

GRIEVANCE PROCEDURES

1. Introduction

Problems and misunderstandings are bound to arise from time to time wherever people work together. BT is committed to resolving any such problems quickly, and consistently in accordance with its values.

2. Arrangements

The arrangements for raising and dealing with problems which affect individual BT people at work are as described below. They will be communicated to BT people in ways that fully meet the legal requirements.

2.1 Informal means

It is a normal line management responsibility to listen and respond to any work related problems raised by individual team members. Many can be solved without the use of any formal grievance procedure, and the immediate first approach will normally be for a person to talk to their line manager about the problem.

Where this is not appropriate because the individual considers that he or she is suffering from harassment, they can approach an Equal Opportunities Advisor for help.

HR units can also offer advice to line managers and individuals on the resolution of any grievances that arise. In some situations an individual may also wish to seek advice from the Occupational Health or Counselling Services.

Note : Line Managers may also wish to seek advice from the services mentioned above in dealing with a grievance.

2.2 Formal procedures

Sometimes a problem is too serious to resolve informally, or cannot be resolved by such means. For such situations BT has a number of formal processes which can be used.

- If the problem concerns discipline, appraisements, retirement termination of employment, poor performance/attendance, long-term illness, pensionable service or harassment, BT either has special procedures of special considerations apply in following the stages described below. (See Appendix for more details.)
- If the issue is about workplace practices, suspicions of criminal acts, miscarriages of justice and dangers to health and safety, please see Note 7 in the Appendix for further details.
- For any other problems the following process should be followed

2.2.1 First stage

An individual should raise the problem with their immediate manager as soon as possible after it has arisen. This should be in writing and make clear that the issue is being raised under stage 1 of the grievance procedure. (This should help to reduce some of the confusion between formal and informal stages in the procedure that sometimes occur.)

2.2.2 Second stage

When the first stage has been completed the individual should raise their specific issues in writing with their manager's manager within 10 days. The involvement of the individuals second line manager is to thoroughly investigate the facts surrounding the grievance in a timely and sensitive manner. At this stage the help of a colleague, e.g. another BT employee or a representative of a Trade Union, can be enlisted to help present the problem. The colleague may be given access to BT papers relevant to a grievance subject to the application of normal BT rules relating to any privacy marked documents.

It is the responsibility of a manager receiving a grievance at either the first or second formal stage of the procedure to investigate it objectively and to respond in writing as soon as possible (normally within 15 working days).

Note: Managers, who are names or implicated in the grievance, should not undertake any stages of the investigation.

2.3 Independent review

2.3.1 Independent review criteria

Occasionally it may not be possible for line management to resolve a serious problem satisfactorily by the means described above. In these situations, and assuming the formal process has been exhausted, the person can ask for the decision to be independently reviewed, **IF:**

- They have been seriously disadvantaged, e.g. lost their job, been discriminated against or subject to harassment, **AND,**
- Can show that they have been unfairly treated under the formal process, i.e. that there has been a significant breach of procedure or that a perverse conclusion has been reached, or,
- Can cite factors not previously taken into account, that cast serious doubt on the appropriateness of decisions taken earlier in the procedure

The case for an independent review will be assessed against criteria above, and if it meets the criteria will be forwarded for independent review. If the case does not meet the criteria for an independent review, the Personnel Relations Unit will inform the individual in writing of the decision.

When asking for a review an individual will be required to give reasons in writing for their belief that they have been seriously disadvantaged. These need to be reasons that are likely to bear scrutiny by an impartial third party. It will usually be a good idea to seek advice from a trusted colleague/national trade union representative not previously involved, before requesting a review. They are likely to be able to give an independent view on the strength of the case.

2.3.2 Procedure for Seeking a Review

The procedure for asking for a review, is to write giving the reasons for the request to the Personnel Relations Unit in Group Personnel using a request form obtainable by telephoning the PRU enquiry point on (020) 7356 6349. This should be done as soon as possible after the end of the formal process (within 20 working days).

4. Appendix B

4.1 Note 1

Information on any of the procedures mentioned in the table, e.g. the circumstances in which they apply, can be obtained from HR Units.

4.2 Note 2 – discipline/poor performance/long-term illness

Under these procedures the final decision is taken by an individual's 3rd line manager. There is no right of appeal against this. However, in exceptional circumstances an independent review of a case can be requested under BT's Grievance Procedure where the outcome of the procedure has been dismissal, termination of employment, retirement, downgrading, a dismissal warning or where an appeal for medical retirement has been unsuccessful. The procedure for seeking a review and the review criteria are specified in the body of this Directive. In addition, the following considerations apply:

Cases based on technicalities or factors (including medical ones) that do not cause doubt on the appropriateness of the earlier decisions will not be eligible for review. However, the review criteria will be satisfied where it can be shown that access had been denied to significant information needed to prepare a case or that the second and third line managers have failed to consider relevant factors in accordance with the spirit of the appropriate procedure.

In cases involving a conflict of medical opinion it may also be necessary to obtain fresh medical advice before the final decision is taken. When the Senior Manager reviewing a case considers that further advice is needed the papers should be referred to the Chief Medical Officer with a request that advice should be obtained from an external Senior Occupational Health Specialist/or Consultant. This request will be actioned by the OHS.

Where, because of a difference of medical opinion, more time is needed to obtain further medical evidence than specified in the grievance procedure, this will be allowed provided that the request for a review is lodged with the Personnel Relations Unit within a prescribed timescale.

4.3 Note 3 – Right to be accompanied

At all stages of the Grievance Procedure, individuals will have the right to be accompanied by a "friend", who can be another BT employee, or a representative from a trade union. The role of the friend will be to support the individual throughout the grievance hearing and act as a witness. A

“friend” can ask questions, and be allowed to participate in the hearing, although they will **not** be able to answer questions on the individuals’ behalf.

4.4 Note 4 – harassment/discrimination

Grievances arising because an individual believes he or she has been the subject of harassment/discrimination may be raised with the Equal Opportunity Advisor who will assist in the investigation of the grievance. Neither the investigation or any subsequent decisions may be undertaken by a person accused of harassment/discrimination. The investigation and decisions will normally be handled by the line manager of the persons alleged to have discriminated against or harassed the person raising the grievance.

Further information on the arrangements that apply are described in ISIS Directive PNL/EMP/JO14 entitled Combating Harassment at Work.

As outlined in the Combating Harassment Policy, BT will seek to protect those individuals who complain of harassment, bullying or victimisation in the course of their employment with BT, together with those who give evidence in support of such complaints. BT will also seek to protect those who raise work-based issues of a serious nature to high levels of authority (Whistle Blowers).

4.5 Note 5 – Pensionable Services/Termination of Employment

Grievances about any of these are the subject of special procedures and, consequently, the arrangements described in paragraphs 2.1 to 2.3 of this directive do not apply to them.

4.6 Note 6 – appraisalment

For a grievance about an appraisalment in order to satisfy the criteria for an independent review Individuals should describe the specific circumstances that lead them to believe that they have been seriously disadvantaged in their employment because of an unfair appraisalment, e.g. it has adversely affected a manager’s pay, resulted in lost promotion opportunities. In addition, one of the other criteria listed in paragraph 2.3.1 will need to apply.

4.7 Note 7 – Workplace Practices

For a grievance about workplace practices, suspicions of criminal acts, miscarriages of justice and dangers to health and safety, there are alternative routes to raise grievances. BT takes its approach to workplace practices seriously, to enable employees to work in a safe environment.

If you have a grievance about the above aspects of your employment, in the first instance you should talk to your line manager about your concerns. If this is not appropriate in the circumstances, or your complaint is not taken seriously, you can raise your concern confidentially through the BT Tell Us line for security issues, or the health and safety Helpline for issues concerning health and safety.

BT Tell Us Line **0800 526626**

BT Health and Safety Helpline **0800 780783**

If you have concern about serious malpractice within BT, and you see no other route available to you to raise your issues, you can write a formal letter to the Chairman's office.

Issues raised will be confidential, and BT will not discriminate against any individual who honestly and reasonably raised their concerns through this route.

4.8 Note 8 – Timescales

Throughout the grievance procedure a number of timescales are there to ensure that grievances are dealt with in a timely and sensitive manner, whilst recognising that there also needs to be flexibility to enable the grievance to be thoroughly investigated. Timescales can be reasonably extended depending on the merits of individual cases. If timescales need to be extended, the advice of HR Units should be sought, and individuals kept informed.

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