



**GRIEVANCE POLICY AND PROCEDURE**

**OCTOBER 2024**

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**1. PURPOSE**

- 1.1 The Company recognises that its employees may have, from time to time, concerns about the actions or behaviours of colleagues towards them or about the application of the Company's policies, procedures and practices in relation to them as individuals.
- 1.2 The Grievance Policy and Procedure provides an internal mechanism for employees to raise concerns, which aims to address these fairly and efficiently, at the earliest opportunity, to the satisfaction of all parties, and to prevent disagreements developing into more serious disputes.

**2. SCOPE**

- 2.1 All employees have the right to raise a grievance for matters that arise from their employment, which directly affect them as individuals, and for which there is no other appeals mechanism.
- 2.2 This is a group level policy that applies to all employees of Anglian Water Group Limited and its subsidiaries (including but not limited to Alpheus Environmental Limited, AVH Parks Limited, TIDE Services Limited and AWG Group Limited) but excluding Anglian Water (Ireland) Limited and Wave Limited (and their respective subsidiaries, which include Celtic Anglian Water Limited and Anglian Water Business (National) Limited).
- 2.3 This policy is not intended to be used for:
- Concerns about the actions or conduct of other employees/contractors that do not directly affect the individual – these should be raised via the Company's [Whistleblowing Policy](#).
  - Agency Workers or Contractors.
  - Matters that are subject to collective consultation/negotiation between the Company and its recognised Trade Unions.
  - Collective grievances, i.e. those raised on behalf of two or more employees by a representative of a recognised trade union or other appropriate workplace representative. These grievances should be managed in accordance with the Company's collective grievance process as detailed in the Company's Trade Union Recognition [Agreement](#).

**3. STATUS**

- 3.1 This policy is a Collective Agreement.

**4. POLICY OWNER**

- 4.1 Head of Employee Relations.

**5. POLICY**

- 5.1 The Company recognises that the grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated fairly, calmly and with respect. It is Company policy to resolve concerns informally and promptly wherever possible. Where it is not

possible to resolve concerns informally, the Company is committed to trying to resolve all formal grievances in a timely manner, without unreasonable delay.

- 5.2 In some cases, it may be determined that it is not appropriate to adopt an informal approach, but to follow the formal procedure immediately (see [Section 6.2](#)).
- 5.3 All grievances should be submitted promptly, or in any event within 12 weeks of the incident (or the latest incident if a series of incidents) which gave rise to the grievance. If the grievance is related to concerns about incidents which took place over 12 weeks ago, significant reasons must be given for the delay in submitting the grievance, otherwise it may not be heard.
- 5.4 Where an employee with a disability requires adjustments to be made in order to allow them to attend a meeting or to participate in the process fully, they should contact the appropriate Employee Relations Manager (ERM) or Employee Relations Advisor (ERA) as soon as possible.
- 5.5 All grievances will be treated in confidence. Information will be shared only with those necessary to resolve the grievance – this should be agreed with employees before an investigation into the grievance begins, and with all parties (including representatives) throughout the process. Breaches of confidentiality may result in disciplinary action.
- 5.6 Grievances can be withdrawn at any time; this must be confirmed by the employee in writing and must be acknowledged, in writing, by the appropriate ERM/ERA. For concerns considered serious by the Company (e.g. health and safety), the Company may be obliged to continue its investigations even if the employee withdraws the grievance. This will be confirmed in writing to the employee by the appropriate ERM/ERA.
- 5.7 The Company reserves the right not to accept a grievance that it considers to be a misuse of the intention of this policy, (e.g. if the Company considers a newly submitted grievance is merely an attempt by an individual to re-open a grievance that has been concluded within the previous 12 months, without new information or evidence being provided). In these circumstances, the grievance will be considered by the appropriate ERM/ERA who will make a final decision and confirm to the employee in writing.
- 5.8 Allegations found to be malicious, vexatious or untrue may be managed under the Company's [disciplinary procedure](#).
- 5.9 5.1 refers to all employees, including those against whom a grievance has been raised. For the purpose of clarity and simplicity, in this document the term 'aggrieved' will be used to reference the individual raising the grievance and, where appropriate, the term 'respondent' will be used to reference the employee/s against whom the grievance has been raised.
- 5.10 All employees will be given guidance and support throughout the grievance process as appropriate. The Company's independent Employee Assistance helpline is a confidential service available 24 hours a day, 7 days a week. They provide health and wellbeing support for employees during their employment, including throughout any grievance procedure. They can be contacted on freephone **01480 323323 (option 4)** and further details are available on [Lighthouse](#).

## 6. PROCEDURE

### 6.1 Informal Procedure – **STEP 1**

- 6.1.1 Grievances should be raised informally by the aggrieved through open discussion with the Line Manager in the first instance. If the grievance relates to the Line Manager, the concerns should be raised with another manager or a senior manager.
- 6.1.2 The Line Manager will try to resolve the concerns promptly and informally, alerting the respondent of its existence, where appropriate. This may include arranging a facilitated discussion with the agreement of all parties (see Facilitated Discussions at [Appendix 2](#)).
- 6.1.3 The Line Manager or nominated appropriate person will carry out an investigation and advise the aggrieved and the respondent, where appropriate, of the outcome of their investigation.
- 6.1.4 Throughout this process, care should be taken to ensure both the aggrieved and the respondent, where appropriate, are aware of the support options available to them.
- 6.1.5 If the aggrieved is satisfied with the outcome of the informal procedure, the Line Manager will create a file note confirming this.
- 6.1.6 If the aggrieved is dissatisfied with the outcome of the informal procedure or an ERM/ERA agrees their grievance to be heard formally at the outset, the formal procedure at **step 2** below must be followed.

### 6.2 Formal Procedure – **STEP 2**

- 6.2.1 The formal procedure should be used only where it has not been possible to resolve the aggrieved employee's concerns informally or it is inappropriate for the grievance to be heard informally.
- 6.2.4 A formal grievance must be submitted in writing and must contain sufficient information to allow the Company the opportunity of understanding the concerns and to be able to investigate them. Please see [Appendix 1](#) for guidance.
- 6.2.5 A manager will be appointed to act as the Investigating Manager responsible for conducting a thorough investigation into the concerns raised in the formal grievance. This will be a manager of at least equivalent seniority to the aggrieved employee's Line Manager. The Investigating Manager will be supported by an ERM or ERA, who will offer advice and guidance on procedure.
- 6.2.6 The Investigating Manager should identify the appropriate time to inform the respondent of the grievance's existence. Consideration should be given as to the appointment of an independent manager as a source of support for the respondent, who should again be at least equivalent to the Investigating Manager in seniority. This Supporting Manager is not to be confused with the right to be accompanied representative (see point 7). Normally, the individual engaged to fulfil the right to be accompanied will act as a point of support, but on some occasions, an individual outside of this role may be requested.

- 6.2.7 Typically, the Investigating Manager will hold a face to face meeting with the aggrieved employee when confirming the specific concerns to be investigated. Alternatively, the parties may agree to carry out the meeting in correspondence.
- 6.2.8 The Company will provide a minimum of 48 hours' written notice of all formal face to face meetings unless otherwise agreed in advance.
- 6.2.9 Normally, the Company will make a record of all formal face to face meetings. The employee's use of personal electronic recording equipment of any description is not permitted during any meetings within this procedure.
- 6.2.10 After the investigation has been concluded, the outcome, including any recommendations, will be communicated in writing to the aggrieved and respondent employee (as appropriate) by the Investigating Manager.

### 6.3 Appeals - **STEP 3**

- 6.3.1 If an employee wishes to exercise their right of appeal, they must:
- submit their appeal in writing, within 14 calendar days from the date the outcome decision was communicated to them;
  - address their appeal to the Employee Relations Manager and send it to the [employeerelations@anglianwater.co.uk](mailto:employeerelations@anglianwater.co.uk) mail box;
  - clearly state their grounds of appeal, which must be about:
    - a failure in the process;
    - a misinterpretation of evidence or events;
    - the availability of new evidence; and / or
    - a belief that the outcome/sanction was unreasonable, inconsistent or erroneous in the circumstances;
  - not use the appeal procedure to raise new, unrelated, issues that have not been mentioned previously; and
  - indicate whether they wish their appeal to be heard face to face or through correspondence.
- 6.3.2 The [Appeal Procedure](#) will be followed.
- 6.3.3 The decision reached by the Appeal Manager will constitute the Company's final response.
- 6.3.4 An employee cannot raise an individual grievance **within 12 months** of the resolution / outcome / withdrawal of the same or related grievance(s) unless:
- agreed management action has not been implemented; or
  - the circumstances / facts of the grievance(s) have changed substantially.

## 7. **RIGHT TO BE ACCOMPANIED**

- 7.1 All employees involved in this process (aggrieved, respondent and witnesses) have the right to be accompanied by a fellow worker or recognised Trade Union representative at formal meetings under this procedure.
- 7.2 It is the responsibility of the employee to arrange their own companion and provide their companion with any relevant information.

- 7.3 If the employee wishes to take up their right to be accompanied, they must notify the Company who they have chosen to accompany them without unreasonable delay and as far as possible in advance of the meeting.
- 7.4 If the chosen companion is unable to attend a meeting, another date for the meeting can be suggested, as long as it is reasonable and not more than 7 calendar days after the date originally proposed by the Company. The Company will make reasonable efforts to agree an alternative time and date.
- 7.5 The chosen companion may address the meeting, put forward and sum up on behalf of the employee and confer with the employee during the meeting. The chosen companion is not permitted to answer questions on behalf of the employee, address the meeting without the employee's express permission, or prevent them from offering explanations.

## **8. LEAVERS**

- 8.1 Wherever possible grievances should be dealt with before an employee leaves the Company.
- 8.2 The full grievance policy and procedure may apply for any employee who leaves the Company part way through the procedure. In these circumstances the grievance will be managed via correspondence.
- 8.3 Where a former employee raises a grievance, the matter will be managed via correspondence and the following will apply:
- The grievance should be submitted promptly, or in any event within 12 weeks of the incident (or the latest incident if a series of incidents) which gave rise to the grievance. If the grievance is related to concerns about incidents which took place over 12 weeks ago, significant reasons must be given for the delay in submitting the grievance, otherwise it may not be heard.
  - The basis for the grievance must be set out in writing and sent to the Company. This must contain sufficient information to afford the Company the opportunity to understand the concerns and to be able to investigate them.
  - It is the responsibility of the person submitting the grievance to establish the correct address or email address to ensure secure and timely receipt by the Company.
  - The Company will investigate the points raised in the grievance and set out its response in writing to the individual. This will constitute the Company's final response.
  - Where a current employee is named as a respondent in the grievance, they should be made aware of the grievance in a timely manner and support provided.

## **9. SUPPORT FOR THE EMPLOYEE AGAINST WHOM A GRIEVANCE IS RAISED**

- 9.1 The respondent should continue to be treated with the same empathy, fairness and understanding as all employees. No judgement or action will be taken without the conclusion of a thorough investigation.
- 9.2 The Company recognises that having a grievance raised against you can feel both professionally and emotionally challenging and may have a significant impact on health and well-being. The role of the respondent's Wellbeing Contact is to act as a

welfare contact point – someone who is not involved in the grievance process to whom the employee can look for support.

- 9.3 The appointment of a Wellbeing Contact should be discussed with the respondent for their input. Once the Investigating Manager has reviewed any suggestions and a manager identified and agreed with the respondent, the identified manager should be approached, and the private and confidential nature of the matter stressed.
- 9.4 The Wellbeing Contact will remain in place until the grievance is concluded, regardless of the outcome. The Wellbeing Contact, where appropriate, may be asked to assist the respondent with any remedial actions identified in the grievance outcomes.
- 9.5 The respondent should confirm in writing if they do not require the role of Wellbeing Contact to be appointed.
- 9.6 The Company's Employee Assistance Programme will also be in place as a source of support.

## **10. OVERLAPPING POLICIES AND PROCEDURES**

- 10.1 Where the aggrieved or respondent is being investigated under the Company's Disciplinary, Performance Improvement or Supporting Attendance policies, it may be appropriate to manage the issues concurrently, particularly if they are related. Normally, the grievance procedure will not be delayed by any other Company policy or procedure.

## **11. RECORDS**

- 11.1 It is the Company's standard practice that all written correspondence will be sent by email. Where this is not possible (i.e. the employee does not have a Company email account), it will be sent by standard mail.
- 11.2 All information will be held on the appropriate employee's record in accordance with the Company's Data Retention [Policy](#).

## **12. FURTHER ASSISTANCE**

- 12.1 Please contact your Employee Relations Manager / Employee Relations Advisor for further assistance. Details of the areas covered by each ERM/ERA can be accessed [here](#).

### **LAST REVIEWED**

October 2024

### **NEXT REVIEW**

October 2027



**APPENDIX 1: HOW TO SUBMIT A FORMAL GRIEVANCE**

Formal grievances must be submitted in writing by either:

- a. email – these should be marked 'Private & Confidential' and be addressed to the [employeerelations@anglianwater.co.uk](mailto:employeerelations@anglianwater.co.uk) mail box;

OR

- b. letter – these should be marked 'Private & Confidential' and be addressed to the Employee Relations Team at Anglian Water, Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, PE29 6XU.

The grievance should be signed and dated, and the content should include:

1. The names of the people involved.
2. The specific nature of the complaint, including dates, times and locations.
3. The facts, with reference to any documents or incidents and relevant dates.
4. How the employee feels they have been disadvantaged or adversely affected (specific examples would be helpful here).
5. Any other relevant material (e.g. certificates, data, emails, documents).
6. The names of any witnesses.
7. The details of any informal discussions and/or action taken to try to resolve the concerns.
8. The outcome that the employee is seeking – what they would like to happen in order to resolve the issue for them.

Grievances should not be submitted direct to Management Board level (e.g. the CEO) unless it is raised by one of their direct reports. If a grievance is submitted inappropriately direct to Management Board level it will be redirected automatically to the Employee Relations Team.

## APPENDIX 2 – FACILITATED DISCUSSIONS

### 1. PURPOSE

- 1.1 No matter how successful a team or organisation, difficulties in communication are almost inevitable when any group of people work together. Differing beliefs, values, goals and life experiences can all have the potential to contribute to misunderstandings. Although most problems can be resolved easily, occasionally conflicting perspectives and expectations can escalate into something more difficult and/or complex.
- 1.2 Recognising this, the Company supports the use of facilitated workplace discussions, aimed at reaching a solution that is agreeable to all parties and with a view to building more successful teams and maximising organisational performance.
- 1.3 Participation in a facilitated discussion is voluntary and it will take place only where all parties involved agree to it. A facilitated discussion does not replace the Company's formal procedures, including grievance. However, it may be used prior to or after the formal procedures if required.
- 1.4 This guidance explains when and how facilitated discussions should be used.

### 2. SCOPE

- 2.1 A facilitated workplace discussion may be appropriate in the following circumstances:
  - resolving conflict involving colleagues of a similar job or grade, or between a line manager and his/her team;
  - rebuilding relationships after a formal dispute has been resolved; and
  - addressing a range of issues, including relationship breakdown, personality clashes and communication problems.
- 2.2 A facilitated workplace discussion may not be suitable in the following circumstances:
  - when used as a first resort, i.e. employees should speak to each other and talk to their managers before seeking a solution through a facilitated discussion;
  - when used by a manager to avoid his or her managerial responsibilities;
  - where a decision about right or wrong is genuinely required to resolve a dispute (e.g. for a matter that should be dealt with through the disciplinary process); and
  - where an individual raising discrimination or harassment concerns requires the allegations to be investigated.

### 3. PROCEDURE

- 3.1 The facilitator (usually an HR Representative)
  - will have had no previous involvement in the dispute;
  - is responsible for facilitating and determining the format of the discussion;
  - has no legal power, does not impose solutions and makes no attempt to judge the situation;
  - helps those involved to communicate, negotiate and work towards their own agreement; and
  - facilitates a safe and respectful discussion in a neutral location.

3.2 It is very important that at all stages all parties should remember participation in a facilitated workplace discussion is voluntary, with the facilitator or parties involved having the right to end the process at any time.

3.3 The facilitator and parties involved in the mediation are required to treat any information received during the process as confidential. The mediator will not pass on information from any party without their prior consent.

3.4 Workplace facilitated discussion: **Stage 1**

The facilitator has a private meeting with each party separately. At each of these initial meetings, the party is given an explanation of the workplace facilitated discussion and the opportunity to ask any questions. The facilitator asks those involved to discuss their perspective of the situation and how they believe it is affecting them.

The main issues involved are clarified and potential ways of resolving them explored. At the end of the meeting, the facilitator discusses and confirms with the parties their agreement to continue with a workplace facilitated discussion and how they wish to proceed.

3.5 Workplace facilitated discussion: **Stage 2**

In most cases a joint face-to-face meeting is arranged. This meeting can take place only if the facilitator and parties involved choose to participate and agree the meeting arrangements and procedures.

When facilitating face-to-face meetings, the facilitator ensures that they are safe and controlled, and ensures that each party is given the opportunity to speak and to respond to the issues raised.

3.6 Facilitated discussion - meeting format

The workplace facilitated discussion described here may be varied depending on the circumstances.

- The facilitator confirms:
  - how the meeting will be conducted; and
  - explains the role of the facilitator and what is expected from the parties.
- The facilitator or parties involved have the right to end the meeting at any time.
- Breaks or requests for separate meetings between one party and the facilitator may be made.
- All participants are asked to agree certain ground rules for the meeting.
- Each of the parties involved is given an opportunity to speak about the situation, without being interrupted.
- The issues to be discussed at the meeting are clarified and confirmed.
- The facilitator works through these issues with the parties, helping them to communicate, negotiate and work towards their own agreement.
- Any agreement reached is the responsibility of the parties themselves and is not legally binding.

2.7 Conclusion of workplace facilitated discussion

The facilitator confirms the end of the facilitated discussions by writing to the parties; a report is not produced and normally the facilitator's notes will be retained on the relevant personnel files, in accordance with the Company's Information Retention Policy.