

## Grievance Procedure

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### Alternative Formats

This documentation can be made available in alternative formats such as large print, Braille, disk, audio tape or in an ethnic-minority language upon request. Requests for alternative formats can be made to the Probation Board using the following contact information:

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## **1. 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 Grievance Procedure.

The Probation Board for Northern Ireland has developed a grievance policy to deal with matters of employee grievance in a fair, supportive and consistent manner.

## **2. 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.

## **3. Grievance Principles**

Grievances will be dealt with in accordance with the principles set out in the Grievance Policy. The Grievance Policy and Procedure will conform to the Labour Relations Code of Practice and any future over-arching guidance issued by the Labour Relations Agency.

Employees and managers have a responsibility to develop effective working relationships where individual expectations and needs are recognised and respected. Employees should be able to discuss problems and misunderstandings openly with their manager and should therefore be able to settle most issues informally.

Those involved in the grievance process should observe confidentiality throughout the process and should not discuss with anyone other than those officially appointed to oversee the grievance process.

## **4. What is a Grievance**

Anyone working in an organisation may, at some time, have problems, concerns or complaints about their work, working conditions or relationships with colleagues that they want to talk about and sort out 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.

Issues that may cause grievances include:

- Terms and conditions of employment
- Health and safety
- Working relationships
- Bullying and harassment\*
- New working practices
- Organisational change
- Equal opportunities

Grievances can occur at all levels. There may be occasions where the grievance relates to a PBNI policy/procedure/process and/or organisational decisions. In those cases the investigation will primarily consider if the relevant policy/procedure was applied or implemented properly. In some circumstances, the Decision Officer may recommend that the policy and procedure may need to be revised.

The Grievance procedure cannot be used to challenge formal outcomes in other procedures which have an appeal process.

Many matters can be dealt with within normal supervisory discussions with a view to resolving issues. The grievance procedure should not be used as a substitute for normal day to day discussions or issues in the workplace.

Situations do arise, however, where the Grievance Procedure is required to be followed either informally or formally.

It is expected that individuals will enter into the procedure in good faith, with the aim of resolving a particular issue.

\* PBNI has a separate dignity at work policy and associated procedures to ensure that:

- PBNI's commitment to promoting dignity and respect at work is clearly articulated
- Staff and managers are aware of their responsibilities
- Everyone clearly understands what is acceptable, and unacceptable behaviour

Therefore should a member of staff wish to make a complaint of bullying or harassment he/she should follow the process set out in the Dignity at Work Policy and Procedure.

## **5. Collective Grievances**

Where an employee as part of a group of staff wishes to raise the same grievance and feels 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 the Trade Union.

It is expected that the matter will be presented by one employee from the group or a trade union representative, 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.

## **6. 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 confidential.

- **Confidential Contact (see Annex 3).** Whilst work colleagues are an important area of support as indicated below, staff can speak to specific employee volunteers who can act as a first point of contact for those who are experiencing difficulties at work which are making them feel aggrieved, as well as those who may be the subject of the grievance, or a witness. Their role is meet with individuals confidentially and provide appropriate support such as:
  - Listening to concerns and exploring issues involved
  - Help the individual to analyse the problem
  - Signpost to PBNI's policy and procedure
  - Talk through the courses of action open to them either informally or formally (but not recommending a particular option)
  - Support individuals through their chosen action
  - It will not be about deciding for the individual or giving legal advice.
  
- **Work colleagues** – Work colleagues can be an important area of support. 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.
  
- **Human Resources** –. HR Business Partners will provide confidential support to employees who are considering raising/have raised a grievance, the subject of the grievance, and managers by objectively explaining options under the procedure and suggesting sources of support. This is a Human Resources Business Partner allocated to specific teams/areas of business.
  
- **Trade Union** – A Trade Union representatives can provide help, support and guidance 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 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. *See also paragraph 7.1c in regards to Trade Union representatives contacting the Human Resources to discuss appropriateness of such action.*
  
- **Inspire** – Staff may want to discuss their concerns in confidence with a professionally trained counsellor. Such support and counselling is available through the Employee Assisted 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. Private discreet counselling rooms are located province wide and appointments are arranged. The free phone number/leaflet and website address can be found on the PBNI intranet/Human Resources/Policies-Procedures-Guidance.

## **7. 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 issue is so serious or the informal stage has not been successful then the formal process should be followed.

### **7.1 Informal Action**

- a) 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.
- b) It is expected that the employee should raise issues or concerns openly with his/her immediate line manager and how he/she wants the matter resolved. This should be done in a timely fashion. The employee and manager should make reasonable attempts to resolve problems/issues at this initial stage.
- c) 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 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. Union representatives should however discuss the appropriateness of such action with Human Resources in the first instance
- d) In situations where an employee's concerns relate directly to his/her line manager the employee should discuss the matter with his/her senior line manager.
- e) It is recommended that the manager takes a note of the 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.
- f) The HR department can provide advice and guidance to all parties involved in the process.

## **7.2 Mediation**

- a) As an alternative to raising a complaint through the formal grievance procedure or at any stage of the procedure, an employee or employer may request that the matter is dealt with through mediation, and in such circumstances the HR Department should be contacted.
- b) Mediation works by using a neutral mediator to assist the parties involved to reach a satisfactory solution that both sides are able to agree to. Mediation does not impose a solution or make judgements or determine outcomes. The mediator does not take sides, apportion blame or judge who is right or wrong. The mediator will ask questions that help to uncover underlying problems, assist the parties to understand the issues and to help clarify the options for resolving the issues.
- c) The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. By agreeing to use the process participants are giving a commitment to work through the issues in a constructive manner. It is also about focusing on working together going forward, not determining who was right or wrong in the past.
- d) Mediation can be used at any stage but is most effective before positions become imbedded. Mediation is however completely voluntary and will only take place with the agreement of both parties. Participants should enter into the process because they want to and not because they are being told to.
- e) Mediation will take the form of a relatively informal meeting, or series of meetings, involving the employee(s) concerned.
- f) The meeting(s) may be initially held with the parties separately.
- g) The meetings will be confidential between the participants. Mediation is regarded as a safe and constructive way of speaking and listening. The process encourages openness and honesty from participants and ensures that views are considered. What has gone on in mediation cannot be used in any formal procedure.
- h) If the grievance is resolved through mediation, the mediator will assist the parties to draft a written agreement that will be signed by both parties as acceptance of its terms.

## **7.3 Formal Process**

- a) It is best that complaints are raised at the earliest opportunity. While understanding that it can be difficult for some employees to raise matters formally, complainants should recognise that it can also be more difficult to successfully investigate complaints the further back in time they occurred. With this in mind a time limit on raising grievances has been set.
- b) It should be the aim of both employees and managers to resolve grievances informally rather than invoke the formal procedure or escalate the grievance upwards. Where a resolution has not been reached at the informal stage or the employee raising the grievance does not believe that resolution will be possible at the informal stage, then the he/she may raise a formal grievance.



- c) The employee should set out their grievance in writing (see 7.4d below) as soon as reasonable after the event giving rise to the grievance. Any grievances which are not raised within 3 months of the event occurring, or final event where there is a sequence of events, will be considered out of time. Allowances to this time limit will be made where there are exceptional circumstances e.g. in cases of sickness absence, or where an attempt at informal resolution has been ongoing.

#### **7.4 Raising a Formal Grievance**

- a) The employee raising the grievance should set out the grievance in writing and forward it to the Director with responsibility for their area providing as much detail as possible. If the Director has a conflict of interest the matter will go to an alternative Director. The Director will be the Decision Officer (and will be referred to as such in this procedure).
- b) For cases involving Senior Management grades the grievance should be forwarded to the Chief Executive who will be the Decision Officer.
- c) Grievances involving a Director or Chief Executive should be forwarded to the Chairman of the Board who will be the Decision Officer.
- d) The grievance should be in writing (using the template set out in Annex 1 - Grievance Statement) and should set out clearly:
- That the complaint is being made under the formal Grievance Procedure
  - Concise details of the nature of and the circumstances of the grievance, including any supporting evidence and witness details where appropriate
  - What action, if any, has been taken to resolve the matter
  - Ideally should detail what the desired outcome is.
  - Additionally, copies of any documentary/written evidence should be provided with the Grievance Statement.
- e) The Decision Officer will provide the individual(s) named as the subject of the grievance with a copy of the written statement and any documentary evidence provided unless 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.
- f) Where a grievance is in relation to a member of the Human Resources Department the Decision Officer make an external appointment to carry out the HR function outlined in this procedure.

#### **7.5 Investigation**

- a) The HR department can provide advice and guidance to all parties involved in the process. (See also section 6 with regards to help/support and advice to all parties involved in the dignity at work process).
- b) In cases where the allegations are undisputed, the Decision Officer may decide that a formal investigation may not be necessary.

- c) If a formal investigation is not necessary the employee raising the grievance will be advised of this by the Decision Officer and will be invited to attend a Grievance meeting as set out under Section 8.
- d) Should the individual(s) named as the subject of the grievance accept the allegations without dispute he/she should consider the consequences of such an admission/course of action with a union representative or HR representative before being formally recorded. An agreement of admission and advice on consequences will then be signed by the subject of the grievance and union representative or HR representative as applicable and this will be provided to the Decision Officer.
- e) Where an investigation is deemed necessary, the Decision Officer shall appoint an appropriate manager to act as the Investigating Officer. Normally this appointment shall be made within 5 working days of receipt of the referral. The role of the Investigating Officer is purely an informative role and he/she is not responsible for decision making.
- f) The Decision Officer will send written notification of the Investigating Officer appointment to the employee raising the grievance, and the individual(s) named as the subject of the grievance, with a copy of the Grievance Policy and Procedure.
- g) Prior to beginning the investigation, the Investigating Officer must agree the terms of reference for the investigation with the Decision Officer. (See Annex 2 –template Investigation Report). **The Investigating Officer must also liaise with a representative from the Human Resources Department** who will provide guidance and advice on the investigation procedure at any stage in the process.
- h) The Investigation will include separate interviews with the employee raising the grievance, the individual(s) named as the subject of the grievance, any witnesses, as well as examination of documentation. Where appropriate documentation received prior to the interviews will be shared with the employee who is the subject of the grievance before the meeting takes place.
- i) A representative from the HR Department will be present during the interview to take comprehensive notes (a Note-taker). The interviewee will be asked to verify, in writing, that the notes are an accurate record within 10 working days, otherwise the notes will be deemed accurate. A copy of the notes will also be provided to the union representative.
- j) The Investigating Officer will invite the employee who raised the grievance to attend an interview. The invitation should be in writing and inform the employee that he/she may be accompanied by a trade union representative or work colleague.
- k) The Investigating Officer will invite the employee who is the subject of the grievance to attend an interview. The invitation should be in writing and inform the employee that he/she may be accompanied by a trade union representative or work colleague.
- l) Depending on the level of information required the Investigating Officer may decide to address matters with any witness(es) by e-mail, telephone or interview. The Investigating Officer will give advance notice to the witness of the intention to address matters by e-mail or telephone and he/she will have the opportunity to seek

the advice of a trade union representative. If an interview is to take place the Investigating Officer will issue a written invitation to the witness informing him/her that they may be accompanied by a trade union representative or work colleague.

- m) During the investigation the employee raising the grievance and individual(s) named as the subject of the grievance, will be given the opportunity to:
- Set out their case
  - 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
- n) The Investigating Officer should aim to complete the investigation within a reasonable timescale. It is acknowledged however that the length of investigation will depend on the nature and number of complaints being investigated, or other unforeseen circumstances may arise that will impact on the length of the investigation. Should there be any significant delay the Investigating Officer will inform all parties and the investigation will be concluded as soon as is reasonably practicable.

## **7.6 Completion of the Investigation**

- a) Once the report is completed, the Investigating Officer will liaise with the HR Department to satisfy him/herself that procedures have been followed. Human Resources will not make a judgement on the substantive content of the report.
- b) 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 and is assured that procedures have been followed the report should be sent to the Decision Officer.
- c) The Investigating Officer will also provide a copy of the report to the employee raising the grievance and to the subject of the grievance unless there are valid reasons (for example the potential for the threat of physical violence or intimidation) as to why it would not be appropriate in the circumstances of the case to allow full disclosure). Appendices of the report will include witness statements and any documentation examined.
- d) Following receipt of the Investigating Officer's report the Decision Officer may request further investigation. Further investigation will normally be carried out by the original Investigating Officer. The Decision Officer will inform the parties involved in the dispute in writing.
- e) Following receipt of the final Investigating Officer report the Decision Officer will invite the employee who raised the grievance to attend a grievance meeting and advise the subject of the grievance of this next stage.

## **8. The Grievance Meeting**

### **8.1 Before the meeting**

- a) The Decision Officer will write to the employee raising the grievance inviting him/her to attend a grievance meeting. The letter issued by the Decision Officer will:
- Inform the employee of the date, time and venue of the grievance meeting within 10 working days
  - 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 call witnesses and confirmation of who those will be\*
  - Ask the employee to confirm whether or not he/she intends to call witnesses and if so to provide details of those who will be attending\*
  - Inform the employee that a representative from the HR Department will be in attendance. The role of the HR representative is to take comprehensive notes and advise the Decision Officer on points of process or relevant employment matters.

*\*NB Please see paragraph 8.2 (b) with regard to calling witnesses*

- b) The employee raising the grievance should notify the Decision Officer, as soon as possible and no later than one working day prior to the meeting, of:
- Copies of any documentation which he/she intends to produce
  - His/her intention to call witnesses and confirm who those witnesses will be.
  - Advise of their intention be accompanied by a trade union representative or work colleague and confirm who that person will be
- c) In circumstances when the employee's representative is not available on the proposed date he/she can suggest an alternative time and date for the grievance meeting so long as it is reasonable and it is not more than 5 days after the original date. This 5 day limit may be extended by mutual agreement.

### **8.2 During the Meeting**

- a) A grievance meeting will always include a representative from the HR Department in an advisory capacity. The role of the HR representative is to take comprehensive notes and advise on points of process or relevant employment matters.
- b) The Decision Officer or the employee (or their representative) can call witnesses during the meeting as previously notified.
- c) The Decision Officer will present a summary of the issues raised, including the findings of the investigation, and will call any witnesses as notified.
- d) The employee or their representative will be invited to present his/her final comments at the meeting and call the employee's witnesses.

- e) The employee or the Decision Officer can ask questions of the witnesses and the employee and the Decision Officer will have the opportunity to sum up
- f) The meeting may be adjourned for a short period during the meeting with the agreement of the Decision Officer.
- g) The meeting may be adjourned, for an agreed timescale, to permit further investigation if deemed necessary. Further investigation will normally be carried out by the original Investigating Officer.
- h) At the end of the meeting the employee raising the grievance will be informed by the Decision Officer that he/she will give his/her decision and reasons regarding the decision to both parties (the employee raising the grievance and the subject of the grievance), in writing, within 5 working days.

### **8.3 After the Meeting**

- a) The Decision Officer will reach a decision based on the balance of probabilities whether the complaint raised can be substantiated or otherwise. The Decision Officer may decide that:
  - There is no case to answer and the matter is closed
  - The matter should be dealt with under some other Board Policy and Procedure
  - Other appropriate actions are deemed necessary
  - That the matter should proceed under the Disciplinary Policy and Procedure
- b) As outlined above the Decision Officer will give his/her decision to the employee who raised the grievance within 5 working days 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
- c) The decision will also be sent to the individual(s) named as the subject of the grievance. The line managers 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.
- d) Appropriate actions may include disciplinary action, counselling, further training or transfer. If a transfer is deemed an appropriate response it will be the individual who is the subject of the grievance who should be transferred unless the employee who raised the grievance indicates they would prefer to transfer.

## **9. Appeals Process**

- a) The employee who raised the grievance has the right of appeal against any decision under the formal Grievance Procedure.

- b) Employees must exercise their right of appeal, in writing, to the Chief Executive within 10 working days of being notified of the decision. The employee should provide:
- A statement of the case and grounds for appeal
  - The names of any witnesses he/she wishes to call and an explanation of why their evidence is required
  - A copy of any documentary evidence they intend to rely on at the appeal hearing.
- c) The appeal hearing 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.
- d) The employee has the right to be accompanied to the hearing by a trade union representative or work colleague.
- e) The Head of HR or the nominated deputy will be in attendance at the hearing and will advise the Chief Executive on points of process or relevant employment law.
- f) Should the Chief Executive decide that witnesses will be called he/she will provide notification to the employee and his/her representative no later than one working day before the date set for the appeal hearing.
- g) The Chief Executive or the employee (or their representative) can call witnesses during the meeting as previously notified.
- h) The Chief Executive will present a summary of the issues raised at appeal and call any witnesses if appropriate.
- i) The Chief Executive will invite the employee or their representative to present his/her case and call any witnesses if appropriate.
- j) The employee/representative or the Chief Executive can ask questions of the witnesses and the employee or their representative will have the opportunity to sum up.
- k) The hearing may be adjourned to permit further investigation if this is deemed necessary. Further investigation will normally be undertaken by the original Investigating Officer.
- l) The Chief Executive should give his/her decision/outcome of the appeal to the employee who raised the grievance and reasons in writing within 5 working days. The outcome of the appeal could be to:
- Uphold the original decision
  - Over-rule the original decision
  - In both cases confirm what action will be taken will also be provided (if appropriate).
- m) A copy of the appeal decision will be sent to the individual(s) named as the subject of the grievance. The line managers of both the employee raising the grievance

and the subject of the grievance will also be advised of the Chief Executive's decision and any outcome(s) that may impact on the supervision of either party.

- n) The decision of the Chief Executive shall be final and there will be no further internal right of appeal.
- o) Should the Chief Executive or Chairman of the Board have been the original Decision Officer, an appeal should be made to a panel of Members of the Board. In such cases employees must exercise their right of appeal, in writing to the Board Secretary within 10 working days of being notified.
- p) Where a panel of Members of the Board hear an appeal, the Board Secretary will be in attendance at the hearing. He/she will reserve the right to seek Human Resources advice as necessary. The same process as set out above will be followed at the hearing.
- q) The decision of the panel of Members of the Board shall be final and there will be no further internal right of appeal.

#### **10. Record Keeping**

- a) Written records will be treated as confidential and will be kept no longer than necessary and in accordance Data Protection and the PBNI's Management of Information Policy/Retention and Disposal Schedule.
- b) Documents should be marked 'Official- Sensitive-Personal in line with the PBNI's Records Management Guidance and Procedure.
- c) A representative from the HR Department will support the Investigating Officer throughout the investigation process as appropriate, including advice on handling of confidential information obtained.
- d) In order to promote a standardised approach template 'invite to meeting' letters are available from the Human Resources Department.
- e) To maintain control of the on-going investigation process, any source information/documentation obtained will be held by the Investigating Officer until the investigation has been completed and the final report submitted to the Decision Officer.
- f) All such information (both manual and electronic) should be collated in a confidential investigation file and stored securely by the Investigating Officer.

Such information/documentation may include:

- Invitations to investigation meetings
- Correspondence and internal memos
- Notes of meetings and telephone calls
- Diary entries
- E-mails
- Background documents such as procedures, policies, contracts, job descriptions

- g) Following completion of the investigation (and submission of the final report to the Decision Officer) the complete file (including any electronic information) should be sent to the Human Resources Department (marked private and confidential).
- h) The Human Resources Department will hold the investigation files in a central filing system.
- i) A central register of cases will also be maintained by the Human Resources Department.
- j) The Investigating Officer should ensure that he/she disposes 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.
- k) The final investigation report will be held by the Decision Officer until the formal meeting has taken place.
- l) When the outcome of the formal meeting has been notified to the employee and others as appropriate, the Decision Officer will forward to the Human Resources Department:
- The final investigation report
  - Any subsequent information recorded/received during the meeting
  - Any template letters issued to the employee raising the complaint, to the subject of the complaint, and witnesses
  - Correspondence detailing the decision/outcome.
- m) The Decision Officer should ensure that he/she disposes of any duplicate documentation submitted (both manual and electronic) in a secure manner, and should not retain any detail with regard to the investigation and hearing.
- n) The information forwarded by Decision Officer will be added to the investigation file held in the Human Resources Department. The complete file will be deemed the organisational file for that particular case.
- o) Should an appeal be made by the employee, documentation from the organisational file will be copied and provided to the Director or Panel of Board members as appropriate, and the employee who raised the grievance, as well as the Investigating Officer (if further investigation is warranted). The organisational file will remain in the Human Resources Department.
- p) Any further information/documentation obtained as part of the appeal process will be forwarded to the Human Resources Department following the outcome of the appeal, and will be added to the organisational file for that case.
- q) Where an external appointment has been made by the Decision Officer in a case relating to a member of the HR Department, the external appointment will be advised that they should adhere to the PBNI's procedure on record keeping, including handling of confidential information obtained. In such circumstances, on conclusion of the case, the Decision Officer will retain the organisational file in accordance with the Data Protection Act 1998 and the PBNI's Management of Information Policy/Retention and Disposal Schedule.





## Grievance Statement

Please complete and send to the Director for the relevant team/area

NAME  GRADE

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 – eg 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 regards 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

GRADE

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:

Please outline ideally what your desired outcome is:

Signed

Date

**OFFICIAL SENSITIVE PERSONAL**

**Type of Investigation:** Grievance

**Investigation Officer:**

**FAO of the Decision Officer**

**Date Report Submitted:**

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## 1. INTRODUCTION

- a) Executive Summary (a brief overview of what the case was about and the subsequent conclusions)

1.1

1.2

1.3

1.4

b) Methodology

1.5 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. Therefore the following individuals were interviewed:

<b>Interviewee</b>	<b>Date</b>	<b>Grade</b>	<b>Capacity</b>	<b>Accompanied by &amp; capacity</b>
			<b>Employee raising the grievance</b>	<b>XX Colleague</b>
			<b>Subject of the grievance</b>	<b>Declined Offer</b>
			<b>Line Manager</b>	<b>XX Trade Union rep.</b>
			<b>Witness</b>	

1.6 The minutes from the interviews have been agreed and are provided in appendix 1 a - d

1.7 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.

1.8 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.

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

1.10 XXXXX XXXXXX acted as note taker for the formal investigation interviews.

1.11 The following PBNI policies and procedures were consulted throughout the investigation and can be found on the Intranet:  
*(anything not on the intranet then provide as an appendix)*

A copy of these documents are provided in appendix 2 e - g

1.12 Admissible supporting documentation provided prior to and during the investigation include:

Appendix 3 h - m

h	e-mail from XXX dated 17 <sup>th</sup> March 2009
i	Special leave application dated 6 <sup>th</sup> March 2009
j	
k	
l	
m	

Or

1.13 In addition to the investigation meetings the following documentation was collected as part of this investigation;

- Appendix 3 h – e-mail from XXX dated XXXXXXXXX
- Appendix 3 l – Special leave application dated XXXXXXXXX

1.14 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.



## **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 time line 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 Complaints:
  - Complaint 1
  - Complaint 2

Note: The Investigating Officer should ensure that all complaints contained in the Grievance Statement are referred to in the terms of reference in agreement with the Decision Officer, and he/she is 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-complaints made by parties outside the scope of the original complaint.
- 2.10 The terms of reference will not be exceeded, without being redefined by the Decision Officer.

**3. BACKGROUND AND TECHNICAL INFORMATION**

**Employee Raising the Grievance**

3.1

**Employee Subject of the Grievance**

3.2

**Witnesses**

3.3

**Further Background Information**

3.4

**PBNI Policy**

3.5

## **4. FINDINGS AND CONCLUSIONS**

### **4.1 Complaint 1 *in full***

4.1.1 Complaints (and evidence) made by (*Complainant*)

4.1.2 Response (and evidence) from (*subject of the grievance, if applicable*) against complaints

4.1.3 Witness Evidence for/against complaint

4.1.4 Other Evidence for/against complaint

4.1.5 Conclusions

### **4.2 Complaint 2 *in full***

4.2.1 Complaints (and evidence) made by (*Complainant*)

4.2.2 Response (and evidence) from (*subject of the grievance, if applicable*) against complaints

4.2.3 Witness Evidence for/against complaint

4.2.4 Other Evidence for/against complaint

4.2.5 Conclusions

### **4.3 Complaint 3 *in full***

4.3.1 Complaints (and evidence) made by (*Complainant*)

4.3.2 Response (and evidence) from (*subject of the grievance, if applicable*) against complaints

4.3.3 Witness Evidence for/against complaint

4.3.4 Other Evidence for/against complaint

4.3.5 Conclusions

## 5. APPENDICES

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#### Appendix 1:

- a)
- b)
- c)
- d)

#### Appendix 2:

- a)
- b)
- c)
- d)

**Confidential Contacts**

<b>Name</b>	<b>Office Number</b>	<b>Mobile Number</b>
Pauline McMillan	25664990	07769681338
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Philip Cahill	90739445	07917544110
Catherine Corrigan	90602988	07884264570