



Grievance Policy

The BVF is committed to ensuring a positive and effective working environment where people are treated fairly and with respect, in line with our values and behaviours. We recognise however, that there may be occasions where our workforce may have concerns about their work, working environment, relationships with others or behaviour of others towards them. It is expected that the majority of concerns will be resolved informally.

The BVF encourages its workforce to resolve issues informally in the first instance through open and honest discussions and to involve a member of the BVF Board. If a member of the BVF workforce feels unable to approach a Board member directly, they should either approach another BVF Director, who will discuss ways of dealing with the matter and outline support mechanisms.

Where attempts to resolve the matter informally have been unsuccessful or if the matter is so serious, it may be appropriate for a formal grievance to be raised under this policy. BVF is committed to ensuring that its workforce have an opportunity to raise concerns and that matters are dealt with efficiently and effectively.

Scope

This policy applies to all the BVF workforce, whether employed or a volunteer. Where the complaint relates to disciplinary action or another procedure, the matter should be dealt with under the relevant procedure.

Key Principles

The purpose of this policy and procedure is to provide a means for the BVF workforce to raise concerns and have them dealt with in a fair and consistent manner. Where appropriate concerns will be settled without recourse to a formal process. The procedure will be applied consistently with a defined process for all stages. Everyone in the BVF workforce will be treated fairly and sensitively and supported during the process.

Grievances will be investigated promptly, thoroughly considered and in confidence. Everyone will have the right to be accompanied at formal meetings and have a right of appeal against the outcome of the grievance procedure.

Other resolution methods

Depending upon the nature of the grievance, there may be other ways that may help to resolve the issue.

Mediation

Mediation involves the appointment of a qualified mediator who seeks to help people in dispute reach agreement. Mediation can be particularly effective in situations involving interpersonal relationships.

Facilitated discussion

An independent third party can facilitate a discussion between the parties. This is not mediation, however having someone else involved in the discussion, may aid communication. These processes are voluntary and can only take place if all parties agree.

The grievance procedure may be suspended if an alternative resolution method is deemed to be an appropriate way of attempting to resolve the issue, rather than invoking the formal process.

If it is unsuccessful, the issue will revert back and be dealt with as part of the grievance procedure.

Guidance timescales



The timescales outlined within the grievance procedure are in place to ensure that issues are dealt with as quickly as reasonably practicable whilst ensuring that a fair and impartial process is followed. BVF will always take a reasonable and supportive approach and will adjust the timescales where this is deemed to be appropriate. If at any stage of the grievance process it is not possible to adhere to the specified timescale, all parties will be advised of this and informed of an alternative timescale.

Reasonable adjustments

Reasonable adjustments will be considered to accommodate individual needs throughout the grievance procedure. The BVF Board will determine what adjustments are reasonable under the specific circumstances.

Objections

Where a member of the BVF workforce believes that there is a justifiable reason for objecting to a particular Board member being appointed to conduct a formal stage of the grievance procedure, they can raise an objection in writing with the Chair stating the reasons why they believe that person's involvement may prejudice the outcome.

The Chair will consider the reasons for the objection and may allocate an alternative Director.

Right to be accompanied

Anyone attending any formal stage of the grievance procedure have the right to be accompanied. Legal representation is not permitted.

Right of delay

It is expected that attendance at formal meetings will be prioritised. However, if, for genuine reasons, any party cannot attend a formal meeting, the meeting will be rescheduled.

The rescheduled meeting will be held without unreasonable delay and wherever possible within five working days of the original date. Whilst every effort will be made to find a time that is suitable for all parties, then consideration will be given to insisting that the employee is accompanied by another person.

Records

Confidential records will be kept of all appropriate documentation generated during all stages of the formal process and retained, confidentially by the Chair. Where appropriate, a Board representative will take a record of the formal meetings.

Written records of the grievance and investigation meetings will be given to those involved to sign and return, ideally within three working days and no longer than five working days. Copies will be enclosed with the outcome letter. Notes of any appeal hearings will be made available within ten working days of the hearing. No parties involved in the process are permitted to attend a formal or informal meeting with a recording device. This is to encourage openness and full participation by all parties during meetings.

Management investigation

In very exceptional circumstances where a member of the workforce is reluctant to pursue a formal complaint but where the allegations are deemed serious or where there are broader issues of concern, an investigation may be instigated by the Board and conducted in line with the grievance procedure.



Responsibilities

Workforce

- To be aware of their own conduct and to act in accordance with the BVF values and behaviours when seeking to resolve issues or concerns.
- To seek to resolve issues or concerns informally through discussions before escalating to the formal stage of the procedure.
- Where it is not possible to resolve concerns informally, raise the matter formally.
- To co-operate fully at all stages of the grievance procedure.
- Maintain confidentiality and answer questions openly and honestly.

Individuals with responsibility within BVF

- Role model our values and behaviours and promote positive working relations.
- Adopt early intervention strategies to resolve workplace issues and avoid them escalating into formal grievances.
- Challenge and stop unacceptable behaviour.
- Provide support to our workforce who raise a formal grievance.

Individual managing a Grievance

- Meet with the party concerned who has raised the grievance and carry out a thorough and impartial investigation.
- Review and consider all of the information thoroughly and make a decision in relation to the outcome of the grievance.
- Prioritise meetings and maintain confidentiality.

Individual managing the Appeal

- Review all documentation thoroughly and chair an appeal hearing.
- Carefully consider all of the information presented and make a final decision in relation to the appropriateness of the outcome of the grievance.
- Prioritise the hearing and maintain confidentiality.

Person accompany members at formal meetings.

- Prioritise meetings and maintain confidentiality.
- Accompany colleagues to formal meetings

HR expert

- Provide impartial advice and guidance to all parties involved on the application of the Grievance Policy and Procedure.
- Where appropriate, attend formal meetings.

Grievance Procedure

The BVF Board recognise that a formal grievance procedure can be a difficult experience for all parties involved, whether the grievance is upheld or not. The purpose of the grievance procedure is to resolve issues quickly and fairly to minimise any stress caused during the process.

Stage 1 – Informal Resolution

The primary focus of this procedure is to uphold, encourage and maintain good working relations as well as providing a mechanism whereby issues can be raised and addressed. It is important therefore, that wherever possible, concerns or potential issues or complaints are dealt with as early as possible, adopting early intervention principles.



Informal resolution will allow ongoing working relationships the greatest chance to continue in an appropriate and constructive manner. Wherever possible, the BVF workforce are encouraged to attempt to resolve any issues between themselves. There is no need to put the complaint in writing. A Board member should be identified and meet with the parties concerned to facilitate a discussion to explore in confidence how the matter could be resolved informally.

Genuine attempts should be made by all parties to find a mutually acceptable/agreeable solution and both parties will agree on any actions to be taken, and by when. HR and/or the trade unions are available to provide advice to help them resolve any issues informally if all relevant parties agree to this. If the employee is dissatisfied with the outcome of the informal approach then the formal procedure should be followed. It may be appropriate to consider an alternative resolution method at this stage, for example a facilitated discussion or mediation.

Stage 2 – Formal Grievance

The informal approach must be fully exhausted before commencing the formal procedure, unless it is not appropriate to use the informal approach due to the seriousness of the issue being raised. At all stages, the grievance will be dealt with as sensitively as possible and the requirements of confidentiality must be fully observed.

Submitting a Written Grievance

If an employee wishes to raise the matter formally, they are encouraged to complete a grievance statement without unreasonable delay. Normally formal grievances will be raised within three months of the matter to which the grievance relates, or within three months of the last incident, if there has been a series of incidents.

Further attempts may be made to resolve the matter informally, depending upon the nature of the complaint. However, if the complainant is not satisfied with the outcome, they can insist on the matter proceeding formally.

Formal Grievance Meeting

An appropriate Board member will be appointed to establish the facts and give full consideration to the grievance to determine the outcome. The Board member will not have had any involvement with the matter being raised and where feasible. A meeting will be arranged without unreasonable delay for the complainant to fully state their case and how they think it should be resolved. This meeting will form part of the investigation and will normally take place within ten working days of receiving the grievance.

Investigation

It is important that necessary investigations are carried out thoroughly and without unreasonable delay. In some cases, this may require holding investigation meetings and in other cases the investigation may involve collation of documentary evidence only, depending upon the nature of the grievance. If the grievance is against another member of the BVF workforce the Board member managing the grievance should speak directly with them to make them aware that they are the subject of a grievance.

The Board member managing the grievance may wish to interview other people in connection with the grievance and this will be done through separate meetings. If interviews with others are to take place, the complainant should be informed of this and advised when they might reasonably expect a decision.

The Board member managing the grievance may wish to meet with the complainant again to clarify any points before concluding the investigation.



Outcome of the Grievance

The Board member managing the grievance is satisfied that all of the facts have been established they will give full consideration to the case in order to reach a decision. The Board member managing the grievance will notify the complainant of the outcome within ten working days of concluding the investigation.

Wherever possible The Board member managing the grievance will inform the complainant verbally of the outcome and follow this up in writing. The written response will include reasons for the decision and will include notes of any investigation meetings and any other evidence that was gathered. If the grievance has been against another member of the BVF workforce, they will also be advised of the outcome. It may be appropriate for the Board member managing the grievance to make recommendations about any proposed courses of action as a result of the grievance.

The outcome of an investigated grievance may lead to disciplinary action being taken in line with the BVF Disciplinary Policy and Procedure. If a grievance is found to be vexatious or malicious, or where there is a continued pattern of unfounded complaints by the same person, this may also give rise to action under the Disciplinary Policy.

Stage 3 - Appeal

Members of the BVF workforce have the right to formally appeal against the outcome of the grievance if they are dissatisfied with it.

Timing

A member of the BVF workforce may appeal against the outcome within ten working days of being notified of the decision. The appeal should be made in writing to the Chair of the Board. The appeal will then be heard within a reasonable timeframe, normally within ten working days from the date of receipt of the appeal.

Grounds

The letter should state the specific areas which the employee remains dissatisfied.

The appeal process is not a re-hearing and grounds of appeal will normally be due to:

- New evidence coming to light which was not previously available at the time the decision was made or which was unreasonably withheld and which could have materially affected the outcome.
- A flaw in the procedure which could have influenced the final outcome.
- Where the outcome does not appear appropriate based on the evidence.

Appeal Manager

An appropriate member of the Board will be appointed as the appeal manager, who has not previously been involved in the case will be appointed to hear the appeal. The appeal manager will be given all of the material considered by the Board member dealing with the grievance, along with the outcome and appeal.

At the appeal hearing, the complainant will be given the opportunity to state their appeal.

Where appropriate the Board member dealing with the grievance will have an opportunity to explain their reasons for their decision.

The appeal manager may adjourn the meeting to make further investigations or seek advice/further information if necessary, ensuring that they inform the complainant of any additional information that is considered.



The appeal manager will make a final decision and will notify the complainant of their decision in writing within five working days of the appeal hearing, unless otherwise notified.

Further action

There is only one level of appeal within the BVF and therefore the decision taken following the appeal is final.

Potential Outcomes of the Formal Stages

The following are potential outcomes of the formal stages of the grievance procedure:

Grievance not upheld

Grievance partially upheld

Grievance upheld

Where the grievance is upheld fully or in part, appropriate actions will be determined as a result of the grievance.

Recommendations can still be made, where appropriate, even when a grievance is not upheld in order to prevent similar complaints being raised in the future.