



Gaelic Games Council of Britain (GGCB)
Grievance Procedure Policy

GRIEVANCE PROCEDURE

INTRODUCTION

1. This procedure is designed to ensure that grievances are resolved fairly and as quickly as possible.
2. The Grievance Procedure is intended to provide a mechanism for resolving any grievance quickly and practically and should therefore reduce the likelihood of disputes arising. The procedure is not, however, intended as a means of taking issue with GGCB's organisation or structure. For example, where a policy has been drawn up or management decision taken which affects all staff equally, then the Grievance Procedure does not apply.
3. This procedure does not apply in cases where an employee is dissatisfied with any disciplinary action taken in which circumstances the disciplinary appeals procedure should be utilised.

INFORMAL GRIEVANCE PROCEDURE

4. It is hoped that most routine problems will be settled informally through effective communication and dialogue in the context of the normal line management / employee working relationship.
5. In some cases, it may be helpful to use a neutral mediator to help resolve a grievance and maintain working relationships. Mediation is often most effective if used early on. Mediation will be proposed only where appropriate (at both the informal and formal stage) and not as a means of absolving managers of their responsibilities. Following the informal discussion, the line manager will send a copy of the meeting notes to the employee, this will include a record of any informal attempts at resolution including dates and any agreed actions.

MEDIATION

6. As an alternative to raising a complaint through the formal grievance procedure or at any stage of the procedure, the parties involved may request that the matter is dealt with through mediation. **(Further details on mediation in the context of resolving grievance issues are outlined in Appendix 1 Guidance).**

Mediation is a voluntary process and will only take place with the agreement of both parties. Whilst mediation may be advocated by GGCB with fuller explanation and encouragement given to its use, there will be no coercion and no punitive consequences to any party as a result of them choosing not to undertake this route to resolution.

Mediation will take the form of a relatively informal meeting, or a series of meetings, involving the employee concerned and the appropriate other party to the grievance. The meeting, or a number of meetings, may initially be held with the parties separately, dependent upon the nature of the grievance.

Where mediation is agreed at a point after the formal grievance procedure has been initiated, the procedure will be adjourned whilst the mediation takes place.

In the event that no mutually acceptable solution is reached through mediation, the procedure will be reconvened at the point of adjournment.

If a grievance is resolved through mediation, the mediator can assist the parties to draft a written agreement that will be signed by both parties as acceptance of its terms.

FORMAL PROCEDURE

7. However, if the employee feels that the matter has not been resolved satisfactorily through dialogue with their Line Manager, or the issue concerns their Line Manager, then they may submit a formal written grievance in accordance with the steps set out below.
8. This procedure has been drawn up to establish the appropriate steps to be followed when pursuing and dealing with a formal grievance.

STEP1: GRIEVANCE MEETING

9. An employee who feels aggrieved on any employment matter should put their grievance in writing to the Secretary of GGCB (or a Senior Manager if the issue concerns the GGCB Secretary) making

it clear that the first step of the Grievance Procedure is being invoked. This should be done as soon as possible after the problem first arises.

10. The Secretary or designated Senior Manager shall make arrangements to hear the grievance and at this hearing a fellow work colleague or a qualified Trade Union representative may if so desired, accompany the employee. Human Resources will be present to advise both parties on procedural issues and to record notes of the meeting. It is the responsibility of the GGCB Secretary or designated Senior Manager, where reasonably practicable, to make arrangements for the grievance hearing to be held within 5 working days of the receipt of the written grievance being received. The employee will have the opportunity to explain their grievance and how they think it should be resolved.

11. If the grievance is being raised relating to a complaint of harassment:

The issue of avoiding contact between the complainant and the alleged harasser must be considered before action is taken to inform the alleged harasser of the complaint. The Secretary of GGCB or designated Senior Manager will take appropriate action concerning avoiding contact following discussion with the complainant, including the possibility of transfer if appropriate. Both parties should also be advised that there should be no communication between them, directly or indirectly, in relation to the complaint.

12. Where a case of serious harassment has been alleged consideration will be given to precautionary suspension in accordance with GGCB's disciplinary procedure to enable the investigation to proceed. An individual who is going to be suspended will be formally advised of this as appropriate. The individual will have the right to be accompanied and/or represented at this meeting by a work colleague or trade union representative.

STEP 2: DECIDING ON APPROPRIATE ACTION

13. Following the grievance hearing, the Secretary or designated Senior Manager shall investigate the issues raised prior to making a decision about whether or not the grievance should be upheld. Investigation may involve meeting with individuals relevant to the issue and / or consultation where necessary with other members of management. The purpose of any meetings is to establish the facts. All those giving information to the Secretary of GGCB or designated Senior Manager do so

privately and not in the presence of any other person involved in or present during the alleged incident. A record of all meetings will be kept. All evidence provided to assist with the investigation will be treated as confidential to the investigation subject to any statutory requirements.

14. The Secretary of GGCB or designated Senior Manager should reply in writing with a decision on the grievance as soon as possible and in any case, within 10 working days from the time the grievance hearing took place. The written decision will include details of how to appeal, should the employee wish to do so.

15. Where the issue complained of requires more detailed investigation this timescale may extend. The Secretary of GGCB or designated Senior Manager will keep the employee informed of any delays and the reason for them. In the event that a reply is not received within 10 working days, or an explanation for any delay relating to the timescale for investigating the grievance has not been given, the employee may raise the issue in writing with the Chairperson of GGCB.

16. Reporting the Facts

The Secretary of GGCB or designated Senior Manager will prepare a written report outlining facts, indicating their findings, and whether the disciplinary procedure should be invoked or some other action taken. Where disciplinary action/or other action may be deemed appropriate the report will be forwarded to the appropriate line manager who will initiate the disciplinary process. All documents pertaining to the case will be made available should disciplinary action become apparent.

17. Decision on Other Action

The Secretary of GGCB or designated Senior Manager may decide to take no further action or to take any other appropriate action e.g. the provision of training, support or redeployment.

18. Communicating the Decision

Having made a decision on the most appropriate course of action this will be communicated in writing to both the person who has complained and the person against whom the complaint was made.

19. If disciplinary action is deemed appropriate: at any stage in the disciplinary process, an employee may appeal against any disciplinary decisions. If an employee wishes to exercise the right of appeal, they must do so in writing within five working days of receiving confirmation of disciplinary action under the **disciplinary policy and procedure**.

STEP 3: APPEALS

20. Where a written decision on the grievance has been issued by the Secretary or designated Senior Manager, and the employee remains dissatisfied, an appeal against the decision may be made in writing to the GGCB Chairperson. Any appeal should clearly state the grounds upon which the appeal is being made.
21. On a receipt of such an appeal the Chairperson shall make arrangements to hear the grievance appeal. The Chairperson will form a suitable panel to consider the appeal. At this hearing a fellow employee or a qualified Trade Union representative may if so desired, accompany the employee. It is the responsibility of the Chairperson, where reasonably practicable, to make arrangements for the grievance appeal hearing to be held within 5 working days of the receipt of the written grievance appeal being received.
22. The Chairperson will consider the appeal, and where necessary, conduct any further investigations as deemed necessary. The decision of the Chairperson shall be given to the employee in writing as soon as possible and not later than 10 working days from the appeal being heard.
23. Reference to the Chairperson shall be the final stage of the grievance procedure and the decision at that stage is final with no further grounds for appeal.
24. Any employee who has a grievance must exhaust each stage of the procedure before proceeding to the next stage. Where this has not taken place any member of management concerned shall be entitled to refer the employee back to the appropriate stage to be followed. The matter shall not be progressed unless and until the appropriate procedural stages are complied with.

GRIEVANCE AGAINST THE SECRETARY

25. Where the member of staff's grievance concerns the Secretary personally, the grievance hearing will be conducted by an independent designated Senior Manager and the appeal hearing by the Chairperson who shall make arrangements to hear the grievance appeal. The Chairperson will form a suitable panel to consider the appeal.

TRAINING

26. All senior managers will be given training on how to deal with grievances and conduct grievance and appeal hearings fairly and consistently.

APPENDIX 1
GLOSSARY OF TERMS

1. Right to be Accompanied

Employees have the right to be accompanied by a companion to investigation meetings and formal grievance meetings. The chosen companion may be a work colleague or a trade union representative.

2. Conflict of Interest

Although the employee has the right to be accompanied by a companion at a formal grievance meeting, there may be situations where a conflict of interest arises. For example, it would not normally be reasonable for employees to insist on being accompanied by a companion whose presence would prejudice the meeting or who might have a conflict of interest.

Advice and guidance from HR should be sought where there is the potential for a conflict of interest.

3. Role of the Companion

It is important that the role of the companion is clearly understood. Outlined below are examples of activity that will help this understanding.

The companion can:

- address the meeting;
- ask questions on the employee's behalf;
- present and summarise the case on behalf of the employee;
- respond on the employee's behalf to any view expressed at the grievance meeting;
- confer with the employee during the meeting;
- request adjournments.

The companion cannot:

- answer questions on the employee's behalf;
- address the meeting if the employee does not wish it;
- prevent the representative of GGCB from explaining the case.

4. Mediation

A neutral mediator can sometimes help resolve issues. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.

Mediation is appropriate in specific circumstances. It is not a means to absolve managers of their responsibilities. Mediators may be employees of GGCB who are trained and accredited by an external mediation service to act as internal mediators in addition to their normal jobs. Alternatively, they may be from an external mediation provider. They can work individually or in pairs as comediators. Where mediation is used during a grievance procedure, the formal process will be temporarily suspended pending the outcome of the mediation.

There are no hard-and-fast rules for when mediation is appropriate but it can be used:

- for conflict involving colleagues of a similar job or grade, or between a manager and a member of their staff;
- at any stage in the conflict as long as any ongoing formal procedures are temporarily held in abeyance;
- to rebuild relationships after a formal dispute has been resolved;
- to address a range of issues, including relationship breakdown; personality clashes; and communication problems.
- In some situations, the combination of disciplinary and grievance issues can become blurred. GGCB may prefer to tackle the underlying relationship issues by means of mediation. In such cases the manager of the manager may be called to intervene and to facilitate agreement as to the appropriate course of action.

Mediation may not be suitable if:

- the grounds for misconduct are manifestly clear and mediation would serve no useful purpose;
- used as a first resort, because people should be encouraged to speak to each other and talk to their manager before they seek a solution via mediation;
- it is used by a manager to avoid their managerial responsibilities;
- a decision about right or wrong is needed, for example where there is possible criminal activity;
- the parties do not have the power to settle the issue;
- one side is completely intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

Responsibilities

The following have direct responsibilities under this policy:

Line Managers

- Hold informal discussions with staff members to resolve issues, where appropriate and record the main points of discussion.
- Following the informal discussion send copy of the meeting notes to employee.
- Ensure a fair and equitable process is followed.
- Consult HR in all formal grievance cases.

Employees

- Attend informal discussion meeting with line manager to resolve informal issues, where appropriate.
- Attend mediation meeting, where agreed with other party (the respondent).
- Where decision taken to raise a formal grievance, submit grievance in writing to appropriate manager setting out the nature of the grievance.
- Attend grievance meeting.
- Lodge appeal, where appropriate.

Human Resources

- Provide information and guidance on mediation to managers, where appropriate.
- Ensure a fair and equitable process is followed.
- Provide respondent with a summary of the grievance.
- Ensure correct procedures and processes are followed.
- Attend all formal grievance meetings.
- Provide notification of outcomes to respondent (original grievance decision and appeal where required).
- Discuss any cases involving trade union representatives with line manager and trade union officials, prior to any proposed grievance hearing.

Grievance Meeting Chair

- Arrange formal meeting.
- Ensure a fair and equitable process is followed.
- Adjourn meeting to clarify/gather additional information.
- Communicate decision in writing to employee.

Chair of Appeal Hearings

- Review the evidence based on the grounds of the appeal.
- Ensure a fair and equitable process is followed.
- Ensure the outcome is communicated to employee.