



## English Racketlon Association Grievance policy and procedure

### Introduction

The English Racketlon Association (ERA) wishes to provide a comfortable, productive, legal and ethical work environment. To this end, ERA, wants you to bring any grievances you have about the work or ERA to the attention of your supervisor and, if necessary, to the Management Board. In light of these concerns we have instituted the following grievance policy.

The purpose of the grievance procedure is to ensure that, as far as possible, grievances are dealt with and resolved informally through discussion between the aggrieved employee or volunteer and their supervisor.

Grievances are concerns, problems or complaints raised by an employee and must be made in writing. However, before using the grievance procedure it is expected that an employee will try to resolve their complaint informally if at all possible. The formal stage of the procedure should only be used when the informal stage has failed to resolve the issue or is not making progress at reasonable speed.

The following procedures apply to all those working on behalf of ERA whether in a paid or voluntary capacity, including coaches, consultants, advisors, volunteers and members of the Management Board.

### Principles of the procedure

- An employee has the right to be accompanied by his/her trade union representative or work colleague at every stage of the formal procedure. The procedure is internal to ERA and apart from external trade union representatives, does not allow for any external representation
- Any grievance must be made in writing as soon as possible and in any case within one month of the act that is being complained of
- It is only possible to hear complaints that are within the power of ERA to remedy in all cases,
- Whether informal or formal, should, so far as is practicable, remain confidential
- A formal record of a hearing will be available to the employee. The hearing will be recorded and a copy given to the employee
- The timescales set out may be extended with the agreement of the parties where more than one employee has lodged a complaint relating to the same, or substantially the same, issue, the complaints may be dealt with together in the interests of fair and consistent decision-making. In some circumstances it may be more appropriate for the complaint to be resolved through the collective agreement between the trade union and ERA

- Where a grievance concerns an apparently trivial issue the supervisor will discuss this informally with the member of staff to determine whether there is a real need to pursue the matter through the grievance procedure. If the member of staff and supervisor are unable to agree, the supervisor will decide, with the advice of the Management Board whether the matter is trivial. If the grievance is determined to be trivial, the employee will be informed that the matter will not be dealt with through the grievance procedure the employee will be entitled to resubmit the grievance together with any further evidence or explanation that throws new light on it, and demonstrates that a substantive complaint is in fact being made

#### Informal stage

- If an employee has a complaint that involves another employee or other employees, they should first of all try to resolve the matter by direct approach to the employee or employees involved.
- If the matter remains unresolved, the employee may request a meeting with their own supervisor who will try to resolve the issue. The meeting should be held within 10 working days of the submission of the request.
- If, after any action to resolve the grievance taken by the supervisor, the employee is still dissatisfied, they may proceed to the formal stage of the procedure.
- If the complaint is against the Supervisor or there is another reason why the employee does not wish to raise it with their supervisor they should contact the ERA Directors directly.

#### Formal stage

- If the complaint has not been resolved at the informal stage and the employee wishes to proceed to the formal stage, the employee may do so and the complaint will be heard by a panel. The employee must set out in writing the nature of their complaint and the reasons why they are dissatisfied with the outcome of the informal stage. The employee should explain how they think it should be settled. This must be submitted to the Directors.
- Should the complaint relate to a process or decision, the Director will appoint an appropriate investigating officer who will be asked to provide a full written report together with any relevant documents. The investigation should be conducted as quickly as possible while allowing for all relevant information and evidence to be gathered.
- Should the complaint be against a named individual or individuals, the named individual will be given a copy of the complaint at the earliest opportunity. The individual will present their response at the hearing and it would not normally be necessary to conduct an investigation.
- The panel will consist of a Director and another member of the Management Board. Grievances submitted by members of the Management Board will be heard by a Director and another member of the Board, and grievances raised by a Director will be heard by members of the Board.
- ERA will make every attempt to ensure that the hearing will be held within 10 working days of receipt of the investigating officer's report, or within 10 working days of the

complaint being received if it is against an individual. The employee will be given five working days notice that the hearing is to be held. The employee may request an alternative date to allow up to an additional five working days if their representative is unavailable. If following a reasonable attempt to rearrange the hearing, the employee is still unable to attend, they may send a representative, or the hearing may be held in their absence

- Any relevant written information or evidence must be made available to all parties at the earliest opportunity and, in any case, two working days before the hearing.
- All parties involved will be allowed to attend and make representations at the meeting. Witnesses may be called.
- The decision of the panel, reasons for that decision and any redress will be communicated to the employee who has made the complaint. Where the complaint is against an individual, both parties will be given a copy of the decision. This will be handed to the employee whenever possible or posted directly by recorded delivery to the employee within three working days of the hearing and to the employee's representative, where applicable.

#### Right of appeal

- Should the complainant wish to appeal against the decision of the panel they must do so, in writing, to the Directors of ERA within five working days of being informed of the decision.
- The appeal will be heard by a Director of ERA or nominated deputy and another member of the Management Board. The appeal panel members, the employee and the management representative should receive the written cases five working days before the hearing.
- The employee will be given five working days notice that the hearing is to be held. The complainant may request an alternative date to allow up to an additional five working days if their representative is unavailable. If following a reasonable attempt to rearrange the hearing, the employee is still unable to attend, they may send a representative, or the hearing may be held in their absence.
- The appeal is not a rehearing of the original grievance, but rather a consideration of the specific areas with which the employee is dissatisfied in relation to the original grievance. The chair of the panel may therefore confine discussion to those specific areas, rather than reconsider the whole matter afresh.
- The panel will hear all or part of the previous hearing depending upon the nature of the appeal. The panel has the scope to uphold all or part of the previous decision or to not uphold the previous decision.
- If the panel decides either to uphold only part of the previous decision or not to uphold the previous decision, it may at its discretion substitute an appropriate remedy of its own choosing.
- Within three working days of the appeal the panel will record the decision and hand it to the employee wherever possible otherwise it will be posted directly by recorded delivery.

- Any recommendations made by the panel will be notified to the appropriate individuals, and will be time bound.
- The decision of the appeals panel is final.