



## **Bangla-German Sampreeti (BGS)**

4/16 (2<sup>nd</sup> Floor) Humayun Road,  
Mohammadpur, Dhaka-1207

# **GRIEVANCE POLICY**

Dhaka  
18 September 2019



## 1. Statement of General Policy

From time to time, an employee may have problems or concerns relating to their work, working environment or working relationships which they are unable to resolve. Accordingly, in these circumstances the employee may wish to raise a grievance. All employees employed by Bangla-German Sampreeti (BGS) have the right to raise both informal and formal grievances. This policy details the approach of BGS in respect of how informal and formal grievances will be dealt with. Management and employees will share a common interest in the speedy settlement of issues causing dissatisfaction either to an individual or to a group of employees.

This policy will be applied without any distinction as to sex, gender, age, marital or parental status or other family circumstance, race, ethnic or national origin, colour creed, disability, political belief, membership of or activities as part of a trade union or social or economic status.

## 2. Introduction

### What We Aim To Do

- 2.1 BGS aims to ensure that all employees are managed well and any employee issues are resolved quickly and locally.
- 2.2 BGS so far as is reasonable to ensure that any grievances, both individual and collective, are dealt with in a fair and consistent manner, and every effort will be made to reach an amicable resolution of the grievance raised.
- 2.3 BGS aims to ensure that appropriate information and induction in the application of this Policy and Procedure is provided for all Managers.
- 2.4 Managers of different levels of organization will be responsible for ensuring that their employees have the opportunity to become acquainted with the Policy and Procedure. It is expected that Managers will be aware of their own responsibilities under the Policy and Procedure and ensure that these responsibilities are observed and followed as and when required.
- 2.5 The aim of the Policy is to resolve issues as close to the problem as possible.

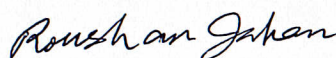
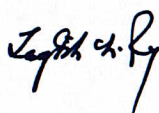
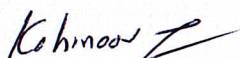
## 3. When to use the procedure

- a. If a member of staff considers that his or her concerns have not been addressed adequately, s/he may raise a grievance under the following procedure.
- b. This procedure is to be used when an employee wishes to raise a grievance in connection with their treatment at work that affects them individually.
- c. Any concerns that a member of staff has regarding disciplinary action being taken against her or him should be raised as part of his/her response to the disciplinary action and will be considered within that process.

## 4. Procedure:

### Right to be accompanied

At every stage of this procedure the complainant may be accompanied by a work colleague. If the complainant's representative is unavailable at any meeting, the





complainant may request a postponement providing that it is a suitable alternative date within 7 calendar days of the original date.

The schedule for this procedure is designed to ensure grievances are addressed promptly but may be amended in exceptional circumstances with the agreement of both parties. This procedure will be followed in the strictest confidence throughout.

Please see Appendix A-Notes for Guidance Concerning BGS Individual Grievance Procedure.

## **5. Grievance Procedure**

### **Stage I**

#### **(Informal Resolution)**

An individual member of staff with a grievance must present his/her concerns in writing to her/his line manager or the Head of Department. The aim at this stage is to resolve the matter informally. Once the grievance is clear, the line manager will meet with the member of staff (the "complainant") to discuss his/her concerns. Following the meeting, the line manager/ Head of Department considering the grievance will make a written response to the complainant on the issues raised. Any manager wishing advice about the appropriate response should contact HR.

If an acceptable solution cannot be found through Stage I of the process, the complainant may consider pursuing Stage II. Stage II may only be pursued if the Stage I resolution is unsatisfactory.

### **Stage II**

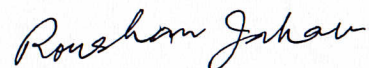
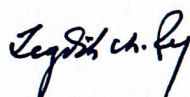
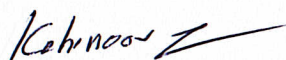
#### **Formal Resolution**

If the issue is not satisfactorily resolved at Stage-I, the complainant may request that the grievance be heard through Stage-II. The grievance should be made in writing to the HR Officer, explaining the outstanding concern and why attempts to resolve it have proved unsuccessful. Evidence should be provided where appropriate. HR will provide the individual with acknowledgement of the letter within 5 days along with a copy of the grievance procedure.

The grievance and supporting papers will be forwarded to the person complained against (the "respondent") and s/he will be asked to respond to the grievance in writing, usually within five working days.

A panel will be the following structure considering the below issues:

- i). Convener-01 person, will be his/her supervisor
- ii). Member-02 persons, who:
  - a. Are not well known to the complainant or respondent
  - b. belong to their department and
  - c. Are not aware of the case in question.





Ideally,

- a. One panel member will be a manager;
- b. The second should have a legal or HR background;
- c. The third will belong to a representative from his/her department.

The panel, where possible, will reflect a diversity of gender, disability and ethnicity balance. The complainant and respondent will be notified of the proposed panel and should raise any objections immediately with the Head of HR department. The panel should assemble within 7 calendar days of receiving both statements in writing. The HR department / HR officer will act as secretary to the panel and confirm the decision of the panel in writing. This will be addressed to the complainant and respondent and include reasons for the decision and where appropriate, confirmation of the action proposed to resolve the matter.

#### **Notice**

The complainant and respondent must be given a minimum of 7 calendar days' notice of the time, date and place of the hearing. The parties will be reminded that the proceedings are confidential and will be asked not to discuss the issue other than with their representative.

#### **Hearing**

The Chair will ensure equal treatment of the individuals concerned and that all parties have received copies of all relevant documents, including this procedure. The panel may seek further clarification of the written submissions from whomsoever they feel appropriate. The complainant and defendant shall attend the hearing. Adjournments may be called in order to obtain statements/ further information where necessary.

The order of the hearing will be as follows:

- a. The Chair introduces all people in the room and the nature of the case. The complainant and defendant are offered the right to representation.
- b. The complainant (or his/her representative) put their case forward for the other parties
- c. The defendant (or his/her representative) has the opportunity to ask the complainant questions.
- d. The panel have the opportunity to ask the complainant questions.
- e. The defendant shall respond to the grievance in the presence of the complainant.
- f. The complainant has the opportunity to ask questions to the defendant.
- g. The panel have the opportunity to ask the defendant questions.
- h. The defendant (or his/her representative) has the opportunity to sum up their cases, followed by the complainant (or his/her representative).

#### **Decision**

The complainant and respondent (and their representatives) shall withdraw and the panel deliberate in private. The secretary shall record the decision.

Upon completing its deliberations, the panel shall notify HR within five working days of the panel meeting. The report will include whether the grievance was



upheld, the reason for the decision and any proposals the panel may deem appropriate for the redress of the grievance. The HR department will inform the parties of the decision in writing. The complainant will be informed of his/her right to appeal against the decision.

### **Stage III**

#### **Appeal**

A member of staff wishing to appeal against the outcome of a Grievance Hearing should submit notice of appeal to the HR department in writing within 5 working days of receipt of the written confirmation of the grievance outcome. This should state the grounds of appeal.

An appeal hearing is not designed to re-hear the case but to examine the grounds of appeal. Appeals will be raised on one of the following grounds:

- The Procedure – a failure to follow procedure had a material effect on the outcome.
- The Decision – the evidence did not support the conclusion reached.
- Any Proposed Action – was inappropriate given the circumstances of the case
- New Evidence – which has genuinely come to light since the first hearing

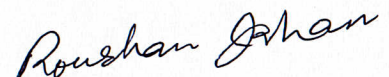
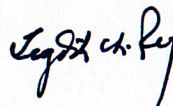
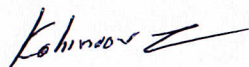
Arrangements will be made for appeals against grievance outcomes to be heard as soon as reasonably practicable.

The appellant will be notified as soon as possible of the time, date and place of the appeal hearing. The appellant will be advised that s/he may be accompanied by his/her workplace colleague.

The appeal will be heard by a panel comprising of two members of staff who have not previously been involved in the case. The panel will be appointed by the Head of HR department. A member of the HR team will act as secretary to the panel.

The HR department will normally notify the result of the appeal to the appellant, within 5 working days of the hearing.

The decision of the Appeal Panel is final.





## **Appendix A**

### **Overview of the BGS Grievance Procedure**

#### **How Grievances Will Be Treated**

1. Grievances will be handled sensitively and everyone will be treated with dignity and respect.
2. No employee will be disadvantaged in any way if they raise a complaint under this procedure.
3. Manager and employee should actively participate in finding a reasonable solution to any grievance raised.
4. Grievances will be handled as speedily as possible. Normally all stages in the procedure will be completed and the outcome shared with the individual within 28 working days of the complaint being raised.
5. The complaint will be dealt with in confidence. However, very occasionally it may be necessary to share some details with others with the agreement of the employee in order to progress the complaint. This point will be fully explained to by the manager before the need arises.
6. The employee may ask to see personal or other documents directly related to the complaint. Access will be given, subject to confidentiality and security requirements.

#### **Right To Be Accompanied**

The employee has the right to be accompanied at any meeting by a companion who can be their work colleague from any location.

#### **The Role of a Representative**

The representative will be allowed to confer with the employee and, if the employee wishes, they may address the meeting in order to put forward and sum up the case and to respond on the employee's behalf to any view expressed at the meeting.

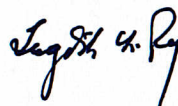
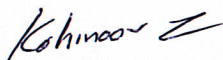
#### **Considering Grievances Raised on Behalf of a Group of Employees**

The procedure is designed to pursue issues or complaints that affect an individual. Collective issues should be raised through the BGS Senior Management Team.

#### **Raising a Grievance**

A grievance might be raised with the line manager. This can be done either by speaking with the manager or by putting it in writing. The line manager may need to meet with the individual and will normally give a decision within 5 working days.

If the line manager is not able to resolve the grievance to the employee's satisfaction the complaint can be pursued further with the second line manager. This must be done in writing. The manager will meet with the individual wherever possible within 5 working days to try and resolve the issue and will let them know their decision normally within another 5 working days.





### **Situations where the grievance may be raised directly with the second line manager**

There may be rare occasions where an issue is of such a personal and sensitive nature that the employee feels they cannot raise it with their immediate line manager. In this instance the individual will need to go straight to **Stage II** of the procedure and confirm in writing the nature of the grievance and why they feel they are unable to raise it with their line manager.

### **Is it necessary to put the grievance in writing?**

Yes, it is necessary to put the grievance in writing at the second stage of the procedure. If the employee subsequently wishes to take their complaint to an employment tribunal, they will need to show a written grievance has already been raised with BGS in writing.

Once a grievance is put in writing a meeting must be held with the individual.

### **Seeking help in putting the grievance in writing**

Help can be sought from the line manager or alternatively a work colleague.

### **Discussing the Grievance**

The meeting provides an opportunity for the manager to understand the individual's grievance and to allow them to discuss possible solutions. Both the employee and manager should make constructive proposals for reaching a solution.

### **Adjourning a meeting**

If it is felt that further investigation is necessary before a solution can be proposed then an adjournment can take place.

### **What if there is likely to be some delay in hearing the grievance?**

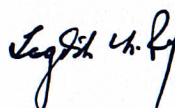
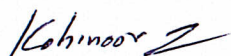
All reasonable efforts should be made to complete the procedure as quickly as possible. Delays should only occur if the case is particularly complex or it would be difficult to gather all relevant information within the advised timescales. It is expected that in almost all cases the timescales will be adhered to. If, however a delay is unavoidable the manager will tell the individual why straight away and confirm when they will be able to meet.

### **Making adjustments for an employee who is person with disability or has special needs**

In these circumstances, reasonable adjustments will need to be made to the arrangements for hearing the grievance to ensure the employee is not disadvantaged as a result of their disability or special needs. For example, if they have a hearing impairment it may be necessary to have an interpreter at a meeting.

### **Postponing a meeting at any stage of the procedure**

If the companion cannot attend on the proposed date the employee can suggest another date as long as it is reasonable and not more than 5 working days after the date proposed by the manager dealing with the grievance. This may be extended by mutual agreement.





Postponed meetings would normally only be rearranged once.

### **Purpose of Stage III**

The purpose of this stage is to acknowledge that the employee is dissatisfied with the outcome of the first two stages and to allow a manager of appropriate authority and independence to consider whether a different decision is appropriate in the circumstance and whether an agreed solution can be found. Individuals should make their request to progress to Stage III to the second line manager. A manager will be appointed who has not previously been involved in the case and has the authority to make any necessary changes to policy or practice.

### **What if an employee raises a grievance about their employment after they have left the business?**

Ex-employees under certain circumstances can raise grievances when they are considering going to an employment tribunal. When an ex-employee does raise a complaint, the manager should contact HR.

### **Where further assistance can be obtained from**

Further assistance is available from HR department.

**Documentation:** Written documents to be preserved for any grievance related mitigation process.

