



The Pembroke Centre (the home of Wilton RDA)

Complaints policy

1. Purpose

In this policy “they”, “them”, and “their” are used to refer to both employees and volunteers unless the policy states otherwise. Where a provision applies only to employees or only to volunteers, this is made clear in the text.

This policy is intended to help them raise concerns in a way that is clear, fair, and respectful. It explains the steps the Pembroke Centre will take to listen, respond, and try to resolve grievances appropriately.

The Pembroke Centre aims to treat them fairly and offer them the same support where possible. Where this policy applies differently, this is explained in the relevant section. Employees can be required to follow this process as part of the conditions of their employment. Volunteers do not have a contract with the Pembroke Centre, so the law does not require this procedure to apply to them in the same way. Volunteers may use this procedure, but they cannot be required to do so.

2. Relevant legislation

- Employment Rights Act 1996
- Equality Act 2010
- Data Protection Act 2018
- Charities Act 2011

This policy also complies with the ACAS Code of Practice on Disciplinary and Grievance Procedures.

This policy confirms that:

- They may be accompanied at a grievance meeting or appeal by a workplace colleague or other companion. That person may help present the case, speak at the meeting, and provide support, although they may not answer questions on their behalf or prevent them from explaining their own concerns.
- The Pembroke Centre will give them reasonable notice of grievance and appeal meetings. If their companion is unavailable on the proposed date, they may request a postponement and suggest an alternative date within five

working days of the original date, unless it is unreasonable not to agree a later date.

- Any changes to the time limits in this procedure must be agreed by them and the Trustees of the Pembroke Centre.
- They have the right to appeal against the outcome of their grievance. The appeal decision is final.
- Information relating to a grievance will be handled sensitively and shared only with those who need to be involved in the process. Records of the grievance, its outcome, and any action taken will be kept confidential and managed in line with data protection requirements.
- Audio or video recordings of any stage of the grievance procedure are not permitted unless all affected parties agree that recording is a reasonable adjustment, for example because of a medical condition.
- If an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after the disciplinary procedure has been completed.
- If a grievance is not upheld, no disciplinary action will be taken against an employee who raised the grievance in good faith.
- The Trustees may consider mediation at any stage of the grievance procedure where this could help resolve matters constructively, for example where there has been a breakdown in communication or concerns about bullying or harassment. Mediation is voluntary and will only take place with the agreement of everyone involved.
- If an employee believes that their grievance relates to safety in the working environment, whether or not it also concerns a complaint against a Trustee, they should raise those concerns with their line manager at the informal stage. The line manager will consider whether further action is needed under the Pembroke Centre's other relevant policies, such as health and safety or dignity at work.

4. Informal grievance procedure

Where possible, concerns should be raised and resolved informally and as early as possible. They are encouraged to speak first with the appropriate person so that issues can be discussed openly and, where possible, put right quickly. Employees should speak with their manager, and volunteers should speak with their Volunteer Co-ordinator or the Centre Manager. If the concern involves the manager, the employee should raise it with another Trustee. If the complaint concerns a Trustee, it may be appropriate to involve that Trustee at the informal stage, provided they and the Trustees agree.

5. Formal grievance procedure

If a concern cannot be resolved informally, they may raise a formal grievance in writing to the Chair of the Trustees. This ensures the matter can be considered fully and fairly.

The Chair will appoint a sub-committee of three Trustees to consider the grievance. One member will act as Chair of the sub-committee. Any Trustee who has been directly involved in the matter will not take part, so that the grievance can be considered fairly and impartially.

Investigation

- If the sub-committee believes that further fact-finding would be helpful, for example because the grievance is complex, it may appoint an investigator before the grievance meeting. This may include speaking with the person who raised the grievance, as well as other employees, volunteers, or members of the public where relevant.
- The investigator will summarise their findings, usually in an investigation report, and present them to the sub-committee.

Notification

Normally within 10 working days of receiving the grievance, unless more time is needed for an investigation, the Trustees will write to invite them to a grievance meeting. The letter will set out the information needed to help them prepare, including:

- the names of the Chair and the other members of the sub-committee
- the date, time, and place of the meeting; reasonable notice will be given, and the meeting will normally take place within 25 working days of the grievance being received
- their right to be accompanied by a workplace colleague or companion
- a copy of the Pembroke Centre's grievance policy
- confirmation that witnesses may attend, or provide written statements, on their behalf where necessary, and that witness names should be provided as soon as possible before the meeting
- confirmation that they should provide any supporting evidence to the sub-committee in advance of the meeting, usually with at least two working days' notice
- the findings of any investigation, where an investigation has taken place
- an invitation to request any reasonable adjustments for the hearing, for example because of a health condition

The grievance meeting

At the grievance meeting, the following will usually happen:

- members of the sub-committee, they, and their companion may question any witness
- they, or their companion, will have the opportunity to sum up the case
- the meeting may be adjourned if further investigation is needed into matters raised during the hearing

The Chair will normally provide them with the sub-committee's decision in writing within five working days of the meeting. The letter will explain any action the Pembroke Centre will take and, where relevant, the employee's right to appeal.

6. Appeal process for employees

1. If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the Chair of the Trustees. An appeal must be received by the Trustees within five working days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.
2. Appeals may be raised on the following grounds:
 - a failure by the Trustees of the Pembroke Centre to follow its grievance policy
 - the decision was not supported by the evidence
 - the action proposed by the sub-committee was inadequate or inappropriate
 - new evidence has come to light since the grievance meeting
3. If the appeal request meets the criteria above, your complaint and correspondence from the group will be sent to info@rda.org.uk. Who will process and hear the appeal.