



71-75 Shelton Street, London, WC2H 9JQ | www.generalpracticesolutions.net
020 8865 1942 | enquiries@generalpracticesolutions.net

GRIEVANCE PROCEDURE

INTRODUCTION

GPS policy is to encourage free communication between workers and managers to ensure that questions and problems can be aired and, wherever possible, resolved quickly to the satisfaction of all concerned.

APPLICABILITY

The policy applies to all employees and also applies to other people who work at GPS e.g., self-employed staff, temporary staff, contractors and agency workers.

THE STANDARD PROCEDURE

Manager's Responsibilities

- Ensure that workers are aware of the Grievance Policy, including the stages and appropriate time-scales.
- Keep to the timescales within the Grievance Policy to ensure that the grievance is dealt with quickly, reasonably, and as fairly as possible.
- Ensure that the informal stage is used wherever possible prior to any formal action being taken.
- Treat all workers fairly by applying the policy consistently and ensuring that any personal information is kept in complete confidence

Worker Responsibilities

- To read, understand and comply with the Grievance Policy.
- To try and deal with the grievance at the nearest point of origin and, where appropriate, first approach the manager to discuss the problem informally.
- To attend meetings as required.
- To submit informal and formal grievances in writing.

RECORDING OF MEETINGS

Workers, or any person acting on their behalf, are not normally permitted to record electronically any meeting held by the organisation as part of the disciplinary process. This is to encourage openness and full participation by all parties during meetings. Any breach of this provision may lead to disciplinary action against the worker, up to and including dismissal.

In certain limited circumstances, the organisation may permit the meeting to be recorded electronically. For example where the worker is disabled, it may be appropriate as a reasonable adjustment under the Equality Act 2010. Where the organisation permits the meeting to be recorded electronically, it will take responsibility for making the recording.

DATA PROTECTION

The organisation processes personal data collected during informal complaints and the formal grievance procedure in accordance with its Data Protection Policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure. Inappropriate access or disclosure of worker data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

GPS GRIEVANCE PROCEDURE

Informal Grievance

Workers who feel aggrieved should raise the matter with their immediate manager to discuss the problem informally. The matter can be raised by simply speaking to the manager, putting concerns in an email etc. The worker should ensure that they make it clear to the manager that they are raising an Informal Grievance. The worker should explain how they think that the matter can be resolved. The manager should investigate so that they can resolve the matter promptly and fairly.

Where the grievance is about another worker, then that person should also be given the opportunity to answer the grievance and present their case to the manager. If the grievance is with the immediate manager, then the worker can raise the grievance with the next level of management.

After an informal process is completed, the manager should confirm the response in writing, ensuring all parts of the grievance raised have been answered. The response should include what actions have been taken, or intended to take, to resolve the grievance.

If your supervisor does not settle your grievance to your satisfaction, then you must present a written formal grievance in-line with the Formal Grievance Procedure below.

Formal Grievance

Wherever possible, workers should aim to settle most grievances informally.

However, in the event that a worker has a grievance relating to their affiliation with GPS, and feel unable to resolve it on an informal basis, the following grievance procedure (incorporating the statutory three processes) is outlined below.

STAGE ONE

The worker should set out in writing the grievance/area of concerns to their line manager who will respond to the complaint within 10 working days of receiving the written complaint. If the grievance concerns their manager, then it should be sent to the Flexible Workforce Office.

STAGE TWO

The line manager will arrange a meeting at a reasonable time and place where the worker will be given the opportunity to discuss their grievance. The worker must make every effort to attend the meeting. After the meeting the worker will be informed of the outcome of the grievance and notified of the right of appeal against the decision.

STAGE THREE

Where a worker feels that their grievance has not been satisfactorily resolved they should let the FWO know the grounds of their appeal in writing within 10 days of receiving their written outcome. The FWO will invite the worker to attend a further meeting without unreasonable delay.

A final decision will be communicated to the worker following the meeting and without unreasonable delay.

The worker has the right to be accompanied by a trade union representative, work colleague or a friend, partner or spouse at the grievance meetings.

This procedure is available to a group of workers sharing a grievance.

APPEALS STAGE

This is the highest level that a referral can be made and will constitute the end of the procedure. GPS will always offer a worker the right of appeal against a decision made following a grievance meeting.

If the worker exercises their right to appeal, then it will be confirmed at the Appeal Meeting, and in the written response following the Appeal Meeting, that this is the final stage of the grievance appeals procedure.

Appeals should be made to the FWO.

The person specified to hear the appeal, who ideally will not have been previously involved, will:

- Allow the worker to attend and address a meeting stating their reasons for the appeal and how they believe it should be settled.
- Allow the worker to be accompanied by a single companion, who can be another worker of GPS or an official of a trade union. The companion will be permitted to confer with the worker and address the meeting but not allowed to answer on the workers behalf. The companion will be allowed time off work with pay to undertake this role.
- Ensure a full written record of the appeal proceedings is kept in the worker file.
- Provide the worker with a written response to the appeal, normally within five working days, confirming this is the final stage of the grievance appeals procedure.

GRIEVANCE AFTER LEAVING PROCEDURE

Grievances can be raised in writing by a former worker and will be addressed in accordance with the procedure above, however the former workers will be given the option of having their grievance addressed and responded to in writing as an alternative to attending a formal grievance hearing.

Former workers wishing to raise a grievance should do so within one month of the termination date. This procedure will only apply where a grievance has not been completed before a worker leaves GPS and where both parties have agreed, in writing, that the procedure will be used.

EMPLOYMENT TRIBUNALS

Employment Tribunals are independent judicial bodies who determine disputes between Employees and Employers over employment rights (such as unfair dismissal, redundancy payments discrimination and a range of claims relating to wages and other payments). Although an Employment Tribunal is not as formal as a court it must comply with rules of procedure, act independently and cannot give legal advice. Individuals affiliated with GPS on a Casual Worker Agreement negate employment rights.

When a person makes an Employment Tribunal claim the process normally involves a Hearing taking place before an Employment Tribunal at which evidence is heard and legal arguments are made with a decision (judicial determination) then being made on the case. The process is formal, involving evidence being led from witnesses and cross-examination, which is very similar to what happens in an ordinary court.

October 2022

APPENDIX 1

PRIVATE & CONFIDENTIAL - NOTIFICATION OF WORKER GRIEVANCE

Please complete this form if you wish to submit a formal grievance

Please ensure that you have tried to resolve the matter informally before entering the formal stages of the process.

GPS treats personal data collected during the grievance procedure in accordance with its Data Protection Policy. Information about how your data is used and the basis for processing your data is provided in the GPS privacy notices.

To: (Name and Title of relevant manager): _____

From: (Worker name and job title): _____

Contact Number for worker: _____

MAIN POINTS OF GRIEVANCE

PLEASE STATE BELOW THE DESIRED OUTCOME/RESOLUTION YOU WOULD LIKE TO ACHIEVE.

Signed (worker) _____

Date _____

Received By _____

Date _____

September 2022

LRD: October 2022