

# Grievance Resolution Procedure

## 1. Support

- 1.1 The Council will endeavour to support all those involved in the grievance resolution process, including managers, employees, witnesses, and residents.
- 1.2 Employees involved in a grievance resolution process may access support in various ways, including:
  - a. Advice from their line managers
  - b. Trade unions
  - c. Any professional body to which they belong
  - d. HR
  - e. Occupational health
  - f. Employee assistance programme
  - e. Understanding and managing stress at work programme
  - f. Work based learning as appropriate
- 1.3 Managers, as and when they become aware of any health or wellbeing issues, for any employees involved in a grievance investigation or any other aspect of this process, should offer to discuss the health and/or wellbeing issues with the employee in the first instance. Depending on the nature of the issue[s], they can also consider referring the matter to the Head of Safety, Health and Wellbeing.

## 2. Grievance Resolution: Informal action

- 2.1 If an employee is unhappy about the treatment they have received or about any aspect of their work, they should first discuss this with their manager (or the next in line manager) who will attempt to resolve the situation informally.

## 3. Raising a Grievance

- 3.1 Where attempts to resolve the matter informally are unsuccessful, or the matter is more complex and/or serious, it may be appropriate for the employee to raise a grievance.
- 3.2 Issues that may cause grievance include:
  - a. Application of Terms and conditions of employment
  - b. Health and safety
  - c. Work relations

- d. Bullying and harassment
- e. New working practices / organisational changes (this does not include matters that are covered within consultation around proposed restructures)
- f. Discrimination
- g. Application of policy

#### **4. First Stage – Informal**

- 4.1 The first stage of the Grievance Resolution Procedure is for the employee to put their complaint in writing. At this stage the grievance will be considered an informal one. This written statement will form the basis of any investigations and subsequent grievance meeting/hearing, so it is important to set out clearly the nature of the grievance, outline the conversations that have taken place and/or other attempts that have been made to resolve the matter, and indicate the resolution being sought.
- 4.2 The written complaint should be sent [by e-mail or post] to the employee's manager and headed "Grievance". If the employee's complaint relates to their manager, the matter should be referred to the next manager in the reporting arrangement.
- 4.3 If, due to reasons relating to the nature of the grievance or any relevant practicalities around managing the grievance resolution process, an employee believes that raising a grievance within their line management hierarchy would not be appropriate and/or practicable, they should raise the issue with another Council officer of appropriate seniority, explaining the rationale for their decision within the grievance e-mail/letter. A manager/senior officer who receives a grievance from an employee outside of their reporting line should consider obtaining HR advice before determining whether to oversee the process or delegate its management.
- 4.4 A manager who receives a grievance should forward a copy to HR.
- 4.5 At this first stage, when the employee has submitted their written grievance, their manager [or other officer overseeing the grievance resolution process] should consider contacting the employee for any clarification on the substance of the grievance and/or the resolution they are seeking. The manager and the employee may make [further] attempts to resolve the matter informally.
- 4.6 A manager [or other officer] overseeing the informal grievance resolution process who believes that the seriousness and/or complexity of a case call for undertaking a detailed investigation and/or full grievance hearing should not attempt to resolve the matter informally. They should contact the employee as soon as reasonably practicable and advise them to raise the matter as a formal grievance under the second stage of this Procedure.

4.7 Any resolution proposal by the manager should be made (or confirmed) in writing. The employee is expected to provide a prompt response outlining their views on the proposal- i.e. whether they accept the proposal, reject it, or would like to clarify/refine/expand any elements of it. Where the employee wishes for a proposed resolution to be clarified/refined/expanded, further discussions (or correspondence) should take place with a view to reaching a conclusion which is workable/acceptable to the parties involved.

4.8 If the employee is not satisfied with the proposed resolution, they will be entitled to ask for the matter to proceed to the second stage of the Procedure by raising it as a formal grievance.

## **5. Second stage: Raising formal grievances**

5.1 Employees who, after having made informal attempts to resolve a grievance, are not satisfied with the resolution proposed by management should submit a formal grievance in writing and address it to the manager of their line manager, or the next manager within the reporting arrangement.

5.2 If the informal grievance had been raised with a manager/senior officer outside of the employee's reporting line, the manager/senior officer handling the informal grievance should obtain HR advice and consult with the employee before determining who would be best-placed to oversee the formal stage of the grievance.

## **6. Investigating a grievance**

6.1 Depending on the content of a grievance and the complexity and/or seriousness of the matters involved, the manager overseeing the formal grievance resolution process may decide to commission a formal grievance investigation.

6.2 If the manager decides that a formal investigation is required, they will commission an Investigating Officer who has had no previous involvement in the case to undertake that investigation. More details on the investigation process can be found in Appendix 1.

## **7. Second Stage: Desktop review, meeting or full hearing**

7.1 Depending on the reasons for a grievance, the complexity of the matter[s], the number of stakeholders involved, and the relationships between them, a manager overseeing the resolution of a formal grievance will determine the most appropriate way of attempting to reach a resolution.

7.2 Potential ways of seeking to conclude/resolve a grievance include a desktop review of the documentation, a formal meeting with the employee who has raised the grievance (and possible separate meetings with their line manager and/or other stakeholders with a view to exploring the practicalities around any proposed resolution), or a full grievance hearing involving all relevant stakeholders. Such stakeholders may include the employee who has raised the grievance, any Investigating Officer, any colleague[s] whose behaviour is alleged to have caused or contributed to the grievance, any manager who has participated in the informal resolution process and/or needs to have some input in the implementation of a potential resolution etc. Managers should consider

obtaining HR advice to assist with identifying relevant stakeholders and determining the most appropriate format for attempting to resolve the grievance.

7.3 Once the manager overseeing the process has completed reviewing the information (including, where applicable, the contents of the investigation report) and/or meeting with the employee who has raised the grievance and/or other stakeholders [as appropriate], they will reach a conclusion/proposed resolution and confirm it in writing to the employee who has raised the grievance and any other relevant parties. Where a hearing takes place, the outcome can be communicated directly at the end of the hearing or in writing after an adjournment.

7.4 It is important for all participants in the process to remember that, while grievances will often relate to past events, the main purpose of this Policy and Procedure is to resolve complaints, concerns, and misunderstandings with a view to improving current and future relationships and working practices within the Council.

7.5 Potential outcomes from a formal grievance resolution process could include:

- A recommendation for mediation for those cited in the grievance.
- An action plan for support, training, and development and/or changes to working practices as applicable.
- A recommendation for management to consider investigating the actions of any individuals involved as potential misconduct. Care should be exercised to ensure that relevant confidentiality requirements are met.

7.6 Employees will be formally notified in writing (usually by post and, wherever possible, additionally by e-mail) of the grievance outcome, including any agreed steps by both parties and the relevant timelines. Outcome notification letters/e-mails will confirm the employee's right of appeal under the Grievance Policy and Procedure.

## **8. Third Stage: Grievance Resolution appeal [and appeal investigations]**

8.1 When an employee feels that their grievance has not been dealt with satisfactorily or they have new or further information that they feel should be considered, the employee may lodge a grievance appeal.

8.2 Grievance outcome notifications will set out the employee's right to appeal within 14 calendar days of the date the notification was issued, and will designate an appropriate officer to which any appeal should be submitted (usually a senior manager and/or a HR Business Partner).

8.3 Employees wishing to appeal the outcome of a grievance are required to submit their appeal in writing (by e-mail or post) to the relevant officer within 14 calendar days of the date of the notification, setting out the reasons for their appeal. Any appeals submitted after the 14-day deadline will need to include reference to the circumstances/reasons for the delay, which will be considered on a case-by-case basis.

8.4 Potential grounds of a grievance appeal include the following:

- a. New evidence or information to be considered has come to light which had not been available previously and may influence the decision and outcome.
  - b. The appellant believes that the proposed resolution is not practicable or likely to resolve underlying issues.
  - c. The appellant believes that there have been procedural failings in the management of the case (this may include possible deficiencies in the grievance investigation process). The appellant is required to specify the alleged failings and their perceived impact on the outcome and decision.
- 8.5 An officer receiving a grievance appeal should acknowledge receipt without undue delay and confirm that they will be overseeing the appeal process and chairing the appeal hearing themselves, or alternatively arrange for an appropriate appeal Chair to be designated.
- 8.6 The factual background to a case, as established in the relevant investigation report and/or clarified through discussions at earlier stages and/or deliberations at any first-instance hearing, will normally inform deliberations at the appeal hearing.
- 8.7 Where an appeal involves the introduction of a substantial amount of new material to a case, and/or information which the Chair of the appeal hearing believes would benefit from further investigation, the Chair of the appeal hearing may commission an investigation into the relevant issues. Appeal Chairs should consider obtaining HR advice before commissioning an appeal investigation.
- 8.8 Where a formal investigation has taken place as part of the Second Stage of this procedure, the Chair of the appeal hearing should consider designating the same individual to act as an Investigating Officer. The Chair will take into consideration any availability issues and/or any concerns which may have been raised about the original report.
- 8.9 As outlined above, an appeal investigation will not normally seek to revisit/challenge the findings of fact of any original investigation report. Appeal Chairs should exercise care [and obtain HR advice as appropriate] in drafting the terms of reference (TOR) for appeal investigations in order to ensure their scope is limited to the issues/evidence which require further investigation.

## **9. Meetings and the right to be accompanied**

- 9.1 Meeting/hearing invitations will indicate whether discussions are to be held physically or virtually. Managers will consider employee requests for meetings to be held in a different format (e.g. requesting a physical meeting instead of a virtual one as a result of an unreliable internet connection at home).
- 9.2 Employees have a right to bring a companion or trade union representative into all meetings or hearings held under this Procedure. Employees are entitled to choose to be accompanied to such a meeting by a work colleague or a representative of a recognised trade union.
- 9.3 Employees may bring a companion or trade union representative into an informal meeting held under this Procedure. The parties involved will need to ensure that the meeting is held in a manner

that is as timely and as informal as possible. Unless exceptional circumstances apply, managers should refrain from requesting the presence of a HR representative in informal meetings. Similarly, co-ordinating the availability of an employee companion to an informal meeting should not result in its postponement for more than 5 working days from the originally proposed date.

9.4 The Council appreciates that there may be occasions where an employee may wish to be accompanied by individuals who are not work colleagues and/or union representatives (e.g. an interpreter, carer, member of a professional body related to the employee's duties). While there is no legal or contractual right for employees to be accompanied by such individuals, the Council will consider relevant requests on a case-by-case basis. Case-by-case consideration will also be given to requests for more than one companion, e.g. an employee wishing to bring a union representative as well as an interpreter into a hearing.

## **10. Non-meritorious grievances, malicious allegations**

10.1 The Council will consider employee grievances in good faith. If, during the informal stage of this procedure, the manager overseeing the process believes the grievance to be frivolous or completely lacking in merit, they will inform the employee and confirm their view within the relevant outcome letter. The employee will still be entitled to raise the matter as a formal grievance; however, they should demonstrate that their concern is legitimate and serious enough to warrant consideration. In those circumstances, the manager overseeing the formal process may determine that the grievance is frivolous/without merit and inform the employee that no further action will be taken. Managers should consider obtaining HR advice before making such a decision.

10.2 Informal attempts at resolving a grievance should not stray into speculation around whether the grievance has been raised with malicious intent and/or the extent to which the alleged facts of the case are truthful. Managers overseeing the informal process should seek to obtain clarification from the employee. They may query any apparent inconsistencies and/or inform the employee that they are unable to resolve the grievance informally because they believe that an investigation is required.

10.3 Where an investigation undertaken into a formal grievance indicates that the alleged facts of the case may, in full or in part, be malicious, deliberately misrepresented or false, the manager overseeing the process will determine whether the case should progress to a desktop review, formal meeting, or hearing. Managers should obtain HR advice prior to making that decision. Irrespective of whether a review/meeting/hearing is undertaken, the manager overseeing the formal grievance resolution process can also raise allegations of potential misconduct against the employee who has submitted the grievance. The Council will consider investigating any such allegations under its Disciplinary Policy and Procedure.

## Appendix 1

### Investigation procedure

#### General

##### 1. Investigating a grievance

- 1.1 A manager/senior officer overseeing the formal grievance resolution process will assess the information available to them and determine whether the case would benefit from a formal investigation being undertaken.
- 1.2 Formal investigations will not be undertaken by the manager/senior officer overseeing the formal grievance resolution process. They will act as a Commissioning Officer, designating an independent Investigating Officer of appropriate seniority to carry out the investigation.

##### 2. Roles and responsibilities

###### 2.1 Managers and senior officers

- 2.1.1 Managers and other Council officers of appropriate seniority will commission investigations, undertake and participate in them as required.

###### 2.2 Employees raising a grievance

- 2.2.1 To ensure grievances are investigated effectively, employees are required to co-operate promptly and to the best of their ability in any investigations. This will include informing the Investigating Officer of the names of any relevant witnesses, disclosing any relevant documents and attending investigative interviews as required.
- 2.2.2 If an employee is unable to participate in a meeting/discussion due to unforeseen circumstances, a second investigation meeting will be arranged within 5 working days of the postponed meeting or as soon as possible acknowledging delays may be due to recognised absence.
- 2.2.3 At the outset of a grievance investigation, the employee who has raised the grievance will receive a letter setting out the terms of reference (TOR) for the investigation. The employee will not normally be entitled to see detailed witness statements and other relevant evidence prior to the conclusion of the investigation.
- 2.2.4 Employees participating in investigation interviews are responsible for checking the accuracy of any interview minutes/notes and highlighting any omissions or perceived inaccuracies to the

Investigating Officer. They will be asked to formally confirm the accuracy of, or note any perceived inaccuracies/omissions in, meeting notes/minutes. This can be done with a physical signature or via e-mail.

## **2.3 Commissioning Officer**

- 2.3.1 In most investigations, the Commissioning Officer will be a senior manager in the service where the grievance has been raised, although there may be circumstances where they work in a different service.
- 2.3.2 The Commissioning Officer is responsible for designating an appropriate Investigating Officer and ensuring that the TOR (terms of reference) are clearly outlined and observed.
- 2.3.4 On completion of the investigation, the Commissioning Officer will review the investigation report and determine the course of action that will be taken.

## **2.4 Investigating Officer**

- 2.4.1 An Investigating Officer who has been appointed to investigate a grievance can be a manager or other officer of appropriate seniority. The Investigating Officer will usually be another manager within the same service. However, depending on the specific circumstances of a case, the Commissioning Officer may designate an Investigating Officer from outside the service, or even external to the Council.
- 2.4.2 The Commissioning Officer will normally appoint an Investigating Officer based on their seniority, availability, neutrality, and overall suitability to:
  - a. carry out a thorough and fair investigation to establish the facts of the case
  - b. interview the employee and any relevant witnesses
  - c. gather and preserve the integrity of any documentary evidence
  - d. maintain appropriate levels of confidentiality throughout the process
- 2.4.3 When the investigation is completed, the Investigating Officer will be responsible for writing a report detailing a summary of findings and conclusions for submission to the Commissioning Officer.
- 2.4.4 Serious and/or complex issues will sometimes call for in-depth investigation; this may result in the process requiring a considerable amount of time. Where that is the case, the Investigating Officer will regularly update the Commissioning Officer on the progress of their investigation and likely timelines involved. The Commissioning Officer should make regular contact (normally at least every two weeks) with the employee to inform them that the investigation is still ongoing and, where possible, provide an indication of when it is likely to conclude.

## **2.5 Witnesses**

- 2.5.1 Witnesses are Council employees or other individuals who may have more information on the incidents/concerns/allegations surrounding a grievance. The term may also refer to those who may be otherwise aware of, or involved in, something related to an investigation.
- 2.5.2 Witnesses who are Council employees are required to participate in investigations by:
- a. attending meetings or providing written witness statements as requested by the Investigating Officer
  - b. providing evidence to the best of their ability and/or knowledge
  - c. formally confirming the accuracy of, or noting any perceived inaccuracies/omissions in, meeting notes/minutes. This can be done with a physical signature or via e-mail.

## **2.6 The right to be accompanied at an investigation meeting**

- 2.6.1 Investigation interviews are an integral part of a formal investigation process. Consequently, employees (including those being interviewed as witnesses) are entitled to bring a companion or trade union representative to them. Please refer to the Grievance Policy and Procedure for details.

## **Investigation process**

### **3.1 Stage 1: Planning**

- 3.1.1 An investigation will be started by a Commissioning Officer when they believe that a grievance should be formally investigated.
- 3.1.2 The Commissioning Officer is required to designate an Investigating Officer in line with the considerations outlined in 2.4.2 of this Appendix.
- 3.1.3 The Investigating Officer will commence their investigation by identifying employees or other individuals with knowledge of the circumstances of the issues at hand who may be potential witnesses. They may make informal enquiries as to potential witnesses with the employee who has raised the grievance and/or with other employees who may have relevant knowledge.

### **3.2 Terms of Reference (TOR)**

- 3.2.1 The initial stage of the investigation is to establish and agree what is going to be investigated.
- 3.2.2 The Commissioning and Investigating Officers should work together to identify the core issues that require investigation; these will form the TOR for the investigation.

- 3.2.3 The Investigating Officer will share the TOR with the employee who has raised the grievance. If the employee suggests refining or expanding any aspects of the TOR, the Investigating Officer will liaise with the Commissioning officer prior to the latter deciding on any changes to the TOR.
- 3.2.4 Where appropriate, the TOR will be disclosed to witnesses by the Investigating Officer.
- 3.2.5 Before each interview, the Investigating Officer will prepare the questions to which they are seeking responses and/or clarification.
- 3.2.6 The Investigating Officer should alert the Commissioning Officer to any additional concerns or other important issues outside the TOR that may be raised during the investigation. The Commissioning and Investigating Officer should discuss the matter in order to consider making any additions or modifications to the TOR.
- 3.2.7 As a result of the nature of an investigation, the TOR may be subject to change or expansion while the investigation process is ongoing. Following discussions with the Investigating Officer, the Commissioning Officer will determine any amendments to the TOR. The Investigating Officer will then issue the amended TOR to the employee.
- 3.2.8 Where an investigation uncovers evidence which is pertinent to the grievance but appears to be substantially outside the scope of the original TOR, the Commissioning Officer may decide to close the investigation and commission a separate investigation with appropriate TOR. Commissioning Officers should seek detailed HR advice before finalising a decision in such circumstances.

### **3.3 Case File**

- 3.3.1 Throughout the investigation, the Investigating Officer should maintain a virtual 'case file' of their documentation in order to allow easy reference and cross referencing during their investigation.
- 3.3.2 Case files should include:
- a. an index detailing all events and documents
  - b. an executive summary with cross referencing to documentary evidence
  - c. a timeline detailing all events
  - d. details of the grievance, the resolution that is being sought and any discussions/attempts at resolution relating to the informal stage of the Procedure.
  - e. the terms of reference and policies which relate to the grievance
  - f. copies of correspondence sent to the employee and witnesses
  - g. all investigation interview notes, together with relevant formal (via scanned signatures or copies of e-mails) confirmation of their accuracy, or indication of any omissions/perceived inaccuracies

- h. Any relevant written statements by the employee who has raised the grievance and/or any witnesses
- i. any other documentary evidence, including reference to CCTV evidence, audio recordings etc

### **3.4 Investigation report**

3.4.1 Once completed, the investigation report needs to be included in the case file.

3.4.2 The conclusions or recommendations within an investigation report will be focusing on the factual background of the case.

3.4.3 Grievance investigation reports may refer to potential ways of resolving the grievance but should not include detailed/prescriptive resolution proposals.

## **4. Stage 2: Gathering facts and evidence**

### **4.1 Desktop review of documents and/or software files**

4.1.1 In certain circumstances, such as a grievance concerning documents or matters related to the use of IT systems, it may be necessary and appropriate for the Investigating Officer to carry out a desktop review of all the documentation, software and associated information relating to the investigation.

4.1.2 This part of the investigation process will be logged in the case file, together with an appropriate timeline and details of the information reviewed. Consideration should be given to the relevant data protection and information security requirements.

### **4.2 Investigation interviews**

4.2.1 The purpose of an interview is to investigate the facts relating to the grievance raised within the TOR and the context around the facts.

4.2.2 Interviews are formal meetings/discussions between the Investigating Officer and the employee or witnesses to gather information about the issues being investigated.

4.2.3 The Investigating Officer will normally conduct interviews with the employee who has raised the grievance and any relevant witnesses (as defined in 1.5 of this Appendix).

4.2.4 Reasonable notice of investigation interviews should be given. The provisions of the Grievance Policy and Procedure will apply to meeting formats.

- 4.2.5 The Investigating Officer should give consideration to the TOR and provide an overview of the process to the employee who has raised the grievance or witness being interviewed.
- 4.2.6 Confirmation should be given that the interview is not a grievance hearing but is being undertaken as part of an investigation, with a view to informing resolution proposals and/or the deliberations between relevant parties at a subsequent grievance hearing.
- 4.2.7 During an investigation interview, the Investigating Officer will be responsible for ensuring the interviewee is given every opportunity to:
- a. respond to questions on the grievance (including follow-up questions for clarification)
  - b. provide truthful information
  - c. give their opinion on what happened
  - d. provide the Investigating Officer with suggestions around documentation or witnesses that may assist them with their investigation.
- 4.2.8 The Investigating Officer should encourage interviewees to fully respond to their questions and participate in the investigation. Where the employee who has raised the grievance and/or witnesses are unable and/or unwilling to do so, the Investigating Officer will proceed with their investigation on the basis of the information that they have available.
- 4.2.9 The employee who has raised the grievance and any witnesses who are Council employees will be notified that taking part in investigations is considered part of their duties as employees of the Council. Refusal to co-operate with a grievance investigation will generally amount to a failure to follow a reasonable management instruction and may result in disciplinary action.
- 4.2.10 The discussions at investigation interviews should be documented- the Investigating Officer is responsible for ensuring notes/minutes are taken and may arrange for a note-taker to attend the meeting. A copy of the notes will be sent to the interviewee for them to confirm their accuracy or indicate any omissions or perceived inaccuracies in them.
- 4.2.11 No audio/video recording of any meetings will take place unless all parties have consented prior to the meeting.
- 4.2.12 Interviews will normally be scheduled during working hours. If an employee attends a grievance interview outside of their normal working hours, they can liaise with their line manager in order to make arrangements around time off in lieu or flexitime credit.
- 4.2.13 In certain circumstances, an HR representative may attend the interview to support and guide the Investigating Officer and explain processes to the interviewee.

## **5. Additional issues raised during information gathering**

- 5.1 The Investigating Officer will normally ask follow-up questions on the information provided by interviewees.
- 5.2 On some occasions, evidence will be uncovered, expanded or challenged as part of the investigation. The Investigating Officer may decide to schedule additional investigation interviews, or alternatively make a written request for additional information/clarification. There will be no variation to the process of conducting investigation interviews, however the Investigating Officer should be mindful of the fact that the process can be stressful for participants and consider obtaining HR advice before scheduling any follow-up interviews.
- 5.3 Where the Investigating Officer believes that the evidence/information uncovered goes beyond the TOR for the investigation, the Investigating Officer should liaise with the Commissioning Officer as outlined under 2.1 of this Appendix.

## **6. Documentary evidence**

- 6.1 As part of their case file, the Investigating Officer must maintain a list of documents that have been sent to the employee who has raised the grievance, including how they were communicated with, for example: email to Council or personal address, hand-delivered, first class letter to home address, recorded delivery letter to home address.
- 6.2 The Investigating Officer should endeavour to gather relevant evidence and carry out the required interviews as soon as reasonably practicable, avoiding undue delays and minimising the risk of fading memories.
- 6.3 Investigating Officers are responsible for assessing whether any evidence they uncover need to be considered as potential allegations of misconduct and/or shared with/escalated to any other departments, authorities, or regulatory bodies- e.g. the Council's Audit/Counter Fraud department or Social Work England. Investigating Officers should consider obtaining HR advice prior to taking any relevant steps.
- 6.4 Relevant documentary evidence may be requested and/or can be provided by the employee who has raised the grievance and/or witnesses to the Investigating Officer, during or after the interviews as appropriate.

## **7. Written statements**

- 7.1 Written statements may be used as evidence within a grievance investigation.

- 7.2 The employee who has raised the grievance and witnesses who make a statement as part of an investigation are required to formally confirm (either by e-mail or by way of a physical signature) that they believe the statement to be a true record of their views and knowledge of relevant facts.
- 7.3 Witnesses involved in the investigation will normally be referred by name in the report and/or other documents, although requests for anonymity made by witnesses who are Council employees will be considered by the Investigating Officer [who may seek relevant HR advice and/or discuss the matter with the Commissioning Officer as appropriate] .
- 7.4 Where an investigation involves witnesses who are not Council employees, the Investigating Officer should ask for their permission to use their name in the investigation report and/or other relevant documents; if permission is not obtained, their details should be anonymised, e.g. Mrs X.

## **8. Confidentiality**

- 8.1 The Council recognises that an aggrieved employee may wish to talk to their colleagues about their grievance. However, it is important to note that the grievance investigation process is confidential. Employees who participate in a grievance investigation [in any capacity] are required to refrain from divulging any information that was brought to their attention as part of the investigation.

## **9. Stage 3: Evaluation and analysis**

- 9.1 When the interview process is completed and all the evidence and supporting documentation has been gathered, the Investigating Officer will evaluate and analyse the information obtained during the investigation process.
- 9.2 As a result of that evaluation, the Investigating Officer may decide to make additional enquiries.

## **10. Stage 4: Reporting**

- 10.1 When the investigation and evaluation stages have been concluded, the Investigating Officer will prepare an investigation report setting out a summary of the evidence, facts, as well as relevant views of the parties involved. The report will include:
- a. A summary of the grievance raised, resolution sought, TOR and policies referenced.
  - b. Evidence.
  - c. Findings of fact.
  - d. Any conclusions and the rationale for reaching the conclusion, together with the opinion of the Investigating Officer on any issues/events around which the parties involved may have

diverging views. The Investigating Officer should exercise care in distinguishing between the facts that they have found, the opinions expressed by parties to the grievance, and any opinions of their own as the Investigating Officer.

- 10.2 Records of evidence referenced within the investigation report (meeting notes, witness statements, relevant documents) should be attached to the report as appendices.
- 10.3 On completion of the report, the Investigating Officer will send their report, in confidence, to the Commissioning Officer.