# APPENDIX 4 – FORMAL GRIEVANCE MEETING PROCEDURE (APPEAL)

* **Introductions**

The Chair will introduce themselves and request that each person explains who they are and they are present.

* **Procedure**

The Chair will then explain the procedure.

* **Employee (or Representative) Presents their Grievance**

The employee (or their representative) will be given the opportunity to explain the grievance and present relevant evidence.

* **Person against whom the Grievance has been raised Questions Employee**

The person against whom the grievance has been raised, or their representative if one is present, will be given the opportunity to question the employee regarding the details of the grievance.

* **The Chair** **Questions Employee**

The Chair follows up on any points for clarification or seeks further detail on any aspects that are not clear.

* **\*The Investigating Officer Questions Employee \*(if one is present)**

The Investigating Officer follows up on any points for clarification or seeks further details on any aspects that are not clear.

* **Employee calls Witness(es) – if required**

The Chair will then call any witnesses on the employee’s behalf to support their case. The witnesses will be prepared on what questions they will be asked in advance.

* **The Person Against Whom the Grievance has been Raised Questions Witness(es)**

The person against whom the grievance has been raised, or their representative if one is appropriate, is given the opportunity to question the employee’s witnesses.

* **The Chair** **Questions Witness(es)**

The Chair has the opportunity to ask questions of the witness(es)

* **The Investigating Officer Questions Witness(es)**

The Investigating Officer has the opportunity to ask questions of the witness(es)

* **Witness(es) Leaves**

The Chair will ask the witness(es) to leave, unless either party wants to recall the witness at a later time.

* **The Person Against Whom the Grievance has been Raised Responds to Grievance**

The employee, who is the subject of the grievance, or their representative if present, responds to the grievance.

* **The Employee Questions the Person Against whom they have Raised the Grievance**

The employee is given the opportunity to question the person whom they have raised the grievance against.

* **The Chair Questions the Person Against whom the Grievance has been Raised**

The Chair will follow up with any questions for the person against whom the grievance has been raised, to clarify any points made prior to any decision being made.

* **The Investigating Officer Questions the Person Against whom the Grievance has been Raised**

The Investigating Officer will follow up with any questions for the person against whom the grievance has been raised, to clarify any points that have been made.

* **Investigating Officer Presents Findings**

The Investigating Officer will present any findings on the grievance.

* **The Person Against whom the Grievance has been Raised calls any Witness(es)**

The person against whom the grievance has been raised, or their representative if one is present, has the opportunity to call any witness(es). The witness(es) will be prepared on what questions they will be asked in advance.

* **The Employee Questions the Witness(es)**

The aggrieved employee has the opportunity to question any of the witnesses.

* **The Chair Questions any witness(es)**

The Chair will question any witness(es) for the person against whom the grievance has been raised.

* **The Investigating Officer Questions Witness(es)**

The Investigating Officer will then follow with any questions for the witness(es).

* **Witness(es) Leaves**

The Chair will ask the witness(es) to leave unless either party want to recall any of the witness(es) at a later time.

* **Employee/Representative Sum up**

This is an opportunity for the employee, or their representative, to make a final statement and sum up their main points.

* **Person Against whom the Grievance has been Raised Sums up**

This is an opportunity for the person against whom the grievance has been raised, or their representative if present, to make a final statement and sum up their main points.

* **Investigating Officer Completes Case**

The Investigating Officer sums up the key points of the investigation and makes a final statement.

* **Adjournment**

The Chair will ask the Investigating Officer, the employee, their representative and the person against whom the grievance has been raised to adjourn in order for a decision to be made.

* **Decision by Chair**

The employee, their representative, the person against whom the grievance has been raised and the Investigating Officer will return to be advised of the Chair’s decision. In exceptional circumstances the Chair may decide to postpone the decision in order for any additional investigation to be undertaken or for further deliberation based on the current facts. In this situation, a further meeting will be arranged to hear any additional information.

In some instances it may not be appropriate to advise of the outcome to both parties at the same time. Separate meetings can be held to discuss the outcome or alternatively, both parties can be notified in writing only. It is important to notify both parties at the same time, whichever method is chosen.

* **Decision confirmed in Writing by the Chair**

The Chair confirms the decision in writing normally within **5 working days** of the date of the formal meeting to both parties, unless both parties are notified of any delay. Any appeal must be lodged within **10 working days** of the date of the decision letter.

The order of the Stage 1 Formal Grievance Meeting may vary slightly due to the nature, sensitivity and content of the grievance. In more straightforward grievances, it may not be necessary to call witnesses or appoint an Investigating Officer and therefore the format of the meeting may be slightly less formal and may differ from the above.