

# Group Model Grievance Procedure

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## **1. Introduction**

Most routine complaints and grievances are best resolved informally in discussion with the employee's immediate line manager. Dealing with grievances in this way can often lead to speedy resolution of problems and can help maintain the authority of the immediate line manager who may well be able to resolve the matter directly. Both the manager and the employee may find it helpful to keep a note of such an informal meeting.

Where the grievance cannot be resolved informally, it should be dealt with under the formal grievance procedure.

This model procedure is the procedure for all employees of Croda working in the UK who are not covered by a union recognition agreement.

For ease, the term employee has been used throughout. However, for the purposes of this procedure, it should be taken to cover all workers.

## **2. Stage One – Grievance Submission**

Due to the nature of informal discussions, it may be that the line manager has not recognised just how aggrieved an employee is. If the employee believes this to be the case they should inform the line manager of their grievance in writing. The line manager must then address the grievance within 7 days by moving to stage two, the grievance hearing.

If the grievance is against the line manager, the employee should request a meeting with a senior manager (i.e. grade F or above).

## **3. Stage Two – Grievance Hearing**

The employee has the right to be accompanied at the hearing but must make a reasonable request in order to obtain this right. The employee can postpone the hearing by up to 5 days to enable their chosen companion to be available.

Before the hearing commences the employee should provide the manager with a written outline of the nature of the grievance. At the meeting the employee will also have the opportunity to explain their grievance and how they believe it should be resolved.

The Grievance Manager should listen to the complaint and gather all relevant evidence from the employee. Following the hearing, the Grievance Manager should then conduct whatever investigation is necessary to establish whether or not the complaint is justified. In addition to this, they will decide what action should be taken to remedy the situation. This investigation should normally take no more than 10 days. A second hearing should be held for the Grievance Manager to respond to the employee. The response should be confirmed in writing. Ideally, it should determine the actions the Company intends to undertake to resolve the issue (without divulging personal information regarding other employees). A record should be kept of the hearings and any investigation meetings.

#### **4. Stage Three - Appeal**

If the matter has not been resolved to the employee's satisfaction at Stage Two the employee may request a meeting with a Vice President within 7 days of receiving the Stage Two response in writing. This request must outline the reasons why the employee is not satisfied and on what basis they wish to appeal. If the second stage was conducted by a Vice President, then the third stage should be heard by the Sector President.

The Vice President should conduct a formal Grievance Appeal Hearing within 5 days of receipt of the request. Before the meeting all the documents from the previous stage must be supplied to the Vice President and the employee should give a written outline of why they are dissatisfied with the response given at Stage Two.

Again the employee has the right to be accompanied at the hearing and can postpone the hearing by up to 5 days to enable their chosen companion to be available.

The Vice President should listen to the reasons for the employee's dissatisfaction with the Stage Two response. They should also question the Grievance Manager concerned as to the rationale for their response. Where necessary, further investigation may be carried out.

The Vice President should give their response to the complaint to the employee in person within 10 days of the Stage Three Grievance Appeal Hearing. The response should be recorded in writing. A record should be kept of the hearing and any further investigation undertaken. The Vice President's decision will be final. At both meetings a representative from Group Human Resources may be present to offer advice and ensure procedural consistency.

## **5. Records**

Records should be kept detailing the nature of the grievance raised, the Grievance Manager's/Vice President's response, any action taken and the reasons for it. These records should be kept confidential and retained in accordance with the Data Protection Act 1998. Copies of any meeting records should be given to the individual concerned although in certain circumstances some information may be withheld, for example to protect a witness.

## **6. Right to be Accompanied**

There is a statutory right to be accompanied at grievance hearings. This right applies to all employees and is not conditional (e.g. upon length of service, hours of work, grade etc). They must make a reasonable request in order to obtain this right.

An employee has the right to be accompanied by a single companion who may be:

- a work colleague i.e. another employee of the company

or

- a full time official employed by a trade union

or

- a lay trade union official which the union has certified as having experience of, or having received training in acting as a worker's companion at such hearings.

The companion must be allowed to address the hearing and to confer with the employee but not to answer questions on behalf of the employee.

The right does not apply to informal hearings and investigations.

Employees who act as companions must be given paid time to do so. Anyone acting as a companion or asserting their right to be accompanied must not suffer discrimination and/or detriment because of it.

The Company must postpone a hearing if requested to do so by an employee due to the unavailability of the chosen companion. However the employee must notify the Company of a reasonable alternative date which is no later than 5 days after the day proposed by the Grievance Manager.

## **7. Special Circumstances**

### **a) Collective Grievances**

Where there are a number of people who share the same grievance, it should be raised through the same process. However in these circumstances those concerned or the Grievance Manager may choose to ask one or two individuals to represent the group. The Grievance Manager hearing the grievance must ensure however that the views of the entire group are considered.

### **b) Grievances Related to Specific Rights**

Grievances related to harassment, bullying or discrimination may lead to subsequent disciplinary action against the perpetrators. In these circumstances, the aggrieved person will be required to make a full statement of facts to allow further investigation.

Claims raised under the Public Interest Disclosure Act 1998 will be dealt with under the Whistleblowing Policy.