



Grievance Policy

HR05

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Revision History

REVISION	DATE	AUTHOR	NOTES
1	23/11/2016	Helen Ruddle	New policy
2	01/09/2019	Helen Ruddle	Reviewed and agreed by the JNC policy committee
	30/09/2019		Approved by ELT

1. INTRODUCTION

This grievance policy applies to all employees of Delta Academies Trust ("Delta" or "the Trust") as well as Members and Directors of the Trust's Board.

Throughout the policy, reference to 'Manager' refers to the person as outlined in the table of delegation authority in section 10 under the column 'Hearing (Manager)'. The aggrieved employee refers to the individual raising the grievance under this policy. Further details regarding roles and responsibilities can be found in section 4.

Delta is committed to creating a positive working environment. The aim of this policy is to ensure that the Trust meets its moral and legal responsibilities by providing a straightforward and accessible method for employees to raise and resolve any concern, problem or complaint. Emphasis is placed on resolving issues at the earliest opportunity and in the first instance before they develop into major difficulties for all concerned.

Throughout the implementation of this policy, provision will be made for employees to be accompanied to meetings by either a work colleague or a trade union representative. This is considered to support the process in the following ways:

- English may not be the employee's first language and a companion may be in a position to help facilitate the discussion;
- It may be necessary under the Equality Act 2010 as part of a reasonable access requirement for a disabled employee;
- It may give the employee confidence;
- The work colleague or trade union representative may have experience of prior successful arrangements and knowledge of wider workforce practices;
- To ensure a fair and transparent process.

2. SCOPE

This policy has been drawn up to comply with the ACAS Code of Practice on Grievance Procedures. It is intended to provide a system which can enable employee grievances to be resolved fairly, consistently and promptly in order to minimise any conflict or disruption in the workplace. Grievances can occur at all levels and this policy applies equally to management and employees.

Where the grievance is against the Manager, and informal procedures (section 8/9.1) have failed to resolve the situation, the aggrieved employee may request the

modified grievance procedure (see Section 13). All other rights and procedures as stated in this document apply.

3. DEFINITION

A grievance is a problem, complaint or concern that an employee has about their work, working condition or relationships with colleagues.

Issues that may cause grievances include changes to terms and conditions of employment, health and safety, work relations, bullying and harassment, new working practices, working environment, training and professional development, organisational change and discrimination in the workplace.

4. ROLES AND RESPONSIBILITIES

Grievances by their very nature may involve a number of people. It is not possible, nor desirable, given the emphasis upon dealing informally with grievances, to prescribe specific roles. However, broad guidelines are useful and are given below:

Manager

The Manager, who may or may not be the subject of the grievance, will have a crucial role together with the aggrieved employee's line manager, where appropriate, in achieving a resolution to the grievance at the lowest level possible. They must ensure that grievances are dealt with promptly and are given proper consideration of the facts following an investigation process prior to reaching a decision, in accordance with this policy. The Manager must assign an appropriate investigating officer to investigate the grievance in a fair and objective manner and be provided with the relevant amount of time in order to do this. They must also ensure that a note taker is present to make a written record of all formal meetings/hearings.

Investigating Officer

The investigating officer will be of an appropriate level to conduct a fair and objective investigation into the concerns raised. They will meet with relevant people and review relevant documents/processes in order to establish the facts. The investigating officer will need to put their findings and the supporting evidence into a formal investigation report to present to a grievance hearing for consideration by a Hearing Manager.

Human Resources

HR will ensure appropriate support is offered and provided for the aggrieved employee, the person(s) to whom the grievance is against, the investigating officer and the person managing the process. The aim of this support is to resolve the grievance at the lowest level possible. HR will ensure this policy is adhered to and that processes are fair and consistent.

Trade Union representative

In the interests of good employer/employee relationships, representatives have a role in advising and offering early support to their member at all stages with a view to seeking an agreed resolution as early as possible should this be possible.

Employees

An employee should seek to resolve their grievance at the lowest possible level and as early as possible, providing clear and detailed information regarding their concerns and outline possible ways to resolve the situation.

5. RIGHT TO BE ACCOMPANIED

At every stage in the procedure, the aggrieved employee and any person against whom a complaint is made, may be accompanied by a Trade Union representative or work colleague.

If the chosen representative cannot attend on the proposed date, it is the aggrieved employee's responsibility to propose an alternative date which is no more than five working days after the original date proposed by the Trust. All parties must ensure there are no unreasonable delays to the process.

All meetings must be convened at a mutually agreed time, date and venue and at the earliest opportunity.

When arranging a meeting, the Trust should be conscious of the need of the aggrieved employee and of their representative, to be given adequate time to prepare the case and of the representative's commitments. If agreement on a date proves impossible, the aggrieved employee's representative can choose an alternative date as long as that date is no more than five working days after the original date.

6. TIME LIMITS

The aggrieved party should lodge any grievance promptly. This will allow details to be accurate and thorough in order to inform an investigation process, whilst reducing the chance of memories fading and details becoming less concise. It is recognised that a formal complaint can be very stressful to all parties and therefore it is essential that resolution be achieved as quickly as is reasonably possible.

In the interest of resolving disputes quickly and in order for the Trust to be in a position to investigate complaints effectively, the Trust recommends that employees raise their grievances formally, in a timely fashion and preferably within 60 days of the last act giving rise to the complaint.

The Trust recognises that in some cases it may not be possible for employees to raise their grievance in a timely fashion. Employees should be aware that if there is a delay in raising a grievance, the Trust's investigation of that grievance may be hindered and it may not be possible to resolve the grievance at all if evidence is no longer available.

All parties should make every effort to adhere to the time limits mentioned in this policy. However, it is also recognised that differences in complexity and evidence gathering occur and there is also a need to balance the speed of resolution with allowing enough time for a thorough process to be conducted. Whilst the emphasis is on a speedy resolution, there may be occasions where flexibility is required and in exceptional circumstances, all parties may agree a revised time scale.

The time limits in this policy relate to working days. For the purpose of this procedure, a working day will mean any day between Monday and Friday (inclusive) irrespective of the aggrieved employee's working pattern, but excluding public and bank holidays and academy/school closure periods.

7. SUPPORT

Raising a complaint at work can be a very difficult time both for those involved and their colleagues, whether it is tackled informally or formally. The Trust is committed to supporting all employees and will ensure that additional support is provided as requested.

If aggrieved employees choose to proceed to the formal stage, it is recommended that they contact their Trade Union or other representative for advice in the first instance.

The following resources are also available to all employees:

- CareFirst – 24 hour confidential telephone counselling service on 0800 174319 (referrals for face to face counselling via Academy management or Delta HR)
- ACAS (www.acas.org.uk or 08457 474747)
- Occupational Health (refer to the Trust's Sickness Absence Policy)

8. MEDIATION

Mediation is a voluntary process where the mediator helps people in dispute to attempt to reach an agreement. Mediation can often lead to a speedier resolution for all parties involved.

Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right or 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.

Mediators may be employees trained and accredited by an external mediation service who act as internal mediators in addition to their day job, or they may be from an external mediation provider (e.g. ACAS). They may work individually or in pairs as co-mediators.

Mediation can be requested by either party at any stage in the grievance procedure. Where the option of mediation is agreed by both parties to be an appropriate method of resolving the dispute, the grievance procedure can be suspended whilst this takes place.

Mediation should not be used as the first resort in attempting to resolve a grievance as all employees are encouraged to speak to each other and talk to the person causing the grievance issue before they seek a solution via mediation.

9. GRIEVANCE PROCEDURE

9.1 Informal grievance process

Aggrieved employees should, wherever possible, aim to settle their grievances informally with the person they have the grievance with and at the earliest

opportunity. They should discuss their concerns and make every attempt to resolve the matter within a reasonable timescale.

Where it is not possible for the aggrieved employee to talk to the person concerned, they should raise the matter with their immediate line manager, or if the grievance concerns their line manager, the aggrieved employee should instead talk to the next most senior person.

If the grievance has not been resolved or cannot be settled informally, the matter should be dealt with according to the formal grievance process.

9.2 Formal grievance process

It is expected that wherever possible aggrieved employees will have attempted to address grievances informally before pursuing the formal procedure. This is because the purpose of this procedure is to resolve issues of concern and resorting to the formal procedure can:

- Extend the process longer than necessary
- Increase the feelings of conflict between the parties
- Increase the feelings of anxiety for all parties

Where the aggrieved employee is dissatisfied with the outcome of the informal grievance process and/or it has not been possible to resolve the matter informally, they must complete sections 1 to 3 of the Formal Grievance Form (Appendix 1) as soon as possible. The form should state specific details of the complaint and, where possible, the resolution they are seeking. Where the aggrieved employee is unable to complete the Formal Grievance Form and submits their grievance in writing (e.g. letter / email), this should be accepted as a formal submission and the correspondence attached to a Formal Grievance Form on their behalf.

It may be necessary for the aggrieved employee to attend a meeting to discuss the concerns in more details prior to an investigation commencing but this will be decided on a case by case basis.

9.3 Investigation

On receipt of the grievance, an investigating officer will be appointed. This will be an independent individual with no prior knowledge of the grievance.

The investigating officer will undertake a grievance investigation. The amount of any investigation required will depend on the nature of the grievance and will vary from

case to case. It may involve interviewing and taking statements from the aggrieved employee and witnesses and/or reviewing relevant documents.

The aggrieved employee must cooperate fully and promptly with the investigation. This may include informing the investigating officer of the names of any relevant witnesses, disclosing any relevant documents and attending interviews as part of the investigation.

Following their investigation, the investigating officer will present the findings at a grievance hearing to enable a decision to be made (see section 11).

10. DELEGATION AUTHORITY

For all grievance hearings and appeals, the following delegation authority model shall apply, in accordance with the Trust's Scheme of Delegations.

Post	Hearing (Manager)	Appeal
Members and Directors of the Board	Chair or Vice Chair of the Board	3 Board Members
Chief Executive / Executive Director	Board Member	3 Board Members including one of Chair or Vice Chair
Member of the Executive Leadership Team	Chief Executive Officer	3 Board Members
Executive Principal	ELT Education Lead	3 of Chief Executive Officer, ELT Education Lead or ELT member
Principal, Head of Academy	Executive Principal	3 of Chief Executive Officer, ELT Education Lead or ELT member
Group Directors (Curriculum or of Central functions)	Chief Executive Officer or ELT Member	3 of Chief Executive Officer, ELT Education Lead or ELT Member
Vice Principal and SLT Members	Principal or Executive Principal	3 of ELT Education Lead and Executive Principal
All Finance posts	Finance Director	3 of Chief Executive Officer, ELT Education Lead and ELT Member
All other Academy posts	Principal	3 of Executive Principal and ELT Education Lead
All other Group posts	ELT Member	3 of Chief Executive Officer, ELT Education Lead and ELT member

11. GRIEVANCE HEARING

11.1 Notification of grievance hearing

All parties involved will be informed in writing, providing at least ten working days' notice, of the grievance hearing date. The Trust will make an effort to verbally agree a mutually agreeable date, time and venue for the hearing to take place with both the aggrieved employee and the relevant trade union in order to avoid any delay in the process. These details will be confirmed in the written notification.

The written notification will contain the following information:

- The mutually agreed date, time and venue of the grievance hearing
- Copies of written statements or evidence to be used at the hearing
- The aggrieved employee's statutory right to accompaniment by either a work colleague or trade union representative
- All parties' ability to produce any additional documents in evidence or references/testimonials, at least five working days before the hearing
- The requirement to provide names and status of any witnesses to be called at the same time as any documentary evidence

11.2 Grievance hearing

The grievance hearing will be carried out by the Hearing Manager, as outlined in the table of delegation in section 10. In all cases, Delta HR will also be present.

The person conducting the hearing is responsible for ensuring a note taker is present at the hearing to take formal notes.

Where it is deemed more appropriate, separate meetings will take place with each of the parties involved to enable the Hearing Manager to have all of the relevant information to be able to reach a decision.

A grievance hearing structure guide is provided at Appendix 4.

The investigation officer will report the findings of the investigation to the Hearing Manager and the employee will be given the opportunity to respond to the information presented.

The Hearing Manager will ensure that the hearing is adjourned prior to coming to a decision, to enable the Hearing Manager to reflect and give proper consideration to

the information presented. It also enables the Hearing Manager to make further checks required on any matters raised.

Following the adjournment, the Hearing Manager may:

- Agree with the resolution proposed by the employee;
- Decide on an alternative resolution; or
- Dismiss the grievance.

The Hearing Manager may adjourn the hearing to request more information or evidence at any point, but the hearing will be reconvened as soon as possible.

The Hearing Manager will then confirm the outcome of the hearing to the aggrieved employee, in writing within five working days of the grievance hearing. The written notification will clearly outline the action to be taken and also inform the aggrieved employee of their right to appeal against the decision.

Where the employee's grievance has not been upheld, the reasons will be clearly explained in the written confirmation.

11.3 Witnesses

Any witness to be called at a grievance hearing must have submitted a written statement of their knowledge of the case in advance of the hearing which has been exchanged with all parties in accordance with the requirements outlined in section 11.1 (i.e. at least 5 working days prior to the hearing).

12. APPEAL

Every aggrieved employee has the right to appeal against the outcome of the grievance hearing. This must be submitted within ten working days of the grievance hearing.

The appeal hearing will focus only on the grounds of the appeal which the aggrieved employee raises within their letter of appeal, and the aggrieved employee should ensure they clearly outline the reasons for their appeal.

The appeal should be submitted by completing section 4 of the Grievance Form (Appendix 1) and submitting this to the Delta HR department within ten working days of the receipt of the written confirmation of the grievance hearing outcome. The

aggrieved employee should ensure that the form states specifically why they feel that the grievance resolution is unsatisfactory and, where possible, what outcome they are seeking. Where the aggrieved employee is unable to complete section 4 of the Formal Grievance Form and submit their appeal in writing (e.g. letter / email), this should be accepted as a formal submission and the correspondence attached to the Formal Grievance Form on their behalf.

An appeal panel composed of three people (as per the table of delegation authority in section 10) will hear any appeal against a grievance hearing outcome. It is essential that different people hear the appeal and there are no members on the appeal panel which have been previously involved in the case. In all instances, HR will also be present.

Whilst new evidence on the same grievance may be submitted, no new grievance(s) may be added to the proceedings. New evidence will only be considered if relevant to the grievance outcome decision and there was a good reason why this had not been included as part of the original grievance.

The investigating officer may be called as a management witness.

The aggrieved employee will be informed in writing, providing at least ten working days' notice of the date of the appeal hearing. The appeal should be heard without unreasonable delay from all parties.

The written notification will contain the following information:

- The mutually agreed date, time and venue of the appeal hearing
- The aggrieved employee's statutory right to accompaniment by either a work colleague or trade union representative

In addition, where the grievance was raised about a colleague, that colleague should be informed that the initial decision has been appealed and the anticipated timeframe for the appeal to be heard. Appropriate support should be provided to the individual where necessary.

12.1 Appeal hearing

The Chair of the appeal panel is responsible for ensuring a note taker is present at the hearing to take formal notes.

The appeal panel may adjourn the meeting appeal hearing to request more information or evidence at any point, but the meeting appeal hearing will be reconvened as soon as possible.

Following the appeal hearing, the appeal panel may conclude the appeal hearing with one of the following options:

- Uphold the appeal and implement the resolution proposed by the aggrieved employee
- Uphold the appeal and implement an alternative resolution
- Dismiss the appeal and accept the decision of the original hearing

12.2 Notifications of decision made by the appeal panel

Wherever possible, the Chair of the appeal panel will convey their decision verbally and this decision will be confirmed to the aggrieved employee, in writing, within five working days of the appeal hearing. This letter will also confirm that this decision is final and there is no further right of internal appeal.

13. MODIFIED GRIEVANCE PROCEDURE

The modified grievance procedure may apply under the following circumstances:

- Where the aggrieved employee has submitted a formal grievance but is then unable to attend a meeting/hearing within a reasonable timescale
- Where the aggrieved employee has left the employment of Delta
- Where the aggrieved employee has a grievance against the Manager
- Where the aggrieved employee submitting the complaint specifically requests this procedure to be adopted. This may be for a number of reasons and the request should be considered on an individual basis

13.1 The modified grievance procedure

The modified grievance procedure allows for the procedure to be completed without the aggrieved employee attending a hearing and is completed as a written process.

The aggrieved employee must complete sections 1 to 3 of the Grievance Form (Appendix 1) and submit it to the Manager, or senior manager. This must be done as

soon as possible or within the Trust's recommended 60 days of the latest event occurring. The form should state specific details of the complaint and, where possible, the resolution which they are seeking. At this point, the aggrieved employee should also include any evidence they can provide in support of the complaint. Where the aggrieved employee is unable to complete the Formal Grievance Form and submit their grievance in writing (e.g. letter / email), this should be accepted as a formal submission and the correspondence attached to a Formal Grievance Form on their behalf.

On receipt of the grievance form, an investigating officer will conduct an investigation into the matters raised and collect any further information required to clarify the grievance.

Following the investigation, the Hearing Manager will review the findings and will provide a written response to the aggrieved employee within five working days of the findings being presented to them. This process will be conducted in a timely fashion, balancing the need for a thorough investigation process with the need for a speedy resolution.

Any aggrieved employee, currently employed, has the right of appeal against this decision and should revert to the standard grievance appeal procedure (see section 12). An aggrieved individual who has left employment, and is therefore no longer an employee, has no further right of internal appeal.

14. VEXATIOUS, MALICIOUS AND FRIVOLOUS GRIEVANCES

All grievances will be taken seriously, however the Trust reserves the right, following a preliminary investigation, to not consider any vexatious, malicious or frivolous grievances or any repeat grievances which have already been responded to.

Evidence of malicious grievances will be managed in accordance with the Trust's Disciplinary Policy and may result in disciplinary action being taken against the employee(s) concerned.

15. EXIT INTERVIEWS AND RESIGNATION LETTERS

Where an employee resigns from their post and includes what appears to be a grievance within their letter of resignation, or where they raise an issue within an exit

interview which may constitute a grievance, they will be invited to attend a meeting to discuss the contents and whether they wish to pursue the matter through the grievance process.

Where there is a concern regarding the content of a resignation letter or exit interview, advice should be sought from HR at the earliest opportunity.

16. RECORDS

Records of meetings/hearings and discussions relating to the grievance should be made during these meetings/hearings and should be circulated to all parties to allow amendments or clarifications as required to ensure their accuracy. The aggrieved employee may also wish to keep records of events to support their case.

In relation to a formal grievance, the organisation should keep a record of the nature of the grievance, what was decided and actions taken, the reasons for the actions, whether an appeal was lodged, the outcome of the appeal and any subsequent developments.

All records relating to formal grievances should be kept on the aggrieved employee's personal file. No duplicate records should be kept.

Any records of informal grievances should be deleted.

All records will be retained in accordance with the Data Protection Act 2018 (GDPR) and the Trust Personal Data Retention Policy.

17. CONFIDENTIALITY

All investigations and any subsequent grievance/appeal hearings will be dealt with in the strictest of confidence. The Hearing Manager or the Appeal Panel should not discuss a case outside of the process other than with a Delta HR representative.

There may be some circumstances where other parties may need to be informed of the outcome, or part of the outcome, of the grievance process. This may be due to the grievance being raised against a colleague who will need to know any aspect of the decision that affects them and the reasons for that decision. In such cases, it is important that the aggrieved employee is informed of who will be told about the decision and what type of information they will be given.

18. MONITORING AND REVIEW

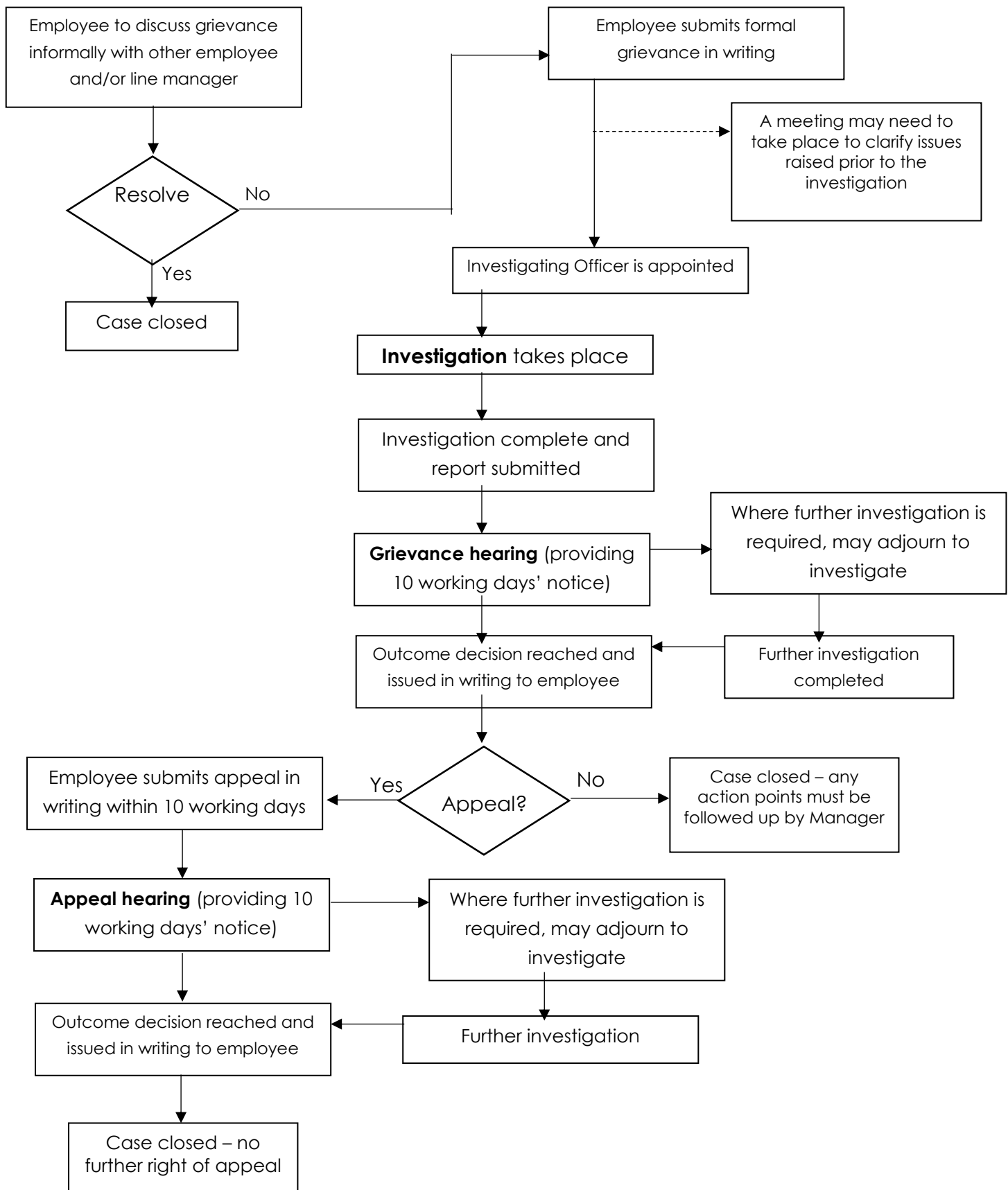
Through monitoring and review, the Trust will ensure that

- Individual records will be treated as confidential;
- Consistency of application and adherence to Equality legislation;
- An Equality Impact Assessment is completed.

Where the grievance has highlighted issues concerning policies, procedure or conduct they should be addressed as soon as possible. Any changes should be monitored to ensure they effectively deal with the issues raised.

This policy will be reviewed every three years, or when there are changes to relevant legislation by the Trust in conjunction with recognised Trade Unions.

APPENDIX 1 – PROCESS FLOWCHART



APPENDIX 2 – FORMAL GRIEVANCE FORM

SECTION 1	FORMAL GRIEVANCE FORM	
<p><i>This form should be used when submitting a grievance under the Formal Grievance Procedure. Wherever possible, a Formal Grievance should not be requested until the matter has been considered informally.</i></p>		
Have you tried to resolve this grievance informally?		YES NO
SECTION 2	AGGRIEVED EMPLOYEE DETAILS:	
SURNAME:	FORENAMES:	CONTACT NO.: E-MAIL:
JOB TITLE:		
ACADEMY:		
HOME ADDRESS:		
I will represent myself - YES NO		My representative's name is: Union:
I wish this grievance to be considered under the Modified Procedure Reason:		YES NO
SECTION 3	DETAILS OF GRIEVANCE	
<p>DETAILS OF THE GRIEVANCE - TO BE COMPLETED BY THE AGGRIEVED EMPLOYEE Details of grievance including names and dates where appropriate: (Please continue on separate sheet if necessary)</p> <p>What date did you first raise your grievance with, and with whom?</p> <p>What action has been taken on your grievance at the informal stage?</p> <p>Details of outcomes you are seeking/actions you would like to be taken to resolve the situation:</p>		

Would you be interested in exploring a resolution through mediation?

Have you informed your Trade Union? Yes / No

If yes, do you want them to receive a copy of correspondence in relation to your grievance? Yes / No

If yes, please provide a contact number and/or email address for your representative:

SIGNATURE OF AGGRIEVED EMPLOYEE/JOB APPLICANT

DATE

SECTION 4

APPEAL

Date & outcome from Grievance Hearing:

Details of further action requested from Appeal Panel

APPENDIX 3 – FORMAL GRIEVANCE MONITORING FORM

FORMAL GRIEVANCE MONITORING FORM			
<p><i>This form should be completed by the person raising the formal grievance and will be issued with the outcome of a formal grievance hearing letter. The completed form should be submitted in a sealed envelope directly to the Trust HR department</i></p>			
EMPLOYMENT DETAILS			
Employee Group (please tick)			
Full Time	<input type="checkbox"/>	Permanent	<input type="checkbox"/>
Part Time	<input type="checkbox"/>	Temporary	<input type="checkbox"/>
		Fixed Term	<input type="checkbox"/>
		Management	<input type="checkbox"/>
		Teaching staff	<input type="checkbox"/>
		Support staff	<input type="checkbox"/>
DETAILS OF GRIEVANCE			
Provide a general description of the reason given for the grievance			
<p>Date of grievance hearing: _____ Grievance stage: _____</p> <p>Outcome: Upheld <input type="checkbox"/> Rejected <input type="checkbox"/></p> <p>Do you intend to proceed to the next stage of the grievance procedure?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/></p>			
PERSONAL DETAILS			
Gender:	Male <input type="checkbox"/>	Female <input type="checkbox"/>	Other <input type="checkbox"/>
Age:	Under 20 <input type="checkbox"/>	20-29 <input type="checkbox"/>	30-39 <input type="checkbox"/>
	40-49 <input type="checkbox"/>	50-59 <input type="checkbox"/>	60 + <input type="checkbox"/>
Ethnic Origin category number (*see key overleaf):			
Disability:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Sexual orientation:	Bisexual <input type="checkbox"/>	Homosexual <input type="checkbox"/>	Heterosexual <input type="checkbox"/>
	Prefer not to say <input type="checkbox"/>		

* Ethnic origin category key:

Category	Ethnicity
1	Asian / Asian British - Bangladeshi
2	Asian / Asian British - Chinese
3	Asian / Asian British - Indian
4	Asian / Asian British - Pakistani
5	Asian / Asian British - other
6	Black / Black British - African
7	Black / Black British - Caribbean
8	Black /Black British - Other
9	White British - English
10	White British - Northern Irish
11	White British - Scottish
12	White British - Welsh
13	White British - Other
14	White Other - Gypsy / Irish Traveller
15	White Other - Irish
16	White Other - White European
17	White Other - Other
18	Mixed/Multiple ethnic group - Asian & White
19	Mixed/Multiple ethnic group - Black African & White
20	Mixed/Multiple ethnic group - Black Caribbean & White
21	Mixed/Multiple ethnic group - Other
22	Other ethnic background

APPENDIX 4 – GRIEVANCE HEARING STRUCTURE GUIDE

This information is for guidance only as the Hearing Manager will need to determine how best to manage any hearing given the individual circumstances of the case.

Introductions

- Welcome everyone;
- Request everyone present turns off their mobile phones/electronic devices to avoid unnecessary interruptions;
- Introduce everyone present and their roles (for the purpose of the hearing), this may include panel members, HR member supporting the panel, note taker, etc.); If the employee is not accompanied, explain they were offered the right to be accompanied and note that they were advised of their right to be accompanied but has chosen to attend unaccompanied;
- Representation of the employee – if accompanied, confirm the role of the representation (they will be able to address the hearing in order to put the employee's case forward, sum up the case, respond on the employee's behalf to any view expressed at the hearing and confer with the employee). However, they will not be able to answer questions on behalf of the employee, but may do so with the agreement of the panel;
- Confirm the employee has received the letter notifying them of the hearing and any associated documentation;
- Confirm the employee understands that this is a formal grievance hearing which will be conducted in line with the Trust's policy.

Outline procedure

- Advise of the procedure, or if appropriate invite the HR representative to outline the procedure;
- Confirm the documentation provided, identifying if appropriate any other documentation the panel has at their disposal for reference purposes;
- Adjournments – advise that any party can request an adjournment. Identify the location of any separate rooms available to provide the parties with private space during the adjournments;

- Taking of notes – advise that the note taker will take summary notes to support the Hearing Manager's consideration. Advise that both the employee and their representative are welcome to make their own notes.
- Respond to any procedural concerns/queries that may arise.

Explore the issues

- Invite the employee to explain their complaint/concern and what resolution they are seeking;
- The Hearing Manager seeks to gain a full understanding of the case, raising any questions with the employee (and investigating officer) as necessary, to clarify points in relation to the information and evidence submitted or gained during the investigation process;
- Depending on the circumstances of the case, the investigating officer will be given an opportunity to respond to each of the points raised by the employee and make representation to the Hearing Manager;
- If previously agreed, witness may be called to provide further information regarding the statement they provided during the investigation or as part of additional information submitted in advance of the hearing. The Hearing Manager and the employee will have opportunity to ask the witness questions in order to clarify points in relation to the grievance;
- The employee, and the investigating officer if necessary, will be provided with the opportunity to sum up the case.

Close and conclude

- After the case has been explained and the main questioning has been completed, the Hearing Manager may consider whether to adjourn the hearing to give all the opportunity to review what has been said and consider whether there is anything they wish to clarify or to add in the closing remarks and enable the Hearing Manager to review what they have heard and seek clarification on any issues before bringing the hearing to a close;
- If the Hearing Manager is unable to reach a decision as further information/time is required, the employee will be informed as to when a written outcome will be provided of the decision, or if further information is required what this would entail;
- When closing the hearing, the Hearing Manager must ensure everyone understands what is going to happen;

- Where a decision has been reached, the Hearing Manager must confirm that written confirmation of the decision will be provided to the employee within 5 working days of the hearing;

Where further essential information is required, the Hearing Manager may decide to adjourn the hearing to enable further investigation to take place. In these circumstances, an indication of the timeframe should be provided to the employee. Once the further investigation has been completed, the hearing should be reconvened.