

Grievance Hearings Employment

If your employee has raised a grievance in respect of their employment, you should try and resolve matters informally in the first instance. If this is not possible then you should deal with matters formally ensuring you comply with the ACAS Code of Practice on Discipline and Grievance. This note aims to provide you with guidance on how to deal with grievances in a fair and appropriate manner.

Purpose of the hearing

The purpose of the grievance hearing is to investigate the complaints the employee has raised, understand why the employee feels aggrieved and ascertain what outcome the employee wishes to achieve. Use the meeting to explore all the options with the employee but you should not determine the outcome, this should be done after the meeting when you have considered all the issues and completed your investigations.

Invitation to the meeting

- write to the employee and invite them to attend a grievance meeting. Make sure you remember to advise your employee that they have the right to bring companion with them to the meeting – this should be either a work colleague or trade union representative
- if the employee's trade union representative or work colleague is unable to attend on the date you have suggested, allow your employee to suggest an alternative date as long as it is within a reasonable time of the original meeting.

At the meeting:

- introduce all parties present and explain their roles
- if employee is unaccompanied check that this is their wish
- explain the purpose of the meeting (see above)
- explain that you will not give your decision until after the meeting and once you have had time to investigate and consider any necessary points
- ask the employee to explain their complaint fully and clarify any of the issues if necessary
- summarise the points put forward by the employee and get confirmation that employee understands and agrees the summary
- ask the employee what they feel you (the employer) can do to resolve their grievance
- at all times be calm and professional. Do not appear judgmental.

Role of the companion at a grievance hearing

A companion at a hearing is permitted to:

- address the hearing to summarise or explain the employee's case, but not to answer questions on behalf of the employee
- confer with the employee during the hearing
- ask questions (of the employer and employee) at the hearing
- be permitted reasonable time to confer privately with the employee, either in the hearing room or outside.

Following the meeting:

- make any further enquires that are necessary, especially if new issues are raised or evidence produced
- if you need to speak with your employee about new evidence, you should reconvene the meeting
- notify your employee in writing of your decision as quickly as you reasonably can (and within the timeframe set out in your grievance procedure policy) and keep a record of the decision
- notify your employee in writing of their right to appeal against your decision.