

# ERUS - MAS01

## How to submit a formal grievance

### CSP advice for members

#### INTRODUCTION

When you think about lodging a grievance with your employer it's usually when you are feeling particularly upset and angry with how you have been treated. However, before you pursue this option you should consider what is involved. You can expect to spend considerable time composing various draft statements and seeking out any evidence helpful to your case. The process can be emotionally draining as you have to go over the past events and behaviours, often several times, through drafting your grievance and then discussing your case with your employer. Regardless of your efforts, often the outcome may not have been what you had hoped for. It is a big commitment for you to make and we therefore advise only submitting a formal grievance in the following circumstances:

1. Informal attempts by you to resolve the issue have failed.
2. The situation is untenable and/or working relationships have broken down and you want the managers above your immediate line manager (who may be the cause or have failed to deal with the problem/situation) to resolve it.
3. The action, behaviour or breach is likely to continue unless you get your employer to recognise there is a problem and to take effective action.
4. You may want to submit a legal claim against your employer. If you meet the stringent criteria to proceed to an employment tribunal, they expect evidence of your efforts to resolve your concerns through lodging a formal grievance.

#### BEFORE SUBMITTING YOUR GRIEVANCE

Your employer should have a policy about submitting a grievance and it is very important that you read it carefully and follow any deadlines or actions set out in it. For example, if you are complaining about a management decision – it may say you have two weeks from the date of that decision in which you can submit your complaint. It may also state that you must have made attempts informally to resolve your concerns with the relevant manager or individual concerned.

#### WRITING YOUR GRIEVANCE

Your aim should be to write a succinct grievance letter that contains 3 things

1. Outlines clearly the breaches and omissions of the employers own policies.
2. Gives a short chronology of the facts which should be bullet pointed under each issue you wish to complain about.
3. Clearly sets out a realistic request/outcome on what it is you want the employer to do to resolve your complaint/s.

Your Grievance should also include these details:

- The dates/times of incidents – if you can't remember the date give an approximation of when it happened, (for example – 'in early March').
- Where the incidents took place. The names of the people involved
- Names of any witnesses if relevant

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#### TOP TIPS FOR A GREAT STATEMENT

- ✓ **Be concise** in explaining how you felt or how the behaviour you are talking about caused you to feel. Don't over-use adjectives to describe your feelings as you run the risk of having your complaint dismissed as 'not rational' or someone who is being 'unrealistic' or 'unreasonable'. You may want to express your anger or feelings but you also should consider how an impartial third party will view your behaviour. Follow the general rule of not writing anything to your employer that you wouldn't be prepared to see in a legal deposition.
- ✓ **Use 'I'** not 'he', 'she' or 'they' when setting out your case. For example, say "*I felt that he didn't respond to my application for flexible hours fairly*". Unless you know it's an absolute indisputable fact, preface your sentence with *I think, I feel, I believed, I understood*
- ✓ Do include examples of **the impact** of your experience and how it has affected your health, well-being and or ability to undertake your job.
- ✓ If your grievance contains a series of incidents it best to list them as far as practicable in **chronological order** or in **themes**, whichever seems more appropriate.
- ✓ Under each event set out **your evidence**, for example a letter, relevant policy or a witness statement to support your complaint. You can use appendices for separate bits of evidence e.g. photocopies/screen shots etc. Be as specific and factual as possible.
- ✓ Don't give your personal opinions or make accusations or assertions about anybody that you can't prove.
- ✓ It's a good idea to get **someone impartial** to read your statement and who you know will give you honest feedback. You want to know: is the information contained in the statement clear and easily understood? Is the story you are setting out easy to follow and comprehend? Are your concerns and what you want done about them reasonable? Do you come across as a reasonable person?
- ✓ **Edit it**, - certainly if your grievance is beyond five pages. The most effective grievance statement will be two pages - maximum. Most first drafts need work. Take time out (ideally 24 hours) before you review your statement. That way you will see it with fresh eyes and will see what is good or needs work. Be objective, if you can when re-reading your statement. Ask yourself the following:
  - Is it clear what happened and why?
  - Do I back up what I'm saying with sufficient and credible evidence?
  - Am I clear in what I want them to do about it?
  - Do I come across as somebody with a legitimate grievance?