

THAMES OPERA COMPANY

GRIEVANCE COMPLAINTS

POLICY AND PROCEDURE






UPDATED NOVEMBER 2021

POLICY STATEMENT

Thames Opera Company recognises that from time to time employees/volunteers may wish to seek redress for grievances relating to their employment. The spirit and intention of this Policy is to deal with any grievance as quickly and fairly as possible and to the satisfaction of all concerned. It is anticipated that most grievances will be resolved through informal discussion without the need to invoke the formal grievance procedure

Grievances are concerns, problems or complaints raised by an employee and must be made in writing. However, before using the grievance procedure it is expected that an employee will try to resolve their complaint informally if at all possible. The formal stage of the procedure should only be used when the informal stage has failed to resolve the issue or is not making progress at reasonable speed. This procedure applies to all Eastside employees.

Thames Opera Company's grievance procedure is based on the following principles:

-  employees will first try to resolve their complaint informally if at all possible
-  any formal grievance must be made in writing
-  where more than one employee has lodged a complaint relating to the same, or substantially the same, issue, the complaints may be dealt with together in the interests of fair and consistent decision-making
-  if the employee's immediate manager is the subject of the grievance and for this reason the employee does not wish the grievance to be heard by him or her, it shall be referred to the Chair of the Board of Trustees
-  all proceedings, whether informal or formal, should, so far as is practicable, remain confidential






Mediation:

Sometimes it may not be possible to resolve concerns between those directly involved and a different perspective may be helpful. In these circumstances, either at the informal or formal stages mediation should be considered. Where mediation is considered appropriate, the formal procedure may be temporarily halted

Stage 1 - Informal procedure:

The employee should first discuss their grievance informally with the person involved. If this does not resolve the matter, employees/volunteers are advised to progress to the formal stage.




Stage 2 - Formal procedure:

-  any formal grievance must be made in writing to a trustee, giving as much detail as possible. They will then explore the issues raised by speaking to other Thames Opera Company employees or external contacts
-  They may call a meeting to hear the evidence, witnesses may also be called if necessary and all parties involved will be allowed to attend and make representations at the meeting
-  the complainant is entitled to be accompanied by a work/volunteer colleague from Thames Opera Company or trade union official of their choice. The Trustee may be accompanied by a representative from the Board of Trustees
-  the trustee, in seeking to resolve the complaint, may adjourn the meeting or defer a decision if more information is required
-  following the meeting, he/she will respond to the grievance in writing within five working days; the decision, reasons for that decision and any redress will be communicated to the employee who has made the complaint. Where the complaint is against an individual, both parties will be given a copy of the decision. If it is not possible to respond within this time, the employee must be given an explanation for the delay and told when a response can be expected



If the employee is unsatisfied with the decision, they have the right of appeal.

Appeals:

Should the complainant wish to appeal against the decision of the panel they must do so, in writing, to the Chair of the Board of Trustees within five working days of being informed of the decision from the formal procedure. A request for an appeal must specify the grounds of the appeal preferably under one of the following headings:

-  the nature of any redress
-  the finding of the hearing on a point of fact which is pertinent to the decision of the hearing
-  a failure to adhere to the published procedure.

The appeal will be heard by the Chair of the Board of Trustees or nominated deputy. The trustee that heard the stage 2 grievance will attend to present his findings and reasons for their decision. The Chair of the Board of Trustees will hear all or part of the previous hearing depending upon the nature of the appeal. The Chair of the Board of Trustees or nominated deputy has the scope to:

-  uphold all or part of the previous decision
-  not uphold the previous decision.

If the Chair of the Board of Trustees or nominated deputy decides either to uphold only part of the previous decision or not to uphold the previous decision, they may at their discretion substitute an appropriate remedy of its own choosing. The decision will be confirmed in writing to the employee and there will be no further right of appeal.

Please note all the timescales outlined in this policy may be amended where there is mutual agreement to do so.

Modified grievance procedure:

Where an individual is no longer an employee/volunteer by Thames Opera Company, and they did not raise their grievance prior to the end of their employment the modified grievance procedure may apply. The modified grievance procedure allows former employees/volunteers to write to Thames Opera Company and formally outline their grievance. Thames Opera Company will respond in writing to the former employee/volunteer within a reasonable time period. However, employees/volunteers should endeavour to raise any grievance prior to the termination of their employment.

Further information:

ACAS Code of Practice on Disciplinary and Grievance Procedures

<http://www.acas.org.uk/CHttpHandler.ashx?id=1047&p=0>

The designated people responsible for grievance matters at Thames Opera Company are:

Chair of the Board of Trustees

TBC

This policy has been endorsed by the Board of Trustees who give their full support to its implementation.

I and the other members of the Board of Trustees are committed to this policy and to the implementation and maintenance of the highest standards of behaviour. We expect every member of Eastside to share this commitment and to work together to achieve it.

TBC

Chair of the Board of Trustees

Thames Opera Company

19th November 2021

This policy is monitored periodically to judge its effectiveness and is updated in accordance with changes in the law. This policy was last updated on: 19th November 2021