




GRIEVANCE PROCEDURE

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		Approved by: (Chief Executive)	Linda Crooks
Person responsible:	Pauleen Rafferty	Sign:	
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1. Introduction

- 1.1 All employees should be treated fairly and with respect. Should an employee be unhappy with any treatment which they have received at work, they should first discuss this matter with their line manager or HR Department in an attempt to resolve the issue informally. Should this not be possible, or appropriate, the employee may choose to raise a formal grievance.
- 1.2 A grievance may be raised by an employee in relation to a wide range of issues including the working environment or conditions, working relationships, allocation of work, opportunities that they have been given for career development or the way in which they have been managed. Any complaints relating to a formal sanction given under the disciplinary or capability procedure should be dealt with as an appeal under that procedure.
- 1.3 The confidentiality of all parties will be maintained at all times, wherever possible.

2. Purpose

- 2.1 This procedure sets out to provide fairness and consistency in the treatment of grievances of individual employees of Traverse Theatre.
- 2.2 To ensure prompt action and to save valuable time, it aims to resolve grievances at as low a level as possible.

3. Applicability

- 3.1 The Procedure applies to all Traverse Theatre employees, both permanent and fixed term; and to all student placements, interns, volunteers and unpaid workers.

4. Roles and responsibilities

4.1 Managers, Employees and the Finance and Operations team

- 4.1.1 All have a key role in the implementation and delivery of the Grievance procedure. Specific responsibilities are outlined below:

4.2 Chief Executive

- 4.2.1 The Chief Executive has an overall responsibility for ensuring compliance with the Grievance Procedure.
- 4.2.2 The Chief Executive shall ensure that this procedure is reviewed annually and in light of any changes in working practice and/or changes in legislation.

4.3 Management

Management is responsible for:

- 4.3.1 Ensuring that they understand the procedures and are able to conduct meetings, investigations and hearings effectively in accordance with the procedure.
- 4.3.2 Ensuring that complaints are dealt with promptly, seriously and in a way which does not discriminate.
- 4.3.3 Keeping written records as appropriate and ensuring confidentiality.
- 4.3.4 Ensuring note takers are arranged during the formal stages of the process.
- 4.3.5 Ensuring that all employees are aware of the procedure.
- 4.3.6 Sending a copy of any formal grievance received to the HR Department and seeking advice from the Head of Finance and Operations or Payroll and HR Manager when necessary.
- 4.3.7 Ensuring that a decision is not made until all the available facts have been established, arranging for a formal investigation of the facts if necessary.

4.4 HR Department

- 4.4.1 The Head of Finance and Operations and Payroll and HR Manager will advise managers in dealing with matters relating to this procedure, with the aim of ensuring fairness and consistency in the application of this procedure.

4.5 All staff

All staff are responsible for:

- 4.5.1 Familiarising themselves with the Grievance Procedure.

- 4.5.2 Raising grievances informally with Line Managers in the first instance, with a view to resolving matters as closely as possible to the point of origin.
- 4.5.3 Nominating one of a group of employees to represent the group in formal hearings where there is a collective grievance.
- 4.5.4 Providing written grievance statements and supporting documentation for formal grievances to help the Manager to establish the facts.
- 4.5.5 Providing written information within the timescale as stated in the policy.
- 4.5.6 Contacting their Trade Union or a work colleague to arrange representation during formal stages of a grievance.
- 4.5.7 Seeking help when unsure how to deal with an issue or when support or advice is required by contacting a member of the Finance and Operations team or your Trade Union representative.

5. Definitions

- 5.1 A 'grievance' is any problem or concern raised by an individual employee. In normal circumstances, this would be a matter that relates either to the implementation of terms and conditions of service or the actions of a Manager or a work colleague.
- 5.2 A 'dispute' is any problem or concern raised by a group of employees collectively. In cases where the collective grievance process is invoked, Traverse Theatre will require each individual to sign a letter indicating they are requesting this process. Each employee will be entitled to an individual hearing, even where this relates to the same issue although they may agree to a spokesperson acting on their behalf. This is to ensure equity and confidentiality for complaints/concerns and that each member of staff is treated consistently and fairly.

6. Informal Procedure

- 6.1 If employees wish to raise any matter in which they are directly concerned they should in the first instance discuss it with their immediate supervisor/manager.

- 6.2 Matters which have been raised informally via the line manager or Head of Finance and Operations may be resolved by informal discussion with the employees concerned, without the need for a formal grievance.
- 6.3 If the matter relates to an employee's immediate supervisor or manager they should, in the first instance discuss it with an alternative manager.
- 6.4 However, where it is not possible to resolve the issue informally then the formal grievance procedure will be initiated.

7. Formal Procedure

7.1 The Grievance Statement

- 7.1.1 If the matter remains unsettled the employee should raise the matter in writing with the next level of management. This written grievance statement should set out the nature of the grievance and given to the employee's immediate line manager, with a copy also provided to the HR Department.
- 7.1.2 In the circumstances where the employee's complaint is against their immediate line manager, the employee should instead provide the manager of their line manager or an alternative manager with the grievance statement. A copy should also be provided to the HR Department.
- 7.1.3 If due to disability or special circumstances an employee is not able to place their grievance in writing, they should raise this immediately with their manager or a member of the HR Team.

7.2 The Grievance Meeting

- 7.2.1 As soon as practically possible or within 10 working days of the manager receiving the written grievance, the employee will be invited to attend a meeting to discuss the grievance after Traverse Theatre has had a reasonable opportunity to consider the information provided by the employee. The meeting must take place at a location and time that is reasonable. Employees must take all reasonable steps to attend the meeting.
- 7.2.2 The employee has a legal right to bring along a companion to this meeting, and any further such meetings. (See section 8 - Right to be Accompanied below) This companion can be either a trade union representative and/or a work colleague.

- 7.2.3 Once the grievance meeting has been concluded and a decision reached, the employee will be notified in writing of this decision and notified of the right of appeal against the decision as soon as practically possible or within 10 working days from the date the meeting was held.
- 7.2.4 Traverse Theatre will normally invite its representative as witness to the proceeding.

7.3.1 Right of Appeal

- 7.3.1 If employees wish to appeal they must inform the Head of Finance and Operations in writing within 5 working days following receipt of the notification in writing of the decision, stating the reasons for the appeal and enclosing a copy of the original complaint. Traverse Theatre must invite the employee to attend a further meeting. The meeting must take place at a location and time that is reasonable. The employee must take all reasonable steps to attend the meeting.
- 7.3.2 The appeal meeting will be held within 10 working days following receipt of the appeal. Again, the employee has a right to be accompanied at this meeting.
- 7.3.3 Following the appeal meeting, the manager will provide the employee with a written decision as soon as practically possible or within 10 working days.
- 7.3.4 This is the final stage of the grievance procedure. The decision of the appeals manager is final.

8. Right to be accompanied

- 8.1.1 Employees have a statutory right to be accompanied by a 'companion' throughout the process.
- 8.1.2 The term 'companion' is defined as a trade union official (full time or lay) or work colleague.
- 8.1.3 It may be unreasonable for an employee to ask to be accompanied by a companion who had a conflict of interests or who was from a geographically remote location if someone suitable and willing was available on site.

- 8.1.4 Where the employee's chosen companion(s) is/are not able to attend the date agreed for the grievance meeting, an alternative date should be proposed by the employee and will usually be within 5 days from the date the grievance meeting date was confirmed. As far as reasonably possible, the location and timing of any meeting will be both convenient to employee, companion(s) and the grievance panel.
- 8.1.5 The main role of the companion is to provide support to the employee. In addition, the main companion (trade union representative if two companions attend) will be able to confer with the employee, sum up the employee's case, ask questions and participate fully in the meeting.
- 8.1.6 The companion does not have a statutory right to answer questions on the employee's behalf.

9. Overlapping Grievance and Disciplinary cases

- 9.1 Where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both cases concurrently.

10. Records and Confidentiality

- 10.1 It is important to keep written records during each part of the grievance process.

These records will include:

- the nature of the grievance raised
- a copy of the written grievance
- Traverse Theatre's response
- action taken
- reasons for action taken
- details of the appeal and the outcome reached

- 10.2 All records will be kept confidential, and retained in accordance with the Data Protection Act 2018.

- 10.3 Copies of any meeting records will be available to appropriate employees, unless there are exceptional and agreed circumstances where it is necessary to withhold information, for example, to protect a witness.

11. Communication and Review

- 11.1 Traverse Theatre aims to ensure all employees will be made aware of this Policy. An electronic copy of the Policy will be held on SharePoint with hard copies accessible in the Admin Office, Bar Office and Green Room.
- 11.2 The Grievance Procedure will be monitored by Finance and HR Department who can be contacted on 0131 2283223 ext 7108, via e-mail to Pauleen.rafferty@traverse.co.uk or in person.
- 11.3.1 Traverse Theatre aims to review the Procedure and its implementation on a yearly basis or more frequently if significant changes to its effective operation are necessary.

12. Document Review Record

Review/Amendment Details		Date	
General Information update		1.11.16	
General review and update		3.11.17	
10.2 Data Protection Act 2018		18.07.19	
11.1 Traverse handbook location update			
General review and update			
Prepared by:	Signature:	Approved by:	Signature:
Julie Pigott		Linda Crooks	