

GRIEVANCE PROCEDURE OF NORTH KIRKLEES AND MORLEY METHODIST CIRCUIT MEETING

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1. General Principles

It is the policy of North Kirklees and Morley Methodist Circuit Meeting ('the Circuit') to ensure that all employees have access to a procedure to help resolve any grievances, problems and concerns relating to their employment quickly and fairly. This procedure should not replace normal employee-manager dialogue. However, where such informal dialogue has failed to resolve an issue of concern, then an employee may utilise this procedure in an effort to have an issue resolved to their satisfaction.

It is accepted that when people work together there will inevitably be situations where misunderstandings, problems or concerns need to be resolved. It is the policy of the Circuit that a culture of good communication, openness and a willingness to co-operate and listen will exist. Therefore, it is envisaged that the majority of these issues or misunderstandings will be capable of being addressed informally in an efficient and effective manner. However, where such issues are unresolved they may become grievances. Employees are encouraged to seek resolution of an issue by utilising this procedure.

Throughout and beyond the process, as needed and agreed, nominated Pastoral care will be provided to those involved. CLT will be responsible for appointing appropriate persons.

As it is adopted on a non-contractual basis, this procedure does not form part of employees' contracts of employment or other agreements relating to their work for the Circuit and it may be amended at any time.

This procedure applies to all employees regardless of length of service. It does not apply to ordained staff, agency workers or self-employed contractors.

Any steps under this procedure should be taken promptly unless there is a good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so.

The Circuit may vary this procedure as appropriate to a particular case. In these circumstances agreement will normally be sought from the employee raising the grievance. The procedure may also be discontinued if it becomes impossible or impracticable for either party to continue with it.

At any grievance meeting held under the formal procedure, the employee has a right to be accompanied by a work colleague or a trade union representative.

An employee raising a grievance will be informed in writing of the final outcome of their grievance.

If an employee has a difficulty at any stage of the grievance procedure because of a disability, they should ask their Line Manager for assistance as soon as possible so that any reasonable adjustments can be identified and made. Such adjustments should be determined in discussion with the employee beforehand.

Information and proceedings relating to grievances will remain confidential as far as is possible. However, it will not always be possible to deal with issues which are raised in a confidential manner. Where this is the case this will be explained to the employee raising the grievance.

Every effort will be made to keep all information relating to the grievance process transparent to relevant parties with due regard to confidentiality and the nature of the issues raised.

This procedure has been written to reflect the principles set out in the ACAS Code of Practice and the ACAS Guide: Discipline and Grievances at Work.

2. Application

This procedure applies to any grievance of an employee relating to their employment apart from issues concerning the following:

- Decisions under any procedure which states that employees have no further right of appeal;
- The lodging of appeals against disciplinary sanctions. The Circuit's Disciplinary Procedure contains sufficient mechanism for dealing with an employee's dissatisfaction at a disciplinary sanction applied to them and employees should submit an appeal under the Disciplinary Procedure in this event.

Concerns regarding any matter which would fall within the scope of legislation on public interest disclosures (otherwise known as whistleblowing) must be raised directly in writing with a Circuit Officer and will be escalated for consideration under the final stage of the formal procedure (using a modified version of the process set out in Section 9).

3. General Considerations

In order to provide an effective and timely resolution of employee concerns, this procedure will be followed to ensure that employee complaints or problems receive full and careful attention.

All employees have the right to proceed with a grievance procedure provided the conditions laid out below are adhered to.

- The Circuit will make a decision on how to progress matters when an employee raises a grievance about an ongoing disciplinary procedure involving them. ACAS guidance suggests that disciplinary hearings may be suspended for a short duration while the grievance is investigated. The Circuit will assess the exact nature of the grievance and will have the final say over suspension of a disciplinary procedure.
- An employee cannot pursue the same grievance more than once.
- If a Line Manager has a prior involvement in a grievance, the matter should be referred to another manager.
- If a grievance is shared by more than one employee, the grievance may be presented by one or more representatives of that group. These collective grievances will be dealt with in a manner appropriate to the facts of the case and will not necessarily follow the process outlined in this procedure.
- An employee should not delay in formally making a grievance, as the timescales set out in this procedure should be adhered to. In any event, a grievance should normally be raised within one month of when an employee became aware of the issue.
- Some cases will need extra time for either party to seek advice or for the person hearing the grievance to undertake an objective analysis of all the facts, so the parties may, by mutual agreement, modify the time limits set out in this procedure.
- There is no limit to the number of separate grievances which may be brought by one employee. If a grievance is resolved, then the action which caused it occurs again, the employee may raise a fresh grievance.
- An employee may withdraw a grievance at any stage in this procedure by informing their Line Manager in writing.

4. Raising Grievances Informally

Most grievances can be resolved quickly and informally through discussion between the employee and the Line Manager. Informal discussion can frequently solve problems without the need for formal proceedings. Employees will receive an outcome within five days.

If an employee feels unable to speak to their Line Manager, for example, because the complaint concerns them, then the employee should speak informally to a more senior manager. In the case of a concern relating to the Circuit Superintendent Minister, the Chair of District should be contacted. In some cases consideration should be given to inviting a third party as an external counsellor/mediator or a pastoral advisor.

If this does not resolve the problem or the employee is dissatisfied with the outcome, they should follow the formal procedure below. (See Section 6.)

5. Mediation

Every effort will be made to resolve the issue(s) which form any grievance informally as early as possible. However, it is recognised that it is not always possible to resolve grievances at an informal stage.

If the grievance is not resolved at the informal stage, or if the parties involved in a grievance feel that the informal stage is inappropriate, either party may request mediation. Grievances may be referred to mediation at any stage in the procedure.

Mediation will only take place if both parties agree that they wish to enter into mediation. If mediation takes place, the timescale for initiating action under this procedure, and any formal hearings planned, will be suspended while the mediator tries to resolve the matter.

Where both parties have signalled a wish to engage in mediation, an independent person will be appointed (the 'Mediator'). They will have no connection with any of the parties involved in the grievance which damages their impartiality.

The Mediator will not make any decisions or seek to impose any solution. The Mediator's role will be to work with both parties to try to resolve the matters informally.

The mediation, including any preliminary steps, shall be conducted in a manner that the Mediator considers appropriate. This may include:

- the exchange and provision to the Mediator of brief written outlines of the matters in dispute and supporting bundles of documents; and
- preliminary discussions by one or both parties with the Mediator before the mediation.

Provided that it is agreed by all parties prior to the mediation, either party may bring a companion to the mediation. The companion may be either a trade union representative or a work colleague.

All information shared during the mediation will be on a confidential and without prejudice basis.

The Circuit reserves the right to seek assistance from external mediators at any stage in the grievance procedure.

6. Initiating the Formal Grievance Process

If a grievance cannot be resolved informally the employee should put it in writing and submit it to their Line Manager.

If the grievance concerns the Line Manager, the employee may submit it instead to the Line Manager's manager or a Circuit Officer.

The written grievance may include that the employee is invoking this grievance procedure and should contain the following:

- a description of the reasons for the complaint, explaining the nature and extent of the grievance;
- any relevant facts, dates, and names of individuals involved;
- an indication of the outcome the employee is looking for by raising the grievance.

This statement will form the basis of the subsequent grievance meeting and any investigations, therefore it is important that the employee sets out clearly the nature of the complaint and indicates the outcome that they are seeking. If the grievance is unclear, the employee may be asked to clarify the subject matter of the grievance in advance of the meeting or to provide further information.

7. Investigations

In some cases it may be necessary for us to carry out investigations into the grievance. The amount of any investigation required will depend upon the nature of the allegations or concerns raised and will vary from case to case. It may involve interviewing and taking statements from the employee and any witnesses, and/or reviewing relevant documents.

Employees must co-operate fully and promptly in any investigation. This may include providing the names of any relevant witnesses, disclosing any relevant documents and attending interviews, as a part of our investigation.

We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out.

8. Next steps and timescales

An employee who has submitted a grievance will be invited to a grievance meeting, which will be held as soon as is reasonably practicable and, subject to any need to carry out prior investigations, within two weeks of the receipt (by an appropriate manager) of the written grievance.

The grievance meeting will normally be conducted by whoever has received the grievance, usually the Line Manager (or another Manager see Section 6). In certain circumstances, the Circuit reserves the right to appoint a Circuit or District Officer to hear the grievance.

At the meeting, the employee will be asked to explain the nature of the complaint and what action they feel should be taken to resolve the matter. The meeting will consider the grievance in detail and the employee should take any documents or evidence they have regarding the grievance to the meeting. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

Where it is not possible to hold a face-to-face meeting, we will conduct the grievance meeting remotely. The Circuit will ensure that an employee has access to the necessary technology for participating in the process. Employees' rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

An employee may bring a companion to any meeting held under this formal procedure. Employees should bear in mind the following points:

- The employee and their companion must make every effort to attend any meetings. If the employee or their companion cannot attend at the time specified for a meeting, they should inform the person hearing the grievance immediately and they will make reasonable efforts to agree an alternative time.
- The purpose of the grievance meeting is to enable the employee to explain the grievance. If the employee has a companion, they may make representations to the person hearing the grievance and ask questions, but should not answer questions on behalf of the employee. The employee may confer privately with their companion during the meeting.
- Minutes of the meeting will be taken by a note taker who will be present and copies will be made available to the employee. A copy of the minutes will be kept on the employee's personnel file. Employees and their companions are not permitted to make any electronic recording of any meeting held under this procedure.
- After the grievance meeting the person hearing the grievance may carry out such further investigations as they consider appropriate in order to fully explore the concerns. (See 7. Investigations)
- The person hearing the grievance will take a decision and inform the employee of their decision and of the right of appeal in writing within two weeks of the grievance meeting being held. If the necessary investigations require a longer timescale the employee will be informed of this.
- The employee will be informed of actions to take if they are dissatisfied with the outcome and wish to make a formal appeal.

9. Appeals Procedure

Should an employee wish to appeal, they should do so in writing to the Circuit Officer specified on the original grievance outcome letter, stating the grounds of appeal, within five working days of the date on which the decision was received by the employee. As much detail as possible should be given about the reasons for the dissatisfaction with the decision.

An appeal hearing will be held, normally no more than two weeks after the Circuit Officer has received the appeal. The appeal hearing has the following key features:

- The employee may bring a companion to the appeal hearing. (See 10. Right of Accompaniment.)
- As far as practicable, the appeal will normally be heard by a manager of a more senior level to the one who heard the grievance and they will not have been involved in any investigation or initial grievance meeting. They will consider the grounds of appeal put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate.

The procedure to be followed at the appeal hearing will be:

- i. The employee will present their appeal, setting out clearly the reasons why they do not agree with the findings of the initial grievance meeting;
- ii. The person hearing the appeal may ask questions of the employee;
- iii. If any other parties are present they may also ask the employee questions;
- iv. If other parties are present at the hearing they may be questioned by either the person hearing the appeal or the employee.
- v. The employee will then have the opportunity to sum up.
- vi. The person hearing the appeal will then, if necessary, withdraw to consider the evidence.

The Circuit Officer's final decision will be notified to the employee in writing within two weeks of the appeal meeting, and full reasons will be given. There is no further right of appeal and the Circuit Officer's decision will be final.

Where it is not possible to hold a face-to-face meeting, arrangements will be made for the appeal hearing to be held remotely. The Circuit will ensure that all participating in the process have access to the necessary technology. Employees' rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

The employee should ensure that they attend the hearing at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform their Line Manager of this as soon as possible. If an employee fails to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence. An employee must have been advised in writing that the hearing may proceed in their absence before this course of action is taken.

10. The Right to be Accompanied

The employee may bring a companion to any meeting or hearing held under the formal grievance procedure. The companion may be either a trade union representative or a work

colleague. The employee must tell the person holding the meeting who their chosen companion is no less than three days before the meeting. Employees are allowed reasonable time off from duties without loss of pay to act as a companion.

In some circumstances the choice of companion may not be allowed, for example, anyone who may have a conflict of interest, or whose presence may prejudice the meeting. We may also ask an employee to choose someone else if the meeting would have to be delayed for over five working days because the companion is unavailable.

We may, at our discretion, allow the employee to bring a companion who is not an employee or work colleague (for example, a family member) where this will overcome a particular situation or difficulty, including that caused by a disability or where the employee has a difficulty understanding English.

11. Grievances after employment has ended

Should a grievance be raised by an employee leaving their employment, where possible the grievance procedure will be concluded whilst they remain in employment. If it is not possible to conclude the process prior to their exit, then it may be necessary to modify the procedure to complete it.

If an employee wishes to raise a grievance after their employment has ended, they should submit it in writing as normal as set out at Section 8 above. In order to be considered, the grievance must arrive within 15 calendar days of the termination of employment.

If a grievance is raised after the employment has ended, or before the employment ends and the standard procedure has not been completed at the termination of employment, an officer of the Circuit will either:

- a. follow the standard procedure set out above at Section 8; or
- b. write to ask the employee whether they would prefer to follow the modified procedure set out below (if they have not already stated their preference in writing). If they do not respond within ten working days we will follow the standard grievance procedure.

The following modified procedure will apply if agreed in writing by the employee:

- a. An officer of the Circuit will carry out any investigations that are considered appropriate;
- b. No meetings will be held with the employee;
- c. The employee will be notified of the decision in writing, normally within two weeks of agreeing to use the modified procedure; and
- d. There will be no right of appeal.

12. The Grievance Outcome

The outcome of the grievance, at whichever stage determined (that is, at either the grievance meeting or appeal stages) may take various forms. It may state:-

- a. That on the basis of the findings, the grievance is not well founded;
- b. That the grievance is upheld in part and provide an appropriate solution;
- c. That the grievance is upheld in full and provide an appropriate solution;
- d. Any other relevant decision.

13. Extending Timescales under the Procedure

The timescales outlined in this procedure will be adhered to whenever this is reasonably practicable. There may be extenuating circumstances that are outside of either party's control, for example, where a key witness is unavailable or the grievance requires extensive investigation.

Where it is not reasonably practicable to adhere to the timescales stated in this procedure, this will be discussed with both parties and agreement sought to any extension to the timelines.

14. Third Parties

The Circuit reserves the right to engage independent external third party assistance at any stage of the Grievance Procedure.

15. Protection against Detriment

Nothing in this procedure is intended to prevent an employee from raising any concerns they have. Employees who raise concerns under this procedure will not be subject to any detrimental or less favourable treatment as a result of doing so.

Where it is established that a grievance is made with malicious intent, the employee will be subject to the Circuit's Disciplinary Procedure.

Last Date Modified: 25/06/2025

(a signed copy is kept in the Circuit Office)