

Millennium Farm Trust

HR5 Grievance Policy and Procedure

Next review date Jun 2025



Version Control

Version number	Date of changes	Who	Review summary
01	May 2018	T Freathy	First draft
	Jun 2021	H Wilson	Annual review, no changes
	Jun 2024	T Freathy	Scheduled review, no changes

Purpose and Scope

1. Millennium Farm Trust ("the Employer") is committed to dealing with employee grievances fairly, consistently and without unreasonable delay. This policy sets out the way in which an employee should make any complaints they have about work related matters and the way in which the Employer will deal with these complaints. This is a non-contractual policy and procedure and can be changed by the Employer at any time. If an employee has any queries about this policy and procedure, they should contact the Director.

Primary Principles

2. Grievances will be dealt with confidentially so far as is reasonably possible and employees must keep information learnt during this process confidential.
3. The purpose of a grievance or appeal meeting is for the employee to explain his or her grievance and how they think that it should be resolved using evidence available to make representations, allowing the employer to come to a decision.
4. Employees will not be subjected to a detriment for raising a grievance in good faith, even if the grievance is not upheld. However, the employee should not use this policy to dispute a disciplinary or dismissal decision. The correct policy for this can be obtained from the Director. Also, if an employee deliberately gives false information, is dishonest or makes a false complaint during the grievance process, this may lead to disciplinary action by the Employer.

5. Employees will not normally be suspended during the grievance process, but reserves the right to suspend if in the employer's discretion this is helpful and reasonable. Employees will continue to receive their normal pay and benefits.

Informal Discussion

6. The Employer promotes communication between employees and so wherever possible, the employee should try to resolve any grievance at work by firstly talking about it informally with their manager to try and agree a solution. If the grievance is too serious, if the employee or Employer think it is not appropriate in the circumstances to deal with the grievance informally, or if discussing the grievance informally does not work, the employee's grievance will be dealt with formally.
7. If the Employer thinks that an investigatory interview would be helpful at any stage during the grievance process before a formal meeting is held or continued, the Employer may take statements from the employee or witnesses or review documents at the Employer's discretion. No decision will be taken until after a grievance hearing has been held. An employee does not normally have the right to bring a companion to an investigative interview. However, the Employer may allow the employee to bring a companion in its absolute discretion.

Formal procedure

8. Stage 1 - Statement of grievance

- a. To raise the matter formally the employee should write to the Director setting out the facts of the grievance, avoiding insulting or abusive language and trying to give specific examples of the complaint, copies of documents, names of witnesses, and dates where possible.
- b. Where an employee's grievance is against the Director, the employee should write to the Chair of Trustees.

9. Stage 2 - Grievance meeting

- a. Within five (5) working days, the Director (or Chair) will respond, in writing, to the employee's written grievance, inviting the employee to attend a meeting where the alleged grievance can be discussed.
- b. The Director will usually hold the meeting (unless they are the subject of the grievance or it is not reasonably practicable for the employee's manager to hold the meeting).
- c. Five (5) working days notice of the meeting will usually be provided to the employee and they will be informed of their right to be accompanied by a companion.
- d. The employee's choice of companion will be agreed to if the companion is either a colleague, a trade union official or a trade union representative (which if not an employed official, must be certified by their union as competent to accompany a worker) and under the circumstances the employee has made a reasonable request to be accompanied. The employee should advise the employer of the identity of the companion (or any change in their choice of companion) and whether they will require any special adjustments to be made for their or their companion's attendance, at least 24 hours before the start of the meeting.

- e. The employer encourages employees to bring their choice of colleague, trade union representative or trade union official to formal meetings under this procedure, but the employee should bear in mind how practical it is for their choice of companion to attend and consider if there is a suitable and available individual who is geographically close to where the meeting is to be held, rather than first considering an individual geographically based further away.
- f. The role of the companion in a formal meeting is to make notes, confer with the employee and if the employee requests it, to address the hearing to state the employee's case and respond to any views expressed at the meeting. The companion does not have the right to answer questions or address the hearing if the employee does not request this and must not prevent the employer from explaining its case.
- g. If an employee or their companion is unable to attend the meeting at the time, date and place specified by the employer, they must notify the chair of the meeting as soon as possible in writing. Except in the case of an emergency, this should be at least 24 hours before the start of the meeting and the employee should advise of a time when they and their choice of companion will be available within five working days of the original proposed meeting and provided this is reasonable, the new meeting time will be agreed.
- h. Employees must make every effort to attend any scheduled meeting under this procedure. If you are unable to attend more than two scheduled meetings, the Employer reserves the right to make a decision about your grievance using available evidence but in your absence.
- i. If the Employer or employee will be referring to any documentation during the formal meeting, this should be sent to the other party at least 24 hours before the start of the meeting, so that they have a reasonable chance to prepare.
- j. The Employer may in its absolute discretion adjourn a meeting to carry out further investigations, after which the meeting will usually reconvene.
- k. After the meeting the manager will give the employee a decision in writing, normally within 24 hours.

10. Stage 3 - Appeal

- a. If the employee is unhappy with their employer's decision and they wish to appeal, they should write to the Board of Trustees within five (5) working days of the date of the decision, saying that they disagree with the decision and giving their reason(s) why and providing any new evidence they seek to rely on.
- b. The employee will be invited to an appeal meeting, normally within ten (10) working days of the employer receiving the employee's letter of appeal. The employee's appeal will be heard by a Trustee or if necessary an independent HR advisor who has not been part of the process up until the appeal stage. The employee's appeal will either be a review of the grievance decision made or a complete rehearing, at the Employer's discretion. The right to be accompanied to the appeal meeting is the same as set out in paragraphs 4. e-g above.
- c. After the meeting the employee will be given a decision, normally within 24 hours. The employer's decision is final and there is no further right to appeal.