trade union official or a work-colleague. You must tell the person holding the meeting who your chosen representative is no less than three days before the meeting. Staff members are allowed reasonable time off from duties without loss of pay to act as a representative.

In some circumstances your choice of representative may not be allowed, for example, anyone who may have a conflict of interest, or whose presence may prejudice the meeting. We may also ask you to choose someone else if the meeting would have to be delayed for over five working days because your representative is unavailable.

We may, at our discretion, allow you to bring a representative who is not a staff member or work colleague (for example, a member of your family) where this will help overcome a particular difficulty caused by a disability, or where you have difficulty understanding English.

11. Grievances after employment has ended

If you wish to raise a grievance after your employment has ended, you should submit it in writing as normal as set out at paragraph 8 above. In order to be considered your grievance must arrive within fifteen calendar days of the termination of your employment.

If you raise a grievance after employment has ended, or if you raise a grievance before your employment ends and the standard procedure has not been completed at the termination of employment, an officer of the *Airedale Methodist Circuit* will either:

a. follow the standard procedure set out above at paragraph 8; or

b. write to ask you whether you would prefer to follow the modified procedure set out below (if you have not already stated your preference in writing). If you do not respond within ten working days we will follow the standard grievance procedure.

The following modified procedure will apply if agreed in writing by the staff member:

a. An officer will carry out any investigations that are considered appropriate;
b. No meetings will be held with you;
c. You will be notified of the decision in writing, normally within two weeks of agreeing to use the modified procedure; and
d. There will be no right of appeal.

12. The Grievance Outcome

The outcome of the grievance, at whichever stage determined (that is, at either the Hearing or Appeal stages may take various forms. It may state:-

a. That on the basis of the findings, the grievance is not well founded
b. That the grievance is upheld in part and provide an appropriate solution
c. That the grievance is upheld in full and provide an appropriate solution
d. Any other relevant decision

Last Date Modified by Connexion : November 2019