

POLICY / PROCEDURE TITLE		DATE OF APPROVAL
Grievance Policy		May 2025
APPROVED BY	VERSION NO.	VALID UNTIL
Executive Board	4	May 2028

<b>OWNER</b>	Director of People & Development		
<b>GROUP EXECUTIVE LEAD</b>	Executive Principal (People & Culture)		
<b>DOCUMENT TYPE</b>	Policy <input checked="" type="checkbox"/> Group Procedure <input type="checkbox"/> Local Procedure <input type="checkbox"/>		
<b>PURPOSE</b>	The purpose of this policy is to provide a framework within which any concerns relating to a colleagues employment are managed fairly, consistently and promptly.		
<b>APPLICABLE TO</b>	All NCG employees and members of the Corporation Board.		
<b>EQUALITY ANALYSIS COMPLETED [POLICIES ONLY]</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	(If EA not applicable, please explain)		
<b>KEY THINGS TO KNOW ABOUT THIS POLICY</b>	1. Grievances may be resolved formally or informally. 2. Formal grievances will be subject to an investigation. 3. Following the investigation, the colleague will be informed of the outcome of the investigation. 4. Colleagues have the right to appeal.		
<b>EXPECTED OUTCOME</b>	Readers are expected to understand the organisational position on adoption leave and pay, know their responsibilities in relation to the policy and comply with the terms of the policy.		

MISCELLANEOUS	
<b>LINKED DOCUMENTS</b>	<ul style="list-style-type: none"> <li>Disciplinary policy</li> <li>Whistleblowing (Disclosure) policy</li> </ul>
<b>KEYWORDS</b>	<ul style="list-style-type: none"> <li>Grievance</li> <li>Investigation</li> <li>Appeal</li> </ul>

## Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT			
	Yes	No	Explanatory Note if required
<b>EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in Section 2?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The answer to this must be YES
<b>EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Age</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>Disability / Difficulty</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>Gender Reassignment</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>Marriage and Civil Partnership</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>Race</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>Religion or Belief</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>Sex</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>Sexual Orientation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>EIA4 - Does the policy/process discriminate or victimise any groups or individuals?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
<b>EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this could be yes or no as positive action is lawful. However, an explanation must be provided for clarity.
<b>EIA 6 - How do you know that the above is correct?</b>	Checked as part of the policy review process.		

## **1. POLICY SCOPE**

This policy does not form part of colleague's contract of employment and does not confer any contractual rights. It applies to all NCG colleagues who are employed either on a permanent or temporary basis.

## **2. INTRODUCTION**

The purpose of this policy is to provide a framework within which any concerns relating to a colleague's employment is managed fairly, consistently and promptly. Some concerns may be managed informally in the first instance. Any issues raised should be specific to the colleague and be a current or recent concern, raised within a reasonable period of time from the most recent occurrence. NCG is committed to ensuring that all colleagues are treated with respect and consideration. Bullying and harassment is a serious matter. It is unacceptable in any form and will be dealt with in line with this policy.

## **3. REFERRAL TO AN ALTERNATIVE POLICY / PROCEDURE**

A grievance should not be used to resolve issues that are subject to another formal policy which has the right of appeal (e.g., NCG Disciplinary Policy, or NCG Performance Management Policy). The right to appeal should be exercised under the relevant policy rather than raising a grievance.

Where there are serious concerns or suspicions regarding significant wrongdoing that should be disclosed in the interests of the public, this will be managed in line with the Whistleblowing (Disclosure) Policy.

Where a grievance is found to be deliberately vexatious or malicious this may be treated as a serious disciplinary offence and will be managed in line with the NCG Disciplinary Policy.

## **4. GRIEVANCE**

A grievance is a concern raised verbally or in writing, about any aspect of a colleague's employment. Any potential grievance should not be raised on behalf of another colleague. A grievance must not be anonymous otherwise, it may not be pursued.

NCG has a duty of care to protect all colleagues and we may decide to pursue an issue independently, if it is appropriate to do so in the circumstances, even where a colleague may not want to pursue it further.

## **5. INFORMAL MANAGEMENT OF A GRIEVANCE**

Where concerns regarding an aspect of a colleague's employment are raised with their manager, it should be managed informally in the first instance. Where a grievance is against a colleague's manager, they should speak informally to a more senior manager (e.g. line manager's manager). Informal outcomes should be documented but may vary depending on the nature of the issue raised and what resolutions are possible. Possible resolutions may include

## **6. FORMAL GRIEVANCE PROCEDURE**

Where the matter has not been resolved at an informal level, a formal grievance should be put in writing and submitted to a colleague's manager (**Appendix A**). Where a grievance is against a colleague's manager, it should be submitted to a more senior manager (e.g. line manager's manager).

The grievance should detail:

- The nature of the issue.
- Relevant facts, dates and witnesses.
- Other evidence e.g., emails / documentation.
- Evidence of attempts to resolve the issue informally.
- Desired outcomes.

In some situations, the colleague may be asked to provide further information.

Where a grievance is wholly or partly against another colleague (the respondent), that colleague will be informed of this in writing by the manager investigating the grievance.

## **7. INVESTIGATION**

Where a formal grievance is submitted which hasn't been successfully resolved informally, it will be investigated by a manager in order to establish the facts. All investigations should be carried out as soon as possible after the grievance has been submitted.

As part of the investigation, meetings may take place with all relevant individuals. As these meetings are informal there is no prior notice required no right to be accompanied.

NCG reserves the right to determine whether a meeting is the best means of investigation or whether something different is more appropriate.

## **8. INVITE TO A FORMAL GRIEVANCE MEETING**

Reasonable notice of a grievance meeting will be given in order to prepare. Normally this will be seven calendar days, unless otherwise agreed.

Timeframes may be adjusted at the discretion of the investigation manager to allow sufficient time for the provision of alternative formats of documents to be made available.

The invite to the meeting will confirm the formal procedure is being implemented, the date, time and venue of the meeting and confirm any entitlements (i.e. the right to be accompanied). Meetings may be held face to face or virtually through relevant business software, such as, Microsoft Teams. Colleagues will be given notice of how the meeting will be conducted. If the meeting is to be held virtually, the importance of privacy will be stated and confirmed before the meeting commences.

## **9. RIGHT TO BE ACCOMPANIED**

At formal meetings, colleagues have the right to be accompanied by a trade union representative or an NCG colleague.

The chosen companion will be allowed to address the meeting, respond on the colleagues behalf to any view expressed and sum up the case on their behalf.

However, the meeting is essentially between the colleague and the manager, and is the colleague's opportunity to provide further details, so any questions put directly to the colleague should be responded to by them and not their companion.

Colleagues should make every effort to attend. If the colleague or their companion cannot attend a meeting at the date or time arranged, they should let the manager know as soon as possible and within reason agree an alternative date and time. If a colleague fails to attend without full explanation, or fails to attend a rescheduled meeting, the meeting may take place in their absence.

If a colleague has disclosed an underlying health condition, suffer from a chronic illness or disability, the manager will consider requests for a non-participating health care provider to be present during formal meetings.

#### **10. NOTE-TAKING & RECORDING**

Other colleagues attending the meeting will include a note taker and may also involve a member of the P&D team.

Recording equipment cannot be used at any time during meetings. Non-verbatim notes will be taken during the meeting, and colleagues will be provided with a copy of the notes from their meeting. The colleague or their representative are welcome to take their own notes.

#### **11. DURING THE FORMAL MEETING**

At the meeting, the manager will confirm how the information provided could be used and ask the colleague to explain more about the issues raised. The colleague will be given every opportunity to explain issues relating to their grievance and how they think it should be resolved.

#### **12. OUTCOMES FOLLOWING THE FORMAL MEETING**

Following the formal grievance meeting and subsequent investigation the outcome may be:

- The grievance is upheld.

- The grievance is partially upheld.
- The grievance is not upheld.

For the above outcomes, additional recommendations may also be applicable i.e. training and coaching.

The outcome will be confirmed in writing to the colleague(s) who submitted the grievance and outlining any next steps. The colleague will be notified of their legal right to appeal. Any colleague(s) who the grievance is against will receive written confirmation of the outcome and any next steps.

### **13. RIGHT OF APPEAL**

Colleagues have the right to appeal against the outcome of a formal meeting. They should appeal in writing to the person identified in the outcome letter, stating the full grounds of their appeal within one calendar week of receipt of the outcome letter. If an appeal is not made within seven calendar days, it will be assumed that the colleague accepts the decision.

Any appeal should be exercised under the relevant policy rather than raising a separate grievance under the NCG Grievance Policy.

A manager will be appointed and a further meeting will be held to discuss the appeal. The colleague will have a right to bring a companion in line with other formal meetings.

As the appeal meeting is formal, the same principles will apply to that of other formal meetings with regards to the meeting invitation, rights, attendees, responsibilities and expectations.

Following the formal appeal meeting, the outcome may be:

- The original decision is upheld.
- The original decision is partially upheld.
- The original decision is overturned.

The outcome will be confirmed in writing, outlining any next steps, where appropriate. The appeal manager's decision is final and there is no further right of appeal.

The purpose of the appeal is to consider any of the following raised by the colleague:

- Any new evidence provided.
- Specific appeal reasons.
- Procedural matters.
- Whether the outcome of the grievance was disproportionate to the evidence.

#### 14. SENIOR POST-HOLDERS AND GOVERNORS

Senior Post Holders (SPH) and Governors are defined in the Articles of Government and Standing Orders. Senior post-holders have been agreed within NCG as the members of Group Executive and the Principals of each of the Colleges. Whilst all of these roles are classified as SPH, reporting lines do vary with the following having been agreed:

Reporting to the Chair of Corporation:

- Chief Executive Officer.
- Director of Governance

Reporting to the Chief Executive Officer:

- All other Senior Post Holders.

Any allegations of misconduct will be investigated by an appropriate person. This will normally be as per the table below however with agreement from the CEO and Chair of Corporation this can be delegated to another appropriate manager.

Post Holder	Investigation	Appeal
Chair of Corporation	Vice Chair of Corporation	Chair of Appraisal & Remuneration
Independent Governors	Chair of Corporation	Vice Chair of Corporation
CEO	Chair of Corporation	Vice Chair of Corporation
Director of Governance	Chair of Corporation	Vice Chair of Corporation



All Other Senior Postholders	CEO	Chair of Corporation
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Where there is a recommendation to progress to a formal disciplinary, the colleague will be invited to a formal disciplinary meeting as per the process outlined in this policy and an appropriate outcome issued.

They will receive a response in writing in line with the above process. Should they wish to appeal the decision the appeal should be in writing to the relevant members of the Corporation (Chair / Vice Chair / CEO) via the Director of Governance.

#### **15. VARIATIONS TO THIS POLICY / PROCEDURE**

This procedure is intended as an overview of how to manage with any issues relating to employment, however, it may need to be adapted to suit the needs of each situation. On occasions, it may not be appropriate to follow each of the stages in turn or in the timescale suggested. Regardless of the stage at which this procedure is started, support will be offered and implemented to assist colleagues throughout the process.

#### **16. STATEMENT ON IMPLEMENTATION**

Upon approval, this policy will be uploaded to the policy portal and communicated to staff via The Business Round-Up.

#### **17. STATEMENT ON EQUALITY AND DIVERSITY**

NCG is committed to providing equality of opportunity. Further details of our aims and objectives are outlined in our [Equality Diversity Inclusion and Belonging Strategy](#).

This policy has been assessed to identify any potential for adverse or positive impact on specific groups of people protected by the Equality Act 2010 and does not discriminate either directly or indirectly. In applying this policy, we have considered eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between people from diverse groups.

## 18. STATEMENT ON FREEDOM OF SPEECH

NCG is committed to upholding the principles of freedom of speech as enshrined in UK law. This policy is designed to ensure that all members of our college community, including students, staff, and visitors, can express their views and ideas freely and without fear of censorship or reprisal, provided that such expressions are within the law.

We affirm that this policy does not, in any way, diminish or undermine the rights of individuals under existing Freedom of Speech legislation.

## 19. STATEMENT ON CONSULTATION

This policy / procedure has been reviewed in consultation with P&D colleagues and the Policy Review Council.

VERSION CONTROL				
Version No.	Documentation Section/Page No.	Description of Change and Rationale	Author/Reviewer	Date Revised
1		First version of policy.	HR Director	April 2019
2		Reference to mediation (s6) included. Invite to formal meeting (s8) includes reference to meetings being held virtually Outcome of formal meetings (8) detail included re the outcome for the respondent Right of appeal (s13) detailed included re the purpose of the appeal Grievance form (Appendix A updated)	Director of People & Development	May 2021
3		Wording updated in sections 6 and 7 Section 14 SPH job titles updated		April 2023
4		Section 11 - minor insertion to say how information used will be communicated in the formal meeting Section 14 updated to reflect changes to SPH job titles and grievances re: Chair and Independent Governors		March 2025



## APPENDIX A: Grievance form

Please read the NCG Grievance Policy before completing this form.

<b>Colleague name</b>	
<b>College, Department or Service</b>	
<b>Job Title</b>	
<p>Input nature of grievance, including:</p> <ul style="list-style-type: none"><li>• The reason and basis for the grievance.</li><li>• Full names of any colleagues / witnesses involved.</li><li>• Relevant facts and dates.</li><li>• Any other evidence e.g., emails / documentation.</li><li>• Any attempts to resolve this issue informally.</li><li>• Desired outcomes: Briefly describe how you would like the matter to be resolved and what would be a reasonable outcome for you.</li></ul>	

**Colleague signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_