

Grievance Policy and Procedure

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4.0	2024 to 2025 Policy Review Process	Revised through Policy Review Working Group facilitated by LRA Staff consultation from 26 November 2025 to 15 January 2026

Alternative Formats

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Grievance Policy

1.0 Application of Policy

This policy applies to all employees of PBNI, in permanent, or temporary / fixed term contracts and Board Members.

2.0 Rationale for Policy

The Probation Board for Northern Ireland (PBNI) recognises that matters of employee grievance about a decision can often be resolved quickly and informally at the level at which they arise. Grievances which cannot be resolved in this way may be raised using the grievance procedure.

The Grievance Policy and supporting grievance procedure seek to establish a clear course of action which will ensure the fair, consistent and supportive treatment of individuals should a complaint about a decision be made.

3.0 Overarching Aim

The Grievance Policy and Procedure aims to promote good working relations and deliver fair and equal treatment of all employees. The Procedure details the process to be followed by employees who wish to raise a work-related grievance about a decision and how PBNI will take prompt and effective action to resolve the grievance, as far as reasonably practicable.

4.0 Policy Objective

To provide a framework of guidance which will allow PBNI to deal with grievance matters and consider the rights and obligations of those involved.

5.0 PBNI's Values and Trauma Informed Principles

PBNI is committed to being a values based and trauma informed organisation which is compassionate, nurturing and relationship based.

This responsibility also applies to the use of the Grievance Policy and Procedure.

PBNI's Values

Our values are:

Respect

We will treat everyone with respect and dignity at all times and value diversity and differing viewpoints. This includes believing that all people, given the right circumstances have the ability to change their lives.

Integrity

We will act in a way that engenders trust with all. We will be honest in what we say and do.

Openness

We will encourage people to speak up and make suggestions about practice and we will be open about our decision-making.

Accountability

We will be accountable to the public for our decisions and actions.

Compassion

We will act with compassion which is the foundation on which positive relationships are built.

PBNI's Trauma Informed Principles

We are committed to becoming a trauma informed organisation. This means that we aim to realise the widespread impact of trauma and to recognise the signs and symptoms of trauma and adversity in those we engage with, as well as our colleagues. We also seek to respond effectively by embedding the principles of a Trauma Informed Approach across our entire organisation and in a manner that actively resists causing further harm or retraumatisation. The six principles of a Trauma Informed Approach are:

- Safety
- Trustworthiness
- Choice
- Collaboration
- Empowerment
- Inclusion

Further detail on our Trauma Informed Approach can be found on PBNI's Intranet.

6.0 Policy Outcome

Grievance matters within PBNI will be dealt with in a fair and consistent manner in accordance with this policy and the supporting grievance procedure.

7.0 Policy Statement

PBNI recognises its obligation to deal with grievances in a fair and consistent manner with due regard for the rights of all concerned. All employees are entitled to use the grievance procedure and should not be victimised for having done so. Equally, no-one should victimise anyone else because of a grievance they have raised or because a grievance has been raised against them. Anyone doing so may be subject to disciplinary action as detailed in the PBNI Disciplinary Policy and Procedure. PBNI is committed to ensuring in the event that an informal grievance is raised that:

- The employee raising the grievance is aware of what help and support is available.

- The employee raising the grievance knows they can approach their line management and that their grievance will be dealt with promptly, seriously and confidentially.
- Understands that whilst ideally the aim should be to resolve issues informally without escalating the grievance, that this does not prevent them from pursuing a formal grievance either initially or if the informal grievance is unresolved.

In the event a formal grievance is raised that:

- The situation will be established quickly and grievance issues dealt with consistently.
- Anyone named in a grievance process has an opportunity to be fully informed of what the grievance is and respond to the issues raised.
- Each stage of the procedure will be actioned without unreasonable delay.
- The grievance will be investigated by an appropriate manager (Investigating Officer) unless they are undisputed and would therefore not normally require an investigation.
- Where an investigation is carried out, an Investigating Officer will produce a written report on the findings.
- The employee raising the grievance and the employee who is the subject of the grievance will be provided with a copy of the Investigating Officer's report (unless there are valid reasons as to why it would not be appropriate in the circumstances of the case to allow full disclosure).
- At a formal meeting, the employee may be accompanied by a work colleague or represented by a trade union representative.
- A grievance will not be considered to have been raised dishonestly, vexatiously, or maliciously because it has not been upheld following completion of the process. If, however, it is found an individual has acted dishonestly, vexatiously, or maliciously in raising a grievance they may be subject to disciplinary action.
- The decision will be made by a Decision Officer on the balance of probabilities.
- The employee raising the grievance will have the right to appeal under the grievance procedure.
- The responsibilities placed on PBNi by employment legislation will be observed.

Additionally, management reserve the right to act in a proactive manner regarding grievance issues, for example, management do not need to wait until an employee registers a formal grievance to take action.

In the management of any formal grievance procedure, account must be taken of the standards expected of a public body as set out in the Managing Public Money NI (MPMNI) to ensure that we will as a public body, carry out our duties, which will include the management of grievances,

- In the spirit of, as well as to the letter of the law;
- In the public interest;
- To high ethical standards;
- Achieving value for money.

8.0 What is a Grievance

Anyone working in an organisation may, at some time, have problems, concerns or complaints about their work or working conditions that they want to talk about and resolve with management. It is clearly in the interest of the organisation and the employee that problems are sorted out before they develop into major difficulties for everyone concerned. It is recognised that grievances are primarily about decisions taken and the application of policy or process. Issues relating to relationships within the workplace are dealt with under the Dignity at Work Policy and Procedures.

Issues that may cause grievances include decisions about:

- Terms and conditions of employment
- Health and safety
- Application of working practices
- Organisational change
- Equal opportunities

A grievance cannot be raised against a colleague or manager relating to the application of the disciplinary policy.

Grievances can occur at all levels.

Should a member of staff wish to make a complaint of bullying and harassment they should follow the process set out in the Dignity at Work Policy and Procedure.

9.0 Roles and Responsibilities

Human Resources (HR)

The role of the nominated HR representative in this procedure is to provide advice and guidance to the parties involved, committing to ensuring the procedure is followed in a trauma informed manner. Those involved will include Decision Officer, the Investigating Officer, Appeal Officer, employees involved in the matters under investigation, witnesses and trade union representatives. The HR representative must ensure that the Grievance Policy and Procedures are followed appropriately; and promptly with all parties to ensure matters are resolved in a timely way. They will assist in co-ordinating all meetings and ensure documents and information associated with the case are securely filed. HR read and proof the investigation report to ensure it complies with relevant policy and procedures.

The HR representatives must be independent of the issues noted. There will be different HR representatives involved in any formal investigation and hearing stage of the procedure; and in any appeal stage.

Decision Officer in formal grievance procedure

The role of the Decision Officer is to appoint an Investigating Officer, and to define the Terms of Reference. The Decision Officer receives the Investigation Report and may ask for further information and investigation if the report is unsatisfactory or there is a need for more information. The Decision Officer will be responsible for issuing the outcome and clearly communicating the reasons for decision making.

Investigating Officer in a grievance procedure

The role of the Investigating Officer is to investigate the matter (s) set out in Terms of Reference. They are responsible for all planning and executing a timely, independent, fair and thorough investigation, and of detailing their findings clearly in an investigation report. When considering evidence they must use the 'balance of probabilities' as the burden of proof. They must draft an investigation report and submit it to the Decision Officer and HR.

10.0 Timeframes for the completion of a grievance procedure

It is recognised that participation in a grievance procedure may be distressing. Dealing with a grievance as quickly as possible, and in a timely way is essential to mitigate the stress and trauma for those involved. The aim would be to encourage the resolution of a grievance informally in the first instance. Where a formal grievance procedure is entered into, every effort should be made to estimate the timeframe for the conclusion of the grievance at an early stage, plan the timeframe for the investigation and grievance meeting and where there is deviation from the planned timeframe, that parties involved are advised accordingly.

11.0 Linkages

This policy also links with the following:

- Code of Conduct
- Complaints Policy and Procedure
- Data Protection Policy
- Dignity at Work Policy and Procedure
- Disciplinary Policy and Procedure

11.0 Review

This policy will be reviewed four years from approval.

Interim reviews may be promoted by feedback and/or identified changes in practice.

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Background

The Probation Board for Northern Ireland (PBNI) recognises that matters of employee grievance can often be resolved quickly and informally at the level at which they arise. Grievances which cannot be resolved in this way may be raised formally using the formal grievance procedure.

PBNI has developed a grievance policy and procedure to deal with matters of employee grievance in a fair, supportive and consistent manner.

Purpose

This Procedure supplements the PBNI Grievance Policy. The Procedure provides a framework of best practice guidelines when handling grievance matters and the points to be considered by the parties involved in the grievance process.

Collective Grievances

Where an employee, as part of a group of staff, wishes to raise the same grievance and feel that it can be dealt with collectively, and are unable to resolve the grievance informally, they may opt to raise a single group grievance themselves or through PBNI's recognised Trade Unions, NAPO and NIPSA.

Where there are a group of employees who are members of one of the two recognised Trade Unions in PBNI, it is expected that the matter will be presented by one employee from the membership of each trade union or the trade union representative, if applicable, who will take the matter through the procedure.

Any decision communicated following a group grievance will apply equally to all staff represented if agreed by the parties. The procedure to be followed will be as for individual grievances.

Reference should be made to the Conflict-of-Interest Policy in relation to ensuring the proper management of any collective grievance.

Sources of Information, advice, and support

It is recognised that all parties involved in a grievance may find the situation stressful or difficult. The following are sources of information, advice, and support. It should be emphasised however that any discussion with regard to a grievance should be kept to a minimum with those that are confided in, or part of the process, maintaining confidentiality.

- **A trusted work colleague** – It can be of benefit to talk to a trusted work colleague. They can listen to issues or problems and provide help and encouragement.
- **Line Management** – Line management is an obvious source of support. Informal discussion with line management is encouraged; with effective and frequent communication potential issues can be resolved early.
- **HR** – HR will provide confidential support to employees who are considering raising/have raised a grievance, and managers by objectively explaining options under the procedure and suggesting sources of support. There are HR Business Partners allocated to specific teams/areas of business, details of which can be obtained from HR.
- **Trade Union** – Trade union representatives can provide help, support, and guidance and representation on any issues in relation to the Grievance Policy and Procedure. The trade union representative will support the employee raising the grievance or the subject of the grievance at any time including prior to either informal or formal procedures commencing, and in some circumstances can discuss the employee's concerns with the line manager. Managers should welcome trade union involvement as a proactive measure as in many cases this can help resolve the issues informally and locally without escalation to the formal process. The trade union representative can also be a confidential source of support for managers during any stage of the process.
- **Employee Assisted Programme (LENA by Inspire)** – Staff may want to discuss their concerns in confidence with a professionally trained counsellor. Such support and counselling is available through the Employee Assistance Programme (EAP). This provides free, independent, and confidential counselling support.

This is complementary to existing policies and procedures and is an important additional resource to support employees.

Counselling is provided by both telephone and face to face. Staff can call the free phone number provided at any time of day or night, seven days a week. A trained professional counsellor will be there to talk with individuals and, if required, arrange a face to face appointment. The free phone number/leaflet and website address can be found on PBNI intranet/Human Resources/Policies-Procedures-Guidance.

- **Other sources of assistance**

PBNI has other sources of assistance for staff, including Mental Health First Aiders, Domestic Violence Trusted Colleagues, Menopause Champions. Staff in these roles can provide general guidance and / or signpost to appropriate sources of information in relation to the area they champion.

Grievance Process

In the first instance dealing with grievances informally is often the most effective method of resolving issues. The aim of the informal process is to resolve matters quickly and confidentially.

If, however, the person raising the grievance considers the issue is so serious or the informal stage has not been successful, then the formal process should be followed.

Timeframe for resolving grievances

It is recognised that participation in a grievance procedure may be distressing. Dealing with a grievance as early as possible, and informally so that a resolution can be achieved is encouraged.

Where a formal grievance procedure is entered into, every effort should be made to estimate the timeframe for the conclusion of the grievance at an early stage and this should be communicated to parties involved. All parties should be kept up to date regularly on the progress of the grievance process.

Informal Process

It is in the interest of all involved that grievances are dealt with quickly and amicably. In many circumstances this is best achieved through informal discussion at local level. Taking time at the early stages to try to resolve issues is very important. In many cases, an informal approach can resolve matters satisfactorily, particularly if action is taken quickly. Every effort should therefore be made to resolve the grievance informally and this should therefore be considered before the formal process is invoked.

The employee can raise issues or concerns openly with their immediate line manager and how they want the matter resolved. This should be done promptly after an issue has arisen. The employee and manager should make reasonable attempts to resolve problems / issues at this initial stage.

As indicated above, trade union representatives may assist in the resolution of a grievance at the informal stage and in some circumstances, it may be beneficial for a trade union

representative to discuss the employee's concerns with the line manager even before any informal process has commenced. Such an intervention should be taken as a positive step by line managers to try to resolve the matter informally. Trade union representatives can however discuss the appropriateness of such action with HR in the first instance.

In situations where an employee's concerns relate directly to decisions of their line manager the employee should discuss the matter with their senior line manager.

It is recommended that the manager takes a note of any discussions and / or meeting(s), both to record any action points and for reference in the event that the matter progresses to the formal stage. An agreed record of the informal discussion(s) should be provided to the employee.

HR can provide advice and guidance to all parties involved in the process. Normally advice and guidance can be provided by either the Head of HR, the HR Manager or a HR Business Partner.

Raising a Formal Grievance

The employee raising the grievance must set out the grievance in writing (using the template set out in Annex 1 - Grievance Statement), clearly stating:

- That the grievance is being made under the formal grievance procedure.
- Concise details of the nature of and the circumstances of the grievance, the date of the decision / incident / issue complained of.
- Details of / copies of supporting evidence and witness details where appropriate.
- What action, if any, has been taken to resolve the matter.
- What the desired resolution is.

Any grievances which are not raised within 3 months of the decision being taken / issue / event occurring, or final event or decision where there is a sequence of events or decisions, will be considered out of time. Allowances to this time limit may be made where there are exceptional circumstances e.g. in cases of sickness absence, or where an attempt at informal resolution has been ongoing.

Action taken before Activating a Formal Process

Where a Grievance statement is submitted to HR, and before a formal process is activated, the Head of HR or the HR Manager will review the Grievance Statement to ensure that there has been an attempt to resolve a grievance, if appropriate; that it is in time; and that there is detailed information on the grievance statement, including practical and reasonable means of resolution.

The Head of HR / HR Manager / HR Partner after reviewing the Grievance Statement, will write to the employee to acknowledge the grievance in writing within five working days of receipt of the Grievance Statement, and where necessary notify the person raising the grievance of any areas that have not been properly completed in the Grievance statement or where the grievance is out of time.

A grievance will not be investigated if it has already been investigated by PBNI, under another formal procedure, which provided for an appeal. In these instances the complainant will be notified that no investigation is being conducted and the reason why.

In circumstances where there is insufficient information to initiate a formal grievance Investigation, the Head of HR or HR Manager will advise the employee raising the grievance that unless sufficient information is provided, a formal process may not be initiated.

If the decision is to agree to the grievance being progressed, Section 7 sets out the steps in the formal grievance procedure.

Stages in the Formal Grievance Procedure

Stage 1: Appointment of Investigating Officer and Decision Officer

In circumstances where the grievance procedure is to be initiated, the Head of HR / or HR Manager will appoint an appropriate Decision Officer, Investigating Officer and a HR Representative in respect of the grievance. This should be completed normally, within five working days of receipt of the final Grievance statement. Any delay must be communicated to the employee raising the grievance.

The Investigation Officer should normally be a grade above the employee who raised the grievance, however the Investigation Officer can also be from the same pay band but not be associated with the matter.

The Decision Officer will be a pay grade above the Investigation Officer.

Decision Officers and Investigation Officers must be appointed from among a list of trained staff.

Within five working days of receipt of notification of appointment, the Decision Officer will notify the employee of their appointment and provide the employee against whom the

grievance has been raised with an opportunity to agree to or refute the grievance before initiating a formal investigation.

The Decision Officer will provide the employee against whom the grievance has been made, the detail of the grievance and provide them with the opportunity to accept the claims made or to refute them, within five working days.

In cases where the allegations are undisputed, the Decision Officer may decide that a formal investigation is not necessary.

If a formal investigation is not deemed necessary, the Decision Officer will notify the employee who raised the grievance of the information and that in the circumstances, an investigation is not necessary.

Should an employee accept the allegations without dispute they should consider the consequences of such an admission/course of action with a trade union representative or HR representative before being formally recorded. An agreement of admission and advice on consequences will then be signed by the employee and trade union representative or HR representative as applicable and this will be provided to the Decision Officer.

Where an investigation into the grievance is deemed necessary by the Decision Officer, the Decision Officer will draw up Terms of Reference for the investigation, in consultation with HR, and issue these to the appointed Investigating Officer.

The Decision Officer will write to the employee who raised the grievance and the employee against whom the grievance has been raised, to advise them of the appointment of an Investigating Officer; provide them with the terms of reference of the investigation; and advise them that the Investigating Officer will contact them under separate cover. They will be advised of the right to be accompanied during the grievance investigation procedure.

Where during an investigation, the scope of the investigation requires expansion, the Terms of Reference must be revised by the Decision Officer and reissued to all parties, so that the Investigation Report relates to the Terms of Reference.

The investigation will include separate interviews with the employee raising the grievance, the employee against whom the grievance is raised, any witnesses, and others as necessary, as well as the examination of documentation or other evidence. Where appropriate, documentation or other evidence received prior to the interview will be shared with the employee before the meeting takes place.

HR, on behalf of the Investigating Officer, will write to the employee who raised the grievance and the employee against whom the grievance is raised, with an invitation to separate Investigation Meetings. The Investigation meetings should take place within

ten working days of notification of the issue of the Terms of Reference to the parties in the grievance.

Where a formal procedure is initiated, further attempts may be made to resolve the matter informally with the employee's agreement, depending on the nature of the grievance and the grievance will be put on hold until this is fully explored. However, if the employee is not satisfied with the outcome, they may insist on the matter proceeding to a formal grievance meeting.

Stage 2: Meeting with employee raising a grievance

The Investigating Officer will interview the employee to clarify and formally record the nature of the grievance and ensure it is being handled under the correct procedure.

The employee has the right to be accompanied by a work colleague or trade union representative at this meeting.

During the investigation meeting, the employee raising the grievance, will be given the opportunity to:

- Set out their case in detail.
- Raise questions on any aspect of the procedure.
- Present/identify evidence which merits consideration.
- Get access to documentation that may be used in the course of the investigation.
- Identify witnesses and explain their relevance.

The Investigating Officer will advise the complainant that there may be a need to meet with them again for clarification.

The Investigating Officer will advise the employee that the issue is being dealt with strictly confidentially, but that the details of the concern will be shared with the person(s) against whom the grievance is raised. They will be advised that the outcome of the investigation will be confirmed in writing.

Stage 3: Meeting with person(s) against whom grievance has been made

HR on behalf of the Investigating Officer will arrange a meeting with the person(s) against whom the grievance is raised. The meeting will be to give them an opportunity to answer the concerns raised.

This meeting should take place as soon as is reasonably practicable.

The employee against whom the complaint has been raised will be given a copy of the grievance and any documentary / other evidence, redacted if appropriate where there are valid reasons (for example the potential for the threat of physical violence or

intimidation) given by the employee raising the grievance, as to why it would not be appropriate in the circumstances of the case.

During the investigation meeting, the person against whom the grievance is raised, will be given the opportunity to:

- Respond to the grievance and set out their case in detail.
- Raise questions on any aspect of the procedure.
- Present/identify evidence which merits consideration.
- Get access to documentation that may be used in the course of the investigation.
- Identify witnesses and explain their relevance.

The person against whom the grievance has the right to be accompanied to this meeting by a trade union representative or work colleague.

The Investigating Officer will advise them, that there may be a need to meet with them again for clarification.

Should the person against whom the grievance was made, raise a counter grievance, the Investigating Officer will note these concerns and forward them to HR who can advise if they can be incorporated into the existing investigation or require a separate investigation.

Stage 4: Meeting with other parties/witnesses as part of the investigation

The Investigating Officer will also meet with those they have deemed important in helping to establish facts, and/or have been cited as a direct witness, where relevant.

Witnesses can be accompanied by a trade union representative or colleague not involved in the matter. This is for support only. Witnesses must be reminded about the importance of confidentiality.

The Investigating Officer should advise the witnesses that any information they provide during the investigation, may be:

- Incorporated into the investigation report.
- Shared with the employee raising the grievance and the employee against whom the grievance has been raised.
- Shared (with appropriate redaction) as part of Subject Access Request or a legal discovery process.

Depending on the level of information required, the Investigating Officer may decide to address matters with any witness(es) by e-mail, telephone, in a virtual or face to face interview. The Investigating Officer will give advance notice to the witness of the intention to address matters and they will have the opportunity to seek the advice of a

trade union representative. The Investigating Officer will provide the witness with the reason they are invited to interview and detail of the substance of the issue to be addressed.

If an interview is to take place, HR, on behalf of the Investigating Officer, will issue a written invitation to the witness informing of the substance of the issue they are asked to address; and any questions the Investigating Officer is likely to ask. They will be advised that they are not the subject of the grievance. They may be accompanied by a trade union representative or work colleague at this stage of the process.

The employee who raised the grievance, the person against whom the grievance was raised and any witnesses should all be advised that whilst the investigation process is confidential, records of evidence may be requested for example, by subject access request and may, by law, require PBNi to provide these to the requester, subject to any appropriate redaction.

In addition, records of evidence obtained during the investigation may be discoverable documents and may require to be disclosed where relevant to any subsequent legal proceedings.

Stage 5: Completion of the Investigation process

The Investigation Officer is tasked with completing an Investigation Report in a timely manner.

The role of the Investigating Officer is purely an informative role and they are not responsible for decision making. The Investigating Officer must set out their findings based on balance of probability. They are not tasked with determining if the allegations are 'proved' in relation to the grievance. This is the responsibility of the Decision Officer. They must use the Investigation Report Template in Annex 2.

Once the report is completed, the Investigating Officer will liaise with HR to satisfy themselves that procedures have been followed. HR representatives will not make a judgement on the substantive content of the report.

The Investigation Report informs the decision-making process, and the Decision Officer will rely on the Investigation Report as being a sound basis for a fair decision. When the Investigating Officer is content with the report including appendices (the Investigation Report), and is assured, that procedures have been followed, the Investigation Report should be sent to the Decision Officer by HR.

Following receipt of the Investigating Officer's Report, the Decision Officer may request further investigation. Further investigation should be carried out by the original Investigating Officer and the request for any further investigation should be documented.

Once the Decision Officer is satisfied with the Investigation Report, the investigation report will be sent to the employee raising the grievance and a meeting will be arranged with the employee who raised the grievance. A copy of the report will also be sent to the employee against whom the grievance has been raised. This meeting is convened to enable the employee raising the grievance to discuss with the Decision Officer any issues relating to potential resolution of the grievance before the Decision Officer issues a decision in relation to the grievance. The meeting is not an opportunity for raising any issues that could reasonably have been expected to have been dealt with during the investigation procedure.

Stage Seven: Holding a Formal Grievance Meeting

Before the meeting

Following the Decision Officer's approval of the Investigation Report and Appendices, the Decision Officer will write to the employee raising the grievance inviting them to attend a grievance meeting. The letter issued by HR on behalf of the Decision Officer will:

- Inform the employee of the date, time and venue of the grievance meeting which should be arranged to take place within 10 working days of issue of report.
- Outline the grievance raised.
- Inform the employee of the right to be accompanied by a trade union representative or work colleague, asking the employee to confirm who that person will be.
- Inform the employee of the Decision Officer's intention to meet the investigating officer in relation to their findings, if appropriate.
- Inform the employee that a representative from the HR will be in attendance to take notes and advise the Decision Officer on points of process or relevant employment matters.

If the employee raising the grievance does not wish to contest anything in the Report, they will be required to state this in writing and they do not have to attend the Grievance Meeting. In such circumstances, the Decision Officer will consider the information in the report and issue an outcome.

If an employee raising the grievance does not attend the Grievance Meeting, without justifiable reason, provided in advance, the Decision Officer will issue an outcome based on the information available.

Where a meeting is confirmed, HR will, on behalf of the Decision Officer, write to the employee with the date and time of the Grievance Meeting.

Once the meeting has been arranged, the employee raising the grievance should notify HR, as soon as possible and no later than three working days prior to the meeting, providing:

- Copies of any documentation which they intend to produce and rely on at the grievance meeting.
- Confirmation of their intention be accompanied by a trade union representative or work colleague and confirm who that person will be.

In circumstances when the employee's representative is not available on the proposed date, they can suggest an alternative time and date for the grievance meeting so long as it is reasonable and it is not more than five days after the original date. This five day limit may be extended by mutual agreement.

It is expected that the person raising the grievance is prepared for the meeting and can provide information or clarification on items in the report that they contest. If there has been an opportunity to provide such information at the investigation stage, but it was not provided, it is unlikely that such information will be considered by the Decision Officer.

The issues which have been raised by the employee in response to the Investigation Report, in writing, will be considered by the Decision Officer, in the context of the case put forward by the employee.

During the Meeting

The employee or their representative will be invited to present their comments on the Investigation Report at the meeting.

The Decision Officer can ask questions of the employee, and the Decision Officer will have the opportunity to sum up.

The meeting may be adjourned for a short periods(s) during the meeting with the agreement of the Decision Officer.

At the end of the meeting the employee raising the grievance will be informed by the Decision Officer that they will give their decision and reasons regarding the decision to both parties (the employee raising the grievance and the subject of the grievance), in writing, within 10 working days.

If the Decision Officer intends to seek any further information, they will advise the parties of this. The Decision Officer should seek to complete their decision making within the 10 day time frame, however they should advise both the employee raising the grievance and the person(s) against whom the grievance was made of any delays, the reasons for them and the date an outcome can be expected.

A note of the meeting will be taken by the HR Representative for the Decision Officer.
Approval of the notes will not be sought.

After the Meeting

The Decision Officer will reach a decision based on the balance of probabilities.

The Decision Officer may decide that the grievance is to be upheld, partially upheld or not upheld and there is no case to answer and the matter is closed. The Decision Officer may also consider, if:

- a. No further action required at this time, but the situation is to be monitored and kept under review.
- b. Mediation where both parties agree to take part should be offered and completed within a set timeframe.
- c. Progress to the Disciplinary Procedure, where potential misconduct has been found.
- d. Some other action which may support resolution.

As outlined above, the Decision Officer will give their decision to the employee who raised the grievance within 10 working days of the meeting being held and the letter will:

- Include a clear statement of the issues raised.
- Detail the decision and the reason for this.
- Outline any actions that may be appropriate.
- Include the right of appeal and how to exercise that right.

The decision only, will also be sent to the person(s) against whom the grievance was raised. The line management of both the employee raising the grievance and the subject of the grievance will also be advised of the Decision Officer's decision and any outcome(s) that may impact on the supervision of either party.

It will normally be considered that a grievance is raised in good faith. However, in exceptional circumstances the Decision Officer may conclude that a grievance which has been raised is malicious or vexatious in that the allegations are found to be in full or in part, deliberately misrepresented or false. In such circumstances, a disciplinary process may be initiated with the employee involved.

Stage Eight: Communicating the decision and right of appeal

Appeals Process

The employee raising the complaint has a right to request an appeal against the outcome of the formal investigation on the basis of one of the following grounds:

- that a policy / procedure was not followed; or
- that new information has come to light that was not available previously and would not have been available during the time up to the point that the Decision Officer issued their decision; and that this information would affect the decision making of the Decision Officer; or
- there are factual inaccuracies and / or omissions within the Investigation Report.

This appeal should include the specific grounds for appeal stating how the matters giving rise to the appeal would have impacted on the decision making of the Decision Officer.

The Appeal should be made in writing to the Head of HR within five working days of the outcome letter.

The employee must provide:

- A detailed statement of the case and grounds for appeal as set out in Section 7.7a.
- A copy of any documentary / or other evidence they intend to rely on at the Appeal Meeting.
- The resolution being sought.

If there is insufficient detail provided, an appeal meeting will not proceed. In what is expected to be limited circumstances, where there is insufficient detail provided, the Head of HR will communicate this to the employee and advise that an appeal cannot be heard.

An appeal will be heard by a manager who will normally be more senior to the Decision Officer. However in exceptional circumstances Appeal Officers may be of a similar level of seniority to the Decision Maker, e.g. if the decision was made at senior management level or relating to a specialist subject. Appeal Officers should not accept the appeal case if they have had significant involvement in the original decision.

The Appeal Meeting will normally take place within 10 working days of the receipt of the appeal request. This 10 day limit may be extended by mutual agreement.

The employee has the right to be accompanied to the Appeal Meeting by a trade union representative or work colleague.

The Head of HR or HR Manager will be in attendance at the Appeal Meeting and will advise the Appeal Decision Officer on points of process or relevant employment law.

The Appeal Decision Officer will present a summary of the issues raised at appeal.

The Appeal Decision Officer will invite the employee or their representative to present their case.

The Appeal Decision Officer may ask the employee questions, and the employee or their representative will have the opportunity to sum up.

The meeting may be adjourned for a short periods(s) during the meeting with the agreement of the Appeal Decision Officer.

At the end of the meeting the employee raising the appeal will be informed by the Appeal Decision Officer that they will give their decision and reasons regarding the decision to the employee raising the appeal in writing, within 10 working days.

If the Appeal Decision Officer intends to seek any further information, they will advise the parties of this. The Appeal Decision Officer should seek to complete their decision making within the 10 day time frame, however they should advise the employee raising the grievance of the reasons for the delay and the date an outcome can be expected.

The Appeal Decision Officer should give their decision / outcome of the appeal to the employee who raised the grievance and reasons in writing within 10 working days. The outcome of the appeal could be to:

- Uphold the original decision.
- Over-rule the original decision.
- In both cases confirm what other action will be taken (if appropriate).

A copy of the appeal decision will be sent to the individual(s) named as the subject of the grievance. The line management of both the employee raising the grievance and the subject of the grievance will also be advised of the Appeal Decision Officer's decision and any outcome(s) that may impact on the supervision of either party.

The decision of the Appeal Decision Officer shall be final and there will be no further internal right of appeal.

Should the Chief Executive or Board member have been the original Decision Officer, employees must exercise their right of appeal, in writing to the Board Secretary within five working days of being notified of the outcome of the Decision Officer. A Board member or another party will be appointed to be an Appeal Decision Officer.

Where a Board member hears an appeal, the Board Secretary will be in attendance at the Appeal Meeting. A HR representative will also be in attendance to provide advice and guidance in relation to the grievance process.

The decision of a Board Member shall be final and there will be no further internal right of appeal.

Approval of these notes will not be requested for this meeting.

Notes and Record Keeping

Written records will be treated as confidential and will be kept no longer than necessary and in accordance with Data Protection and PBNI's Records Management Policy / Retention and Disposal Schedule.

Documents should be marked 'Official–Sensitive' in line with PBNI's Records Management Guidance and Procedure.

HR will support the Investigating Officer, Decision Officer and Appeal Decision Officer throughout the investigation process as appropriate, including advice on the handling of confidential information obtained.

HR will take notes at all meetings. These are not a verbatim accounts of what was said but should provide a broad summary of matters discussed.

A typed note of the Investigation Meeting will be issued by the HR representative within five working days of the meeting. Any requested amendments must be supplied within five working days of receipt of the meeting note. If no amendments are requested, the original note will be taken as an accurate record. A copy of the notes will also be provided to the trade union representative if the employee requests this.

Notes of the Grievance and Appeal meetings will be taken for information for the Decision Officer / Appeal Officer. Agreement of notes of the Grievance Meeting and Appeal meeting will not be sought.

Recordings will not be permitted by any party in an investigation meeting, unless as part of a reasonable adjustment due to a disability. If this is the case, the means for recording, sharing and filing must be set out by management in advance.

The HR representative will be appointed to the Investigation and hearing stage; and a different representative will be appointed to the appeal stage.

In order to promote a standardised approach template letters are available from HR. Sample templates for letters etc are available in Annexes 4 to 10. These can be adapted as required.

To maintain control of the grievance procedure, all documentation associated with the Investigation, including the arrangement of meetings; the Grievance Hearing; any Appeal made and the Appeal Hearing, will be retained in an appropriate content manager container with access only by HR and the appropriate Investigating Officer, Decision Officer or Appeal Officer.

A central register of cases will also be maintained by HR.

The Investigating Officer, Decision Officer or Appeal Officer must ensure that they dispose of any duplicate documentation submitted (both manual and electronic) in a secure

manner and should not retain any detail with regard to the investigation once completed.

Where an external appointment has been made to engage an Investigating Officer, Decision Officer or Appeal Decision Officer, HR will retain all information used. Where HR are involved in the grievance, as the aggrieved, subject of a grievance or a witness, their access to the information will be withheld.

All information must be held in accordance with the Data Protection Act 1998 and PBNI's Management of Information Policy/Retention and Disposal Schedule.

Where a grievance is made against a member of HR

Where a grievance is raised by or against a member of HR, or where a member of HR is named as a witness in the grievance process, the Head of HR will appoint a more senior person in HR to provide the necessary advice and guidance in relation to the grievance.

Where the grievance is raised against a decision of the Head of HR, the Decision Officer should be appointed by the Chief Executive who may appoint an external provider to carry out the HR function outlined in this procedure.

Management may appoint an external independent Investigating Officer and/or Decision Officer and / or Appeal Decision Officer in circumstances where there is potential conflict of interest from any internal appointments or for expediency due to priority of operational needs.

Note taking can be carried out by the appointed HR representative or as an alternative, another appropriate member of staff may be asked to assist in notetaking in these matters. Any files associated with the grievance must be treated in confidence and held by HR (on Content Manager). This does not preclude an employee's right to make a Subject Access Request.

After a Grievance Procedure is complete

On reviewing the report, management and HR also need to consider what, if any learning can be taken and shared appropriately.

Management must ensure that any recommendations made by a Decision Officer in the process, are implemented in a timely manner and are appropriately monitored or reviewed.

HR must ensure that if any is to progress through a further formal procedure, for example a disciplinary procedure, that this is actioned promptly in the interests of all parties.

ANNEX 1: GRIEVANCE STATEMENT

Grievance Statement

Please complete and send to the Head of HR.

Name

Job Title

Location

I wish to raise a grievance in relation to the matters set out below.
(Please give the concise details of your grievance including supporting evidence if appropriate and desired outcome).

*Some or all of the elements set out in the following checklist **may be helpful in making sure that the written statement gives the necessary information.** What – is alleged to have been done, or not done or done in an unacceptable way which has led you to make this referral under the formal grievance procedure*

When – is about times and timescales – e.g. about the timing of an incident(s).

Where may obviously refer to the location of an incident(s) but it may also be about an allegation that alleged behaviour was inappropriate or “out of place.”

Why – is the matter being referred for consideration under the formal grievance procedure? In many cases this will be obvious from the detail provided but, in some cases, there may be important additional information. Please indicate if you have tried to resolve the matter informally or via mediation. Where informal resolution has not been undertaken the reasons must be specified

Who – The name of the person(s) who you are raising a grievance against and to identify other people, for example witnesses, who might have important information. There is no requirement to name someone in regard to a grievance related to a PBNi policy/procedure/process not being properly applied or implemented. It would however be helpful to know in such cases who in the Department dealt with the issue being raised.

Continue on a separate sheet if necessary

Signed

Date

Grievance Statement (continued) Page Number

NAME

GRADE

LOCATION

Continue on a separate sheet if necessary

Signed

Date

Grievance Statement (continued) Page Number

NAME

JOB
TITLE

LOCATION

I understand that an informal process is set out under the grievance procedure however I do not wish to resolve my grievance informally or via mediation for the following reasons:

My proposed resolution is:

Continue on separate sheet if you wish...

Signed

Date

ANNEX 2: TEMPLATE FOR INVESTIGATION REPORT

OFFICIAL-SENSITIVE

Type of Investigation: Grievance

Investigation Officer:

FAO of the Decision Officer:

Date Report Submitted:

CONTENTS PAGE

1. Introduction
2. Terms of Reference
3. Methodology
4. Background and Technical Information
5. Findings & Conclusions
6. Appendices (all to be listed 1, 2, 3 etc)

1 INTRODUCTION

1.1 On x date, I was commissioned by the Head of HR to undertake an investigation into the grievance raised by name on date (**Appendix 1**).

1.2 I can confirm that I have no conflict of interest in relation to the matters investigated.

1.3 I have undertaken my investigation thoroughly and objectively.

1.4 The Terms of Reference for my investigation are set out in Section 2.

1.5XXXXXX XXXXXX acted as note taker for the formal investigation interviews.

2 TERMS OF REFERENCE

- 2.1 The following terms of reference have been agreed with <<NAME>> the Decision Officer on <<DATE>>
- 2.2 It was agreed that <insert investigator> will conduct an investigation to establish a timeline of events and any available evidence in respect of the case subject matter. The Investigation Officer will not make a decision on the next steps; this will be the remit of the Decision Officer.
- 2.3 The investigation to be completed within a reasonable timescale. Any significant delay will be notified to the Decision Officer immediately, with all parties then being notified as quickly as possible.
- 2.4 The investigation will consider the following grievance issues:
 - Grievance 1
 - Grievance 2

Note: The Investigating Officer should ensure that all grievances contained in the Grievance Statement are referred to in the terms of reference in agreement with the Decision Officer, and they are clear about what must be investigated.

- 2.5 Findings and conclusions will be provided in the form of a report.
- 2.6 Interviews will be conducted with XX, XX and XX and any other parties that the Investigating Officer found to be appropriate.
- 2.7 A copy of all records and notes will be supplied to the decision officer on completion of report.
- 2.8 Investigating Officer to arrange meetings, produce questions, take notes etc as necessary for the efficient advancement of the investigation and production of report.
- 2.9 The report will not contain any details on counter-grievances made by parties outside the scope of the original grievance.
- 2.10 The terms of reference will not be exceeded, without being redefined by the Decision Officer.

3 METHODOLOGY

3.1 Central to this investigation was the collection and verification of information, statements and any supporting evidence and documentation provided by employee raising the grievance, the subject of the grievance and witnesses. The grievance statement is set out in Appendix 1.

Therefore the following individuals were interviewed:

Interviewee	Date	Grade	Capacity	Accompanied by & capacity
			Employee raising the grievance	XX Colleague
			Subject of the grievance	Declined Offer
			Line Manager	XX Trade union representative
			Witness	

3.2 Interviewees were advised that the investigation process was confidential, and should not be discussed outside the investigation, with respect to the privacy of all parties involved.

3.3 Interviewees were further advised that in the event matters were to proceed to appeal there was the possibility that the report and its attachments would form part of a further inquiry.

3.4 Interviewees were also advised that in the event the case was to proceed to an external, forum, they may be required to attend.

3.6 The following PBNi policies and procedures were consulted throughout the investigation and can be found on the Intranet:

- A copy of these documents are provided in Appendix ?

3.7 Admissible supporting documentation provided prior to and during the investigation is included in the appendices, along with any other information considered relevant:

Appendix No	Appendix Title <i>(Appendix list should follow the sequential order they are referred to in the investigation report and each appendix document must be named.)</i>
1	Grievance Statement from name, job title, dated ?, received on Date.
2	
3	
4	
5	
etc	

The investigation report will look at the grievance raised by XXX analysing it in detail and drawing on information provided during the interviews. Overall findings will then be summarised in the conclusion to the report.

4 BACKGROUND AND TECHNICAL INFORMATION

Employee Raising the Grievance

4.1

Employee Subject of the Grievance

4.2

Witnesses

4.3

Further Background Information

4.4

PBNI Policy

4.5

5 FINDINGS AND CONCLUSIONS

5.1 Grievance 1 *in full*

- 5.1.1 Grievances (and evidence) made by (*Complainant*)
- 5.1.2 Response (and evidence) from (*subject of the grievance, if applicable*) against grievances
- 5.1.3 Witness Evidence for/against grievance
- 5.1.4 Other Evidence for/against grievance
- 5.1.5 Conclusions

5.2 Grievance 2 *in full*

- 5.2.1 Grievances (and evidence) made by (*Complainant*)
- 5.2.2 Response (and evidence) from (*subject of the grievance, if applicable*) against grievances
- 5.2.3 Witness Evidence for/against grievance
- 5.2.4 Other Evidence for/against grievance
- 5.2.5 Conclusions

5.3 Grievance 3 *in full*

- 5.3.1 Grievances (and evidence) made by (*Complainant*)
- 5.3.2 Response (and evidence) from (*subject of the grievance, if applicable*) against grievances
- 5.3.3 Witness Evidence for/against grievance
- 5.3.4 Other Evidence for/against grievance
- 5.3.5 Conclusions

6 APPENDICES

Appendix No	Appendix Title <i>(Appendix list should follow the sequential order they are referred to in the investigation report and each appendix document must be named.)</i>
1	Grievance Statement from name, job title, dated ?, received on Date.
2	
3	
4	

ANNEX 3: TEMPLATE –FORMAT FOR FORMAL GRIEVANCE MEETING (This is a sample and may be amended as required)

The format of the grievance meeting is as follows:

The Grievance Decision Officer will:

- Make welcome all parties to the meeting, make introductions and explain the purpose and format of the hearing, and deal with any procedures issues that may arise.
- Will then invite the employee raising the grievance and / or their trade union representative to explain the grievance, why the employee who raised the grievance is dissatisfied with the informal stage of the procedure, if it was followed; and how they would propose the grievance can be resolved.
- Ask questions of all parties and seek to have a clear understanding of what a resolution would look like for the employee raising the grievance.
- Provide the employee raising the grievance and / or their trade union representative or work colleague an opportunity to sum up before the Decision Officer summarises the points of discussion and adjourns the meeting to consider all the issues raised.
- The Decision Officer may also determine if any further information is required. If it is, they may seek a meeting with the Investigating Officer who may be asked to seek out any additional information determined may be necessary by the Decision Officer.
- The meeting will be adjourned so that a decision can be reached.
- The meeting will be reconvened within five working days of the original meeting so that the Decision Officer can communicate their decision after which the employee raising the grievance will receive written confirmation of the decision; and any right of appeal, as necessary.

ANNEX 4: TEMPLATE - FORMAT FOR APPEAL MEETING **(This is a sample and may be amended as required)**

The format of the Appeal Meeting is as follows:

The Appeal Decision Officer will:

- Make welcome all parties to the meeting, make introductions and explain the purpose and format of the hearing, and deal with any procedures issues that may arise.
- Will then invite the employee raising the appeal and / or their trade union representative to explain the grounds for appeal and any evidence they have provided as part of the appeal.
- Ask questions and seek to have a clear understanding of what a resolution would look like for the employee making the appeal.
- Provide the employee making the appeal and/or their Trade Union representative or work colleague an opportunity to sum up.
- The Appeal Decision Officer may also determine if any further information is required. If it is, the Grievance Decision Officer or Investigating Officer will be asked to seek out any additional information determined may be necessary by the Appeal Decision Officer.
- The meeting will be adjourned so that a decision can be reached.
- The Appeal Officer will issue their decision within 10 working days of the appeal meeting. Any delay in the issue of the decision will be communicated to the employee and their representative.

ANNEX 5: TEMPLATE LETTER – NOTIFICATION TO EMPLOYEE RAISING FORMAL GRIEVANCE THAT FORMAL INVESTIGATION IS COMMISSIONED
(This is a sample and may be amended as required)

Dear

Grievance – Investigation Commissioned

I have been appointed to hear your grievance at the formal stage of the grievance procedure. I understand from your Written Statement of Grievance, dated XXX, that attempts to resolve your grievance informally have been unfortunately unsuccessful and this stage has been exhausted / that you believe the matters you wish to raise are so serious that they do not warrant an informal approach.

On consideration of your Written Statement of Grievance, I am of the view that a formal investigation should be undertaken prior to proceeding to a grievance meeting.

I have therefore commissioned an investigation in accordance with PBNi's grievance procedure and the Guidelines for Conducting an Investigation, and I have attached copies to both these documents for your information.

An Investigating Officer will be appointed who is trained in Grievance and Disciplinary Investigations, who will arrange to meet you to discuss the grounds of your grievance. HR will write to you to advise you of the name of the investigator and the date for meetings.

Once the investigator is satisfied that all relevant information about the grievance has been gathered, they will produce an Investigation Report, including appendices, detailing their findings and conclusions. A copy of this will be provided to you by HR, along with details of a Grievance meeting which you will be invited to attend. A copy of this report will also be made available to the persons named in your grievance.

It is anticipated that the investigation will take XX weeks to complete from the date the investigator is appointed, during which time, it will be important that you are available to meet with the investigator.

I trust this is satisfactory and explains the next steps in the process to help resolve your grievance.

I would encourage you that you do seek support during this time and you may find useful sources of support in Section 6 of the grievance procedure, which I hope will be helpful for you.

I look forward to meeting you in the near future.

Yours sincerely

Name of Decision Officer
Job title of Decision Officer

Enc	grievance procedure: Add word attachment (to those with no access to intranet)
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	Guidelines for Conducting Investigations: http://pbni.intranet.nigov.net/resources/guidelines-conducting-investigations Add word attachment (to those with no access to intranet)
Copy to	HR Manager / Partner Personnel file

ANNEX 6: TEMPLATE LETTER – INVITE TO EMPLOYEE GRIEVANCE MEETING
(This is a sample and may be amended as required)

Dear

Grievance Meeting

I have written to you previously on DATE to advise that NAME has been appointed as the Investigation Officer in relation to your grievance at the formal stage of the grievance procedure.

I now wish to provide you with a copy of the Investigation Report and Appendices, and details of the Grievance meeting you are invited to attend. This report will be considered at the Grievance meeting which is arranged as set out below:

Date	
Time	
Venue	

You may, if you wish, be accompanied at the meeting by a trade union representative or a work colleague.

A member of HR, whose role is to take notes and advise on points of process or relevant employment matters.

The format of the grievance meeting is as follows:

- Firstly, I will make introductions and explain the purpose and format of the hearing, and deal with any procedures issues that may arise.
- I will then invite you to set out any comment wish to make on the Investigation Report.
- I will have the opportunity of asking questions. I will also take the opportunity to seek a clear understanding of what a resolution would look like for you.
- Both you/and or your trade union representative or work colleague will have an opportunity to sum up before I summarise the points of discussion and adjourn the meeting to consider all the issues raised.
- I will also determine if any further information is required. If it is, I may meet with the Investigating Officer who I may commission to seek out any additional information I have determined may be necessary.

In making a determination, I will consider the investigation report, the matters discussed at the Grievance meeting. I will also consider the reasonableness of the resolution you seek.

I will consider in my determination, if your grievance is to be upheld, partially upheld or not upheld and there is no case to answer and the matter is closed.

I will provide you with my decision and the reasons for my decision, within 10 working days of this meeting. I will provide my decision in writing to you immediately after this meeting. I will let you know in advance if I am unable to meet the 10 working day deadline.

Submission of evidence

If there is any additional relevant evidence that you wish to have taken into account at the grievance meeting, you must forward this to me (copy to HR) at least 3 working days in advance of the hearing.

Confirming your attendance

I would be grateful if you would confirm with HR that you will be in attendance.

If the Trade Union representative you select to accompany you is unavailable on the above date, you have the opportunity to suggest another date. This date must suit all parties and should not be more than five working days after the original date – otherwise you will need to select an alternative companion.

I trust this is satisfactory and explains the Grievance meeting process.

As I suggested in my original letter to you, I would encourage you that you seek support during this time and there are some useful contacts set out in the grievance procedure, which I hope will be helpful for you.

I look forward to meeting you.

Yours sincerely

Name of Decision Officer

Job title of Decision Officer

Enc	Grievance Report dated and Appendices
Copy to	HR Partner Personnel file

ANNEX 7: TEMPLATE LETTER TO PERSON RAISING GRIEVANCE – GRIEVANCE MEETING DECISION

(This is a sample and may be amended as required)

Dear

Grievance Meeting – Formal Notification of Decision

Thank you for attending the Grievance Meeting originally held on DATE.

Attending the meeting were note all attendees.

This letter confirms my decision.

Outcome of Grievance Meeting

Having given full consideration to the issues that were discussed during the course of the Grievance meeting, I confirm my decision is as follows:

I confirm the following: *(need to set out the following for each item considered)*

Set out item no

Set out what was considered, what decision is and why

Say whether upheld, partially upheld, not upheld

Set out item no

Set out what was considered, what decision is and why

Say whether upheld, partially upheld, not upheld

Right of Appeal

While I hope that you will understand my reasons for the decision, you have the right to appeal my decision.

An appeal can be brought on one or more of the following grounds, as set out in the grievance procedure:

- that a policy / procedure was not followed; or
- that new information has come to light that was not available previously and would not have been during the time up to the point that the Decision Officer issued their decision; or that would affect the decision making of the Decision Officer; or
- there are factual inaccuracies and / or omissions within the investigation report.

You must clearly specific grounds for appeal stating how the factor appealed would have impacted on the decision making of the Decision Officer.

The Appeal should be made in writing to the Head of HR within five working days of receipt of the outcome letter; providing the following detail:

- A statement of the case and grounds for appeal.
- A copy of any documentary evidence you intend to rely on at the appeal meeting.
- The resolution you are seeking.

Thank you for your cooperation in this process.

Yours sincerely

Name of Decision Officer
Job title of Decision Officer

Enc	grievance procedure
Copy to	HR Partner Personnel file

ANNEX 8: TEMPLATE LETTER – WRITTEN STATEMENT OF APPEAL

I wish to appeal the decision issued in my grievance as set out below:

My name is	
Job title	
Work location / team	
Contact email	
Contact mobile	
Trade union representative (if applicable)	
Date grievance outcome issued	
Name of Decision Officer	
Grounds for Appeal <i>(Please set out details): Please set out one of the grounds below:</i>	
Failure to follow policy and procedure in the previous stages of the grievance process.	
.	
New information has come to light since the Grievance meeting which has significant impact on the decision issued.	
There are factual inaccuracies and / or omissions within the investigation report.	
What is the resolution you are seeking?	

Signature	
Date	

This appeal should include the specific grounds for appeal stating how the factor appeal on would have impacted on the decision making of the Decision Officer.

The Appeal should be made in writing to the Head of HR within five working days of the outcome letter.

ANNEX 9: TEMPLATE LETTER – INVITE EMPLOYEE RAISING GRIEVANCE TO APPEAL MEETING

(This is a sample and may be amended as required)

Dear

Notice of Appeal Meeting

I have been appointed as the Appeal Decision Officer, the formal appeals stage of the grievance procedure.

The arrangements for the appeal meeting are set out below:

Date	
Time	
Venue	

You may, if you wish, be represented at the meeting by a trade union representative or accompanied by a work colleague.

The format of the appeal meeting is as follows:

- Firstly, I will make introductions and explain the purpose and format of the appeal meeting, and deal with any procedures issues that may arise.
- I will explain that I intend to ensure that I consider issues presented in relation to the grounds for appeal as set out by you.
- I will then invite you and / or your trade union representative to explain the grounds for appeal and what you consider to be a means of resolution.
- I may have questions with regard to your appeal.
- You / and or your trade union representative will have an opportunity to sum up before I summarise the points of discussion and adjourn the meeting to consider all the issues raised.

I will also determine if any further information is required. If it is, I will commission the Investigating Officer or Decision Officer to seek out any additional information I have determined may be necessary.

I will consider in my determination, if:

- The original decision should be upheld.
- The original decision should be overruled.
- In both cases, confirm what if any action will be taken.

I will issue my decision and the reasons for my decision, within 10 working days of the Appeal Meeting. I will let you know in advance if I am unable to meet the 10 working day deadline.

The decision issued will represent the final stage of the grievance process.

Submission of evidence

If there is any additional relevant papers or information that you wish to have taken into account at the Appeal Meeting, you must forward this to me (copy to HR) at least three working days in advance of the Appeal Meeting .

Confirming your attendance

I would be grateful if you would confirm with HR that you will be in attendance. If the trade union representative you select to accompany you is unavailable on the above date, you have the opportunity to suggest another date. This date must suit all parties and should not be more than five working days after the original date – otherwise you will need to select an alternative companion.

I trust this is satisfactory and explains the appeal process in the grievance procedure.

I look forward to meeting you.

Yours sincerely

Name of Appeal Decision Officer

Job title of Decision Officer

Enc	Appeals statement dated Grievance - Decision outcome dated Grievance Report dated and Appendices dated
Copy to	HR Partner Personnel file

ANNEX 10: TEMPLATE LETTER – GRIEVANCE APPEAL MEETING DECISION

Dear

Grievance Appeal Meeting – Formal Notification of Decision

Thank you for attending the Grievance Appeal Meeting held on DATE.

Attending the Appeal Meeting were note all attendees.

This letter confirms my decision.

Outcome of Grievance Appeal Meeting

Having considered the issues that were discussed during the course of the Grievance Appeal Meeting, I confirm my decision as follows:

(Need to set out the following for each item considered)

Set out item no

Set out what was considered, what decision is and why

Say whether upheld, not upheld

Set out item no

Set out what was considered, what decision is and why

Say whether upheld, not upheld

There is no further right of appeal in our internal grievance procedure.

Thank you for your cooperation in this process.

Yours sincerely

Name of Decision Officer

Job title of Decision Officer

Enc	Grievance Report dated and Appendices
Copy to	HR Partner Personnel file