



# Grievance Policy

## National Back Exchange

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## 1. Version Control Summary

Date	Version no.	Summary of changes	Consulting group / person
April 2005	1	New Policy	S Wells / M Muir
August 2005	1.1	Minor format and content changes	P Leggett
Feb 2007	1.2	Minor format and content changes	M Muir
July 2013	1.3	Minor format and content changes	
May 2018	1.4	Minor format and content changes	Vice Chair
May 2020	1.5	Reviewed – no changes	N Sharpe, Vice Chair
Oct 2020	1.6	Removal of NBE address	N Sharpe, Vice Chair
Nov 2021	1.7	Reference to Executive Committee changes to Board of Directors	S Thornton, Vice Chair
August 2024	2.0	Reviewed and updated as NBE is a Charitable Incorporated Organisation as of 29th March 2023. The name changed to Grievance Policy.	S Thornton, Chair K Kemp, Vice Chair M Muir, Publications Director

## 2. Introduction

National Back Exchange (NBE) operates its grievance policy in accordance with government policy and guidelines and aims to act in a speedy, sympathetic, and comprehensive way.

Concerns about negligence, professional misconduct, financial malpractice, unlawful actions, or endangerment to the public or the environment require a formal pathway for investigation.

## 3. Terms

**Member of National Back Exchange (NBE):** Any individual who is a current member of the organisation. This also includes members of the Board of Trustees.

**Other parties:** Non-members related to NBE business or activities i.e., delegates, contractors, exhibitors, advertisers, sponsors.

**Grievance:** An informal or formal complaint or concern raised by a member or other party regarding any aspect of NBE activities, including but not limited to services, conduct of NBE, NBE member or other party, or violation of NBE policies.

**Complainant:** An individual or entity who lodges a grievance or complaint.

**Respondent:** The person or party against whom the grievance or complaint is directed.

**Informal Resolution:** A process for resolving grievances that encourages open communication and dialogue between the complainant and respondent in an informal setting, often facilitated by a neutral party such as a mediator or member of the Board of Trustees.

**Formal Grievance Procedure:** The structured process established by the organisation for addressing formal grievances, involving a series of defined steps and timelines for resolution.

**Mediation:** A voluntary and confidential process in which a neutral third party assists the complainant and respondent in reaching a mutually acceptable resolution to the grievance.

**Arbitration:** A formal process in which an impartial third party, known as an arbitrator, hears the arguments and evidence presented by both parties and renders a binding decision to resolve the grievance.

**Evidence:** Any documentation, witness statements, or other materials provided to support the claims or defences related to the grievance.

**Investigation:** The process of gathering information and conducting interviews to thoroughly examine the facts and circumstances surrounding the grievance.

**Resolution:** The outcome or decision reached at the conclusion of the grievance procedure, which may include actions such as disciplinary measures, corrective actions, or changes in policies or procedures.

**Appeal:** The process by which either party can challenge the outcome of the grievance procedure if they believe it to be unfair or unjust, typically involving a review by a higher authority or an appeals panel.

**Confidentiality:** The principle that information related to the grievance process should be kept private and disclosed only to those directly involved in its resolution, to protect the privacy and rights of all parties.

**Retaliation:** Any adverse action taken against an individual or group in response to their filing a grievance or participating in the grievance procedure.

**Whistleblower:** An individual or group who reports illegal, unethical, or improper conduct within the organisation.

#### 4. Purpose and Scope

All grievances, whether informal or formal, should receive a positive and full response. The objective is to satisfy the complainant that his or her concerns have been acknowledged, that a full explanation has been offered and remedial action taken where necessary.

The aim is to ensure consistent and fair treatment for NBE members and other parties connected with NBE.

#### 5. Principles

- Ensure that all grievances are treated with fairness and impartiality, regardless of the position or status of the parties involved.
- Every grievance will be thoroughly investigated, and decisions will be made based on evidence and objective criteria.
- Maintain transparency throughout the grievance process by clearly communicating the steps involved, timelines, and the rights and responsibilities of all parties. Provide regular updates to the grievant on the status of their grievance.
- Respect the confidentiality of all parties involved in the grievance process, ensuring that only individuals directly involved in the resolution are privy to the details of the grievance.
- Handle grievances promptly, aiming to resolve the grievance as quickly as possible while ensuring thoroughness and fairness.
- Board of Trustee members investigating a grievance will be competent to do so, be independent, and act without bias.
- At all stages of the procedure the respondent will have the right to be accompanied by a trade union representative, or work colleague to provide support, but they are not permitted to represent the individual.
- The respondent and complainant will have the right to appeal against any resolatory action.

## 5. How to Raise a Grievance

Grievances may be raised verbally or in writing. Where a verbal grievance is raised the complainant may be asked to put their grievance in writing. This serves two purposes, a) creates a formal record, and b) avoids misunderstanding of the grievance.

The grievance should contain as much information as possible, including

- Description of allegation
- Dates, times, locations
- Witnesses

To raise a grievance effectively, follow these steps:

- **Consider your grievance:** Take time to identify and understand the issue you wish to raise. Consider the specific details, events, dates, and any relevant witnesses involved in the situation.
- **Choose your approach:** Decide whether you want to raise your grievance verbally or in writing. While verbal communication may be more immediate, putting your grievance in writing creates a formal record and ensures clarity and precision.
- **Prepare your written grievance (if applicable):**
- **Description of allegation:** Clearly outline the nature of your grievance, providing specific details and examples to support your claim.
- **Dates, times, and locations:** Include relevant dates, times, and locations of the incidents or events that form the basis of your grievance.
- **Witnesses:** Identify any witnesses who may have observed or have information about the situation. Provide their names and contact information if possible.
- **Submit your grievance:** If you choose to raise your grievance verbally, schedule a meeting with the assigned member of the NBE Board of Trustees who will manage your grievance. During the meeting, clearly and calmly articulate your grievance, providing all relevant information and details.
- **Follow up in writing (if requested):** If you initially raised your grievance verbally and were asked to submit it in writing, promptly prepare and submit a written summary of your grievance to the designated member of the Board of Trustees. Ensure that your written grievance includes all the necessary details outlined above.
- **Cooperate with the investigation:** Once your grievance has been raised, cooperate fully with any investigation or inquiry conducted by NBE. Provide any additional information or evidence requested, and attend any meetings or interviews as required.
- **Keep records:** Keep copies of all communications, documents, and correspondence related to your grievance, including any written submissions, emails, meeting notes, and responses received from NBE.

- **Seek support (if needed):** If you require assistance or support throughout the grievance process, consider contacting union representatives (if applicable), or trusted colleagues for guidance and advice.

## 6. Level of Resolution

### Level 1 - Initial Investigation and Informal Resolution:

- This stage involves an initial investigation into the grievance to determine its nature and severity.
- Where appropriate, attempts may be made to resolve the grievance informally. This may involve mediation or direct discussions between the parties involved.
- The grievance may be resolved at this stage without proceeding further. If the grievance cannot be resolved informally or if it involves more serious allegations, it progresses to a formal investigation.

### Level 2 - Formal Investigation and Mediation:

- A designated investigator conducts a thorough examination of the facts and gathers relevant evidence from all parties and any witnesses.
- Mediation may be offered as an alternative to a formal investigation, allowing the parties to discuss the issues with the assistance of a neutral mediator.
- Depending on the outcome of the investigation or mediation, a resolution may be reached, or the grievance may proceed to the next level if necessary.

### Level 3 - Arbitration or Panel Review:

- In cases where resolution cannot be achieved through informal or formal investigation processes, the grievance may be escalated to arbitration or panel review.
- Arbitration involves the appointment of an impartial third party to hear the arguments and evidence presented by both parties and render a binding decision.
- Alternatively, a panel review may be convened consisting of members of the Board of Trustees or external experts to review the grievance and make a final determination.
- The decision reached at this stage is typically final and binding, concluding the formal resolution process.

**Please Note:** Depending on the severity of the misconduct or the complexity of the grievance, the organisation reserves the right to omit one or more stages of the formal process, as deemed appropriate by the designated Board of Trustee member or panel.

## Investigation into an Allegation of Misconduct

- Investigations are conducted to establish the facts and decide whether there is a case to answer. An investigation must be proportionate to the matter under investigation and undertaken without unreasonable delay. Where the facts are in dispute, the Board of Trustees Chair will, usually within ten working days, appoint another Board of Trustees member to carry out the investigation.

## Timeframe

- NBE is committed to handling and resolving grievances promptly and efficiently. An investigation and the subsequent report should be completed within a reasonable timeframe.
- Timeframes will be dependent on the depth of the investigation required and will be subject to the individual grievance.
- Where an investigation is lengthy, the complainant will be contacted at regular intervals for assurance that their grievance is progressing.

## Outcome

- All parties will be informed in writing of the outcome of the investigation.
- In some circumstances, sanctions may be deemed appropriate. Refer to the National Back Exchange **Disciplinary Policy**.
- In cases where the member is registered with a professional body, it may be necessary to report the disciplinary matter to the professional body for further investigation.

## Appeals

- An NBE member who wishes to appeal against a disciplinary decision must do so in writing within five working days. The Board of Trustees Chair will hear all appeals and his/her decision is final. At the appeal, any disciplinary penalty imposed will be reviewed.
- See a copy of the publication [‘Discipline and Grievances at Work, an ACAS Guide’](#).

## 7. Policy Review

This policy will be reviewed by the Chair, Vice Chair or designates of the National Back Exchange Board of Trustees every 2 years from the date of publication or earlier depending on legal requirements, best practices, national guidelines, or organisational changes.

## 8. Audit – Monitoring Process

Monitoring process	Requirements
Who	<ul style="list-style-type: none"><li>• National Back Exchange Board of Trustees</li></ul>
How	<ul style="list-style-type: none"><li>• As a result of regulatory / statutory changes or developments</li><li>• As a result of NBE policy changes or developments</li><li>• Please read in conjunction with relevant procedural documents</li></ul>
Presented to	<ul style="list-style-type: none"><li>• Board of Trustees</li></ul>
Monitored by	<ul style="list-style-type: none"><li>• Procedural document review group<ul style="list-style-type: none"><li>- Sarah Thornton, Chair</li><li>- Kerry Kemp, Vice Chair</li><li>- Mary Muir, Publications Director</li></ul></li><li>• National Back Exchange Board of Trustees</li></ul>
Completion / Exception report to	<ul style="list-style-type: none"><li>• Extraordinary circumstances beyond the control of National Back Exchange.</li></ul>

## **9. Appendix 1 Grievance Procedure**

### **Acknowledgment of Grievance:**

Upon receiving a grievance, a member of the National Back Exchange (NBE) Board of Trustees will promptly acknowledge receipt within five working days.

### **Investigation:**

The grievance will be thoroughly investigated by a designated member of the NBE Board of Trustees who was not involved in the issue being complained about.

### **Resolution:**

Once the investigation is complete, the lead investigator from the NBE Board of Trustees will provide a written response to the complainant detailing the outcome of the investigation and any actions taken to resolve the grievance.

### **Escalation:**

If the complainant is not satisfied with the initial response, they may request that the grievance be escalated to the Board of Trustees Chair for further review.

### **Final review:**

The Board of Trustees Chair will conduct a final review of the grievance, considering all relevant information and any additional evidence provided by the complainant. The Board of Trustees Chair will provide the complainant with a final written response.

### **External resolution:**

If the complainant remains dissatisfied after exhausting NBE's internal grievance procedure, they may refer their grievance to an appropriate external body, such as the Information Commissioner's Office.

### **Feedback:**

NBE values feedback from complainants and will use any lessons learned from grievances to improve its processes and services. Complainants will be invited to provide feedback on the grievance procedure itself to help identify areas for improvement.

## 10. Appendix 2 Grievance Investigation Process

### **Evaluate the severity and nature of the complaint:**

This will inform the next actions.

Wherever possible informal resolution is the preferred action unless the nature and the severity of the allegations indicate otherwise.

An informal discussion and/or early intervention by a member of the Board of Trustees may be sufficient to resolve a concern raised about conduct. Informal actions can range from a quiet word to a verbal warning. If a verbal warning is received, this will be confirmed in writing and include:

- the reason for the warning
- the standards expected
- any other actions required
- details of the consequences if there are further concerns about conduct

A record of an informal warning will not be held on file.

Where the allegation is severe, the concern will be managed under a formal procedure.

### **Designated investigator:**

A designated member of the Board of Trustees, or panel, who are impartial will be assigned to conduct the investigation. This will not include the Board of Trustees Chair.

### **Review documentation:**

All relevant documentation related to the grievance, including any written complaints, witness statements, policies, and relevant correspondence will be collated.

### **Interview complainant:**

A confidential meeting with the complainant will be arranged to discuss the details of the grievance.

The confidential meeting will allow the complainant to provide a full account of their concerns and any supporting evidence.

Subsequent to the confidential meeting the complainant will be provided with a non-verbatim written account of the interview to verify.

### **Interview witnesses:**

A confidential meeting with any identified witnesses who may have relevant information regarding the grievance will be arranged.

Witnesses are encouraged to provide an honest and impartial account of what they observed.

Subsequent to the confidential meeting the witness will be provided with a non-verbatim written account of the interview to verify.

**Interview respondent:**

The designated investigator(s) will schedule a separate meeting with the respondent(s) named in the grievance.

This confidential meeting will allow the respondent(s) to respond to the allegations and provide their perspective on the situation.

The respondent may indicate other witnesses to be interviewed.

Subsequent to the confidential meeting the complainant will be provided with a non-verbatim written account of the interview to verify.

**Review evidence:**

The designated investigator(s) will evaluate all evidence collected during the investigation, including documentation, witness statements, and any other relevant information.

**Corroborate facts:**

The designated investigator(s) will cross-reference information obtained from different sources to ensure consistency and accuracy.

The designated investigator(s) will verify facts and statements where possible to establish a clear understanding of the situation.

**Analysis and conclusion:**

The designated investigator(s) will analyse the evidence gathered and assess its relevance to the allegations made in the grievance.

The designated investigator(s) will formulate conclusions based on the findings of the investigation, determining whether the allegations are substantiated or unsubstantiated.

**Prepare investigation report:**

The designated investigator(s) will document the findings of the investigation in a comprehensive report.

The report will include a summary of the grievance, detailing the investigation process, findings, and any recommendations for resolution.

**Communicate findings:**

The designated investigator(s) will present the investigation report to the appropriate parties, including the complainant and respondent(s), identified members of the Board of Trustees or designated parties as agreed, in a timely and sensitive manner.

The designated investigator(s) will provide an opportunity for both parties to respond to the findings and offer input on potential resolutions.

**Implement remedial actions:**

If the investigation identifies areas for improvement or corrective action, identified members of the Board of Trustees or designated parties as agreed, will work with relevant stakeholders to implement appropriate remedial measures.

Identified members of the Board of Trustees or designated parties as agreed, will monitor the effectiveness of any remedial actions taken to address the issues raised in the grievance.

**Closure and follow-up:**

Once all necessary steps have been completed, and remedial actions implemented the investigation process will close.

Follow-up reviews will be conducted as necessary to ensure that the issues raised in the grievance have been adequately addressed and resolved.

**Maintain documentation:**

Detailed records of the investigation process, including all documentation, correspondence, and decisions made, will be retained for future reference and accountability purposes.