

GOVERNANCE ACADEMY

TRUSTEE GRIEVANCE PROCEDURE

Grievance is more commonly considered from the point of view of staff but like the Trustee Whistle Blowing Policy a charity would also benefit from a Trustee Grievance policy. This procedure is intended to facilitate the resolution of grievances that a trustee or group of trustees may have concerning their treatment by another trustee or trustees a member of staff or the board of trustees. In most case trustees will be able to resolve grievances through informal process but where that does not work then this procedure may be used.

TRUSTEE GRIEVANCE POLICY

Policy statement

The charity places responsibility upon all trustees to develop constructive working relationships so that:

- The individual needs and expectations of trustees to be treated fairly and with respect are recognised
- Any individual trustee's problems are dealt with promptly, fairly and frankly;
- Confidentiality with regard to any grievance brought is respected as far as possible; and
- The collective authority of the board of trustees are respected.

Informal procedure

Where a trustee has a grievance relating to their treatment they are encouraged to raise it first informally with the chair or, if the grievance concerns their treatment by the chair, with another trustee designated for that purpose. This might be the vice chair or such other trustee who has been designated to hear grievances in such circumstances. If the trustee remains dissatisfied the following formal procedure should be followed.

Formal grievance procedure

The trustee should set out the grievance in writing to the chair or the designated alternate. The trustee should set out clearly the nature and extent of the grievance.

The chair or the designated alternate will send the trustee a written acknowledgement of receipt of the grievance and will invite the trustee to submit any further information required and to attend a formal meeting to discuss the grievance. This meeting will take place within seven working days of the date of that acknowledgement provided:

1. The trustee has provided the chair or the designated alternate with all requested information relating to the grievance.
2. The chair or the designated alternate has had a reasonable opportunity to consider the information and if necessary to take professional advice.

The trustee can choose to be accompanied to the meeting by a fellow trustee. Should the trustee wish to be accompanied, they should inform the chair or the designated alternate in advance of the meeting.

At the meeting, the trustee will have the opportunity to explain their grievance and may call witnesses. The chair or the designated alternate may require any other person that the grievance concerns to attend the meeting and give evidence. All parties will be given the opportunity to question any other parties present through the chair or the designated alternate. If witnesses are called, they may only remain in the meeting while they give evidence and answer questions. The chair or designated alternate will consider the oral and written submissions made, asking for clarification where necessary and asking questions of the aggrieved trustee, any other party and witnesses as necessary. At the end of the meeting the trustee will be given the opportunity to sum up their grievance.

The meeting will be adjourned while the chair or designated alternate considers the matter and reaches a decision. The chair or designated alternate will then either reconvene the meeting and give the decision orally to the trustee confirming it in writing within seven working days, or the chair or designated alternate will notify the decision in writing to the trustee within seven working days of the meeting. The trustee will have the right to appeal.

Appeal procedure

If the trustee is dissatisfied with the outcome of the meeting they may appeal in writing to the board of trustees within ten working days of receipt of written notification of the decision. The trustee must state the full grounds of their appeal and provide all necessary supporting documentation. A further meeting will be held to consider the appeal, which will be heard by a panel of at least three trustees excluding any who heard the initial grievance or who are the subject of the grievance. If three such trustees do not exist, an external, totally independent, well-respected adjudicator will hear the appeal. A decision will be given in writing to the trustee within ten working days of the appeal being heard. That decision will be final.

Supporting advice

The board of trustees is responsible for ensuring that that decisions are consistently applied in accordance with this grievance procedure.

The secretary or other designated officer or adviser is responsible for advising the chair and trustees on the application of procedure and principles in relation to all grievance matters and for helping to maintain consistency. The secretary or other designated officer or adviser must be consulted at all stages under the formal procedure and is also there to advise during any informal process.

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