

Grievance Policy and Procedure

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V7.0	June 2023 ExCo	Recommendations from EDI review	Head of HR	April 2026 and as required
V6.0	April 2021 ExCo	Scheduled review	Head of HR	April 2024 and as required
V5.3	13/08/19 ExCo	Annual review	HR Manager	July 2020 and as required
Related policies				
• Disciplinary • Single Equality • Disability				
External Reference				
• Equality Act 2010 • Employment Right Act 1996 • ACAS				

1. Policy

- 1.1. The Institute of Contemporary Music Performance (ICMP) is committed to provide a positive and supportive working environment for all of its employees, and as such will take every step to resolve issues in the workplace quickly and efficiently and at the appropriate level.
- 1.2. The ICMP will deal objectively and constructively with all grievances, and employees who decide to use the procedure associated with this policy may do so with the assurance that the matter will be considered fairly, promptly and in confidence. However, it must be recognised that it is not always possible to resolve grievances to everyone's satisfaction.
- 1.3. Finally, the ICMP recognises that formal grievances can have a serious detrimental effect on employees and relationships at work, whether they are upheld or not, and will provide appropriate support to any employee involved in a grievance process from the outset to help minimise any impact.

2. Purpose

- 2.1. The purpose of the Grievance policy and procedure is to provide a clear and transparent framework to deal with concerns, problems or complaints raised by employees in the course of their employment in relation to :
 - 2.1.1. Matters affecting themselves as individuals; or
 - 2.1.2. Matters affecting their personal dealings or relationships with other employees.
- 2.2. Exclusions – The Grievance procedure cannot be used to challenge formal outcomes in other policies and the relevant procedure, namely:
 - 2.2.1. Disciplinary
 - 2.2.2. Capability
 - 2.2.3. Sickness Absence
 - 2.2.4. Redundancy
 - 2.2.5. Induction & Probation
- 2.3. This policy is not intended to provide a mechanism for employees to question ICMP policies, rules and regulations, nor the decisions of managers in implementing these. A grievance is legitimate where the employee has grounds to believe that policies, rules and regulations have not been properly or consistently applied.

3. Definition

- 3.1. A grievance is defined as 'a concern, problem or complaint that employees raise with their employer'. This may include such things as a complaint from an employee about their treatment by managers or colleagues, changes to working practices, or a failure to fulfil duty of care obligations.

4. Scope

- 4.1. This policy applies to all employees employed by ICMP under a contract of employment.

5. General Principles

- 5.1. Wherever possible grievances should be resolved informally without recourse to formal procedures.
- 5.2. The grievance procedure associated with this policy is not a substitute for good day-to-day communication where employees are encouraged to discuss and resolve daily working issues. Many problems can be resolved informally if channels

of communication are kept open and work well. If problems cannot be resolved informally a grievance may be raised.

- 5.3. All grievances will be dealt with fairly and consistently.
- 5.4. The ICMP will make every effort to deal with grievances as quickly as possible, at the appropriate management level. The aim should be to have an overall limit on time of 5 weeks. However any extension to these time limits may be agreed at any stage without prejudice to subsequent stages, by mutual agreement, if it is not possible to arrange a meeting with all the individuals concerned within the time limit, or for another agreed reason.
- 5.5. Where working relationships are a factor in any grievance, support will be given where employees wish to take part in mediation to resolve a difficulty.
- 5.6. No decisions on the outcome of a formal grievance will be made before the case has been fully investigated.
- 5.7. Employees raising a grievance may only do so on their own behalf; they cannot raise a grievance on behalf of a colleague.
- 5.8. Formal grievances must normally be submitted in writing on the Grievance Form; if a complaint is made verbally which is to be taken forward as a formal grievance, the details must be recorded in writing before proceeding.
- 5.9. During the formal Grievance procedure, the complainant, and any person against whom a grievance has been submitted, will have the opportunity to state their case before any decision is made.
- 5.10. At no stage in the procedure can any party record a meeting or hearing, using audio or video recording equipment, without the prior written agreement of all present.
- 5.11. All procedures and documents relating to a grievance should be treated confidentially and restricted information will only be shared with those who have a genuine need to receive it e.g. recommendations that arise from the grievance.
- 5.12. An employee who makes a complaint in good faith will not suffer any detriment even if the grievance is not substantiated. Where an employee raises a grievance that is frivolous or vexatious or any person involved gives deliberately misleading information or statements, they may be subject to disciplinary action.
- 5.13. HR can provide general advice to employees on possible options and procedural advice but does not provide employees with specific advice relating to individual circumstances. ACAS provide a helpline for employees who need advice in dealing with employment issues. www.acas.org.uk
- 5.14. ICMP reserves the right to engage third party assistance at any stage of the grievance process.
- 5.15. Where practical a representative from the company's HR department will be present at all formal grievance hearings.
- 5.16. At all stages of the grievance process, all parties have the right to be accompanied by a Trade Union representative or work based colleague.

6. The Procedure

6.1 Informal Resolution

It is an absolute condition for entering the formal procedure that the employee must have sought to resolve the matter through the normal working and professional relations and channels of communication. Equally, it is expected that managers will have provided reasonable opportunity to resolve informally any grievances with employees. Where, in the opinion of the Head of Human Resources inadequate use has been made of such opportunities, the grievance will be referred back to this stage with an instruction to the relevant line manager to ensure that the informal stage is complied with.

If necessary, the employee should raise their concerns with the appropriate manager in writing, stating any concerns and the remedy sought. Managers should normally deal with such correspondence within five working days.

Where the grievance involves an allegation of harassment or discrimination on the grounds of race, religion or belief, gender, transgender, gender identity, disability, age or on the grounds of sexual orientation; the employee can consult the Head of Human Resources if they do not wish to raise the matter direct with the employee concerned. It is possible for the Head of Human Resources to recommend that the matter be referred direct to the formal stage, or be dealt with under the Disciplinary Procedure.

6.2 Formal Procedure

STAGE 1 (grievance)

The employee with a grievance which cannot be resolved informally should complete a Grievance Form (copy attached) and forward this to the Head of Human Resources. The Grievance Form must be completed in full including a summary of their case and the specific redress they are looking for, and the meeting will not take place until the form has been completed. Further advice can be sought from Human Resources. Confirmation of receipt of the grievance should be within 48 of receipt.

The employee should be invited to a grievance meeting within five working days of receipt.

The manager hearing the grievance will hold a meeting within 10 working days with the employee. Exception in cases of protracted investigation. If the grievance involves another member of ICMP staff, the manager hearing the grievance shall, at their discretion, be entitled to involve the other individual in the meeting.

At least five working days before the grievance meeting, the employee must provide to the manager hearing the grievance and the Human Resources, a full set of documents they will be referring to, together with a list of witnesses. It is the responsibility of the employee to ensure that their witnesses can attend the meeting if called. The employee should also state whether they will be accompanied and by whom.

The manager hearing the grievance will normally communicate their decision within five working days of the meeting. In normal circumstances the following outcomes will be available:

- (a) the grievance is upheld and the relevant manager is recommended to implement the remedy sought by the employee;

- (b) the grievance is upheld but the relevant manager is recommended to implement another remedy, or to propose an alternative decision/course of action;

- (c) the grievance is not upheld.

The employee has a right of appeal against this decision.

STAGE 2 (appeal)

To exercise the right of appeal, the employee should write to the Head of Human Resources stating the grounds of appeal in detail, within five working days of receiving the decision at Stage 1. Appeals may be made on the following grounds only and the details of these grounds must be expressly stated in any appeal letter:

- the grievance procedure has not been followed; and/or
- the employee contends that the proposed remedial steps (where any part of the grievance is upheld) are inappropriate; and/or
- new information has become available, which was not available at the time of the original hearing, and that evidence is relevant to the determination of the grievance.

A manager will be identified to deal with the appeal. As far as reasonably practicable, this manager will be more senior than the manager who dealt with the grievance at Stage 1.

The manager dealing with the appeal will hold a meeting within 10 working days with the employee and their Trade Union Representative or work-based colleague, and the manager who held the original grievance meeting. This is the final stage of the grievance procedure and the decision reached will be final. The decision will normally be communicated to the employee within five working days of the meeting.

There is no right of appeal to the Corporate Board.

Grievance Form

This form should be sent to Human Resources.

Before completing this form please read the notes overleaf.

Please type or write legibly in black ink.

Details of employee with complaint (complete in block capitals)

Name

Job Title	Department
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Details of Trade Union representative, if applicable (complete in block capitals)

Name

Nature of grievance

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Remedy sought

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Details of employee against whom the grievance is issued (complete in block capitals)

Name

Job Title	Department
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Signature of employee with the complaint

Signed (employee)	Date
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To be completed by Human Resources

Date received by Human Resources

Notes

1. Before pursuing a grievance it is important that you read ICMP's Grievance Policy.
2. In order that full consideration can be given to the grievance it is important that you set out only the pertinent facts clearly and concisely.
3. You must forward the completed form to the Head of Human Resources who will respond to you as soon as possible detailing how your grievance will be managed.
4. The time limit specified in the grievance procedure will run from the date that the form is received by Human Resources.
5. The Head of Human Resources will make all the necessary arrangements for the grievance to be progressed.