



GBS Grievance Policy

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Definitions

“Appeal”	means the GBS Appeals process outlined within the Policy;
“Appeal Panel”	means the panel which addresses Appeals once they go beyond the capacity of the Disciplinary Committee;
“Authorised Representative”	means any party who is authorised to accompany the Complainant/Respondent at certain stages of the procedures outlined within the Policy;
“Chair of the Board”	means the GBS Chair;
“Complainant”	means any GBS Staff, GBS Athlete, GBS Volunteer, or Third Party who feels they have been subject to a Grievance and wishes to present this issue under the procedure within the Policy;
“Disciplinary Committee”	means the committee within GBS that is involved with the Formal Procedure;
“Discipline Committee Chair”	means the GBS Board member whose role is to be the Chair of the Discipline Committee;
“Formal Procedure”	means the GBS Formal Procedure outlined within the Policy;
“Formal Hearing”	means the hearing that is conducted within the Formal Procedure;
“Formal Record”	means the record of Formal Hearing;
“GBS”	means GB Snowsport Ltd.;
“GBS Athlete”	means an athlete who is part of a GBS Team/GBS Squad;
“GBS CEO”	means the Chief Executive of GBS;
“GBS Staff”	means staff who are employed by, or acting as a consultant to, GBS;
“GBS Volunteer”	means volunteers who work for GBS without pay;

“GBS Website”	means the official GBS website; https://www.gbsnowsport.com/ ;
“GBS Welfare Officer”	means the individual responsible for promoting safeguarding within the GBS environment. They ensure a safe and inclusive environment is achieved;
“Grievance”	means any complaint, problem, or concern that arises during the Complainant’s employment or programme. This may surround issues such as terms of employment, health and safety, work relations, organisational change, or unacceptable behaviour such as bullying, harassment, or discrimination;
“HR Representative”	means the person internal to GBS whose role is to represent Human Resources;
“Individual”	means anyone who is subject to the Policy;
“Informal Resolution”	means the GBS informal resolution procedure outlined within this policy;
“Investigating Officer”	means the person who takes charge of any investigations that take place regarding Grievances;
“Line Manager”	means the person with managerial responsibility over any Individual subject to the Policy;
“Mediation”	means the procedure GBS use to deal with Grievances by way of a Third Party;
“Notice of Appeal”	means the written appeal made by either the Complainant or their Authorised Representative;
“Respondent”	means an Individual who is defending against a Grievance claim if the Grievance raised concerns that Individual’s conduct;
“Stakeholder”	means anyone else who has a vested interest in GBS;

“Statement of Grievance”	means the written statement made by the Complainant that sets out the basis of the Grievance;
“The Panel”	means the panel that addresses the Formal Procedure;
“Third Party”	means any Individual or organisation and includes actual and potential clients, suppliers, distributors, business contacts, agents, advisors, and government and public bodies, including their advisors, representatives and officials, politicians and political parties;
“Victimisation”	means any bad treatment directed towards someone who has made or is believed to have made or supported a complaint under this Policy or the Equality Act 2010;
“Whistleblowing”	means making a disclosure regarding a serious concern over something that is illegal, unethical, or not correct inside an organisation.

1. Introduction

- 1.1. This document sets out the GB Snowsport (GBS) Grievance Policy (the “Policy”). GBS Staff, GBS Athletes, GBS Volunteers, and Third Parties may regrettably experience problems, concerns, or wish to raise a complaint against working conditions or their relationship with other GBS Staff, GBS Athletes, GBS Volunteers, or Third Parties.
- 1.2. The Policy aims to outline the procedure for such Grievances. GBS views that it is in everybody’s best interests to resolve problems, concerns, or complaints within the workplace at an early stage before they can escalate into more significant issues. For this reason, it is expected that the Complainant will try to resolve their complaint informally if possible. The Formal Procedure should only be used when Informal Resolution has failed to resolve the issue or is not making progress at a reasonable pace.
- 1.3. Although issues, problems, and concerns may be raised under the GBS Whistleblowing Policy, there is a distinction between a Grievance and Whistleblowing. The areas that are covered by the Policy relate to matters of personal interest and ones that do not impact on the wider public, whilst the GBS Whistleblowing Policy provides the framework for dealing with serious concerns.
- 1.4. It is our Policy to ensure that all GBS Staff, GBS Athletes, GBS Volunteers, and Third Parties have access to a procedure that is fair, effective, and timely in helping to deal with any Grievances relating to their employment or programme.

Aims

- 1.5. To mutually resolve any GBS Staff, GBS Athlete, GBS Volunteer, or Third Party’s Grievance raised within the GBS training and working environment.
- 1.6. To provide a policy that enables GBS Staff, GBS Athletes, GBS Volunteers, and Third Parties to either informally or formally raise any complaint, problem, or concern without Victimisation.

Scope

- 1.7. The Policy is not designed to include appeals against athlete selection decisions, competition/games decisions, competition/games results, anti-doping issues, or any matter which should be covered under the GBS Whistleblowing Policy.
- 1.8. The Policy is designed to be read in conjunction with the GBS Officials’ Code of Conduct, GBS Athletes’ Code of Conduct, and the GBS Disciplinary Policy that are published by GBS. These documents may receive revisions and updates occasionally, with the most up to date versions being available on the GBS Website.

2. Policy Principles

2.1. The Policy is based on the following principles:

- 2.1.1. Our approach to all parties will be consistent and fair. All parties will be treated with dignity and respect, and our approach will be open and transparent.
- 2.1.2. All proceedings, whether informal or formal, should, so far as is practicable, remain confidential.
- 2.1.3. Each step of the proceedings will be taken without unreasonable delay and hearings will be conducted in ways that enable both the Complainant and GBS to explain their case.
- 2.1.4. Where more than one Complainant has lodged a complaint relating to the same, or substantially the same issue, the complaints may be dealt with together in the interests of fair and consistent decision-making.
- 2.1.5. If the Complainant has difficulty in putting their Grievance in writing (for example, their first language is not English, or they have difficulty expressing themselves on paper), they should make GBS aware of any difficulty by contacting the GBS Welfare Officer. If the Complainant is a GBS Athlete, the British Athletes' Commission may also provide support.
- 2.1.6. The timescales set out in the procedures may be extended with the agreement of the parties.
- 2.1.7. It is only possible to hear complaints that are within the power of GBS to remedy.
- 2.1.8. Any concerns that a Respondent has regarding disciplinary action being taken against them should be raised in response to the disciplinary action found in the GBS Disciplinary Policy.

3. Informal Resolution

3.1. The Complainant should first aim to solve the Grievance through means of Informal Resolution. This allows Grievances to be dealt with in an informal setting without having to go through the Formal Procedure. The procedure for resolving a Grievance by way of Informal Resolution is outlined in Appendix A.

4. Formal Procedure

- 4.1. If the Complainant is not satisfied with the treatment their Grievance complaint has received through Informal Resolution, they may continue with the Formal Procedure. The details of the Formal Procedure are outlined in Appendix B, with a visual representation of the Formal Procedure being found in Appendix D.

5. Appeals

- 5.1. If the Complainant is not satisfied with the outcome of the Formal Hearing outlined in the Formal Procedure, they have the right of Appeal. The procedure for raising Appeals is outlined in Appendix C.

6. Confidentiality

- 6.1. GBS Staff, GBS Athletes, GBS Volunteers, and Third Parties should not discuss any disciplinary matter with anyone other than the parties involved in the process and the Complainant's own Authorised Representative. Failure to maintain confidentiality may result in disciplinary action being taken.
- 6.2. The outcome of a Formal Hearing will remain confidential to the parties involved. Disclosure may be made in accordance with GBS' legal, contractual, or regulatory obligations.

7. Grievances on or after Employment/Programme Termination

- 7.1. Where a Grievance continues or is raised on or after termination of employment or programme, a modified procedure shall normally be adopted by GBS and the Grievance shall be determined by the appropriate level of management decided by the organisation.
- 7.2. In summary:
 - Stage 1 - The Complainant must set out in writing a Statement of Grievance, including the basis for the Grievance and send this to GBS.

Stage 2 - GBS will set out a response in writing and will send it to the Complainant. There is no requirement to hold a meeting within this procedure and there will be no right to Appeal the decision.

8. Invalid Grievances

- 8.1. During the investigation, it may become clear that the Complainant's Grievance would meet the test for being considered "frivolous, vexatious, or malicious". The Investigating Officer can close the case after discussion with, and ratified by, the HR Representative.
- 8.2. "Frivolous" refers to non-serious claims. The matters of the Grievance are trivial, trifling, or futile.
- 8.3. "Vexatious" refers to claims that exist to cause irritation. They have no sufficient grounds for action and are seeking to cause annoyance.
- 8.4. "Malicious" refers to claims that bear spite; having wrongful intention towards another.
- 8.5. It is the Grievance which must be considered, not the person making the Grievance. Even if a person has made an invalid Grievance in the past, it cannot be assumed that any other Grievance they present it also invalid.

Indication of Invalid Grievances

- 8.6. The Grievance adds no new information from a Grievance that has already been determined by GBS.
- 8.7. The Grievance continuously changes, seemingly to prolong investigations.
- 8.8. The Grievance fails to clearly identify the substance or issues that are being addressed.
- 8.9. The Complainant raising the Grievance is known for excessive contact, abusive behaviour, or unreasonable demands. Such a Grievance may be considered under the GBS Disciplinary Policy.

9. Exceptional Circumstances

- 9.1. There may be unfortunate circumstances where there may be an absence of a Line Manager or witness who is key in the Grievance case. In such instances, the procedure will be conducted as swiftly as possible, as it is not practical to conduct the procedure in a fully in-depth extent.
- 9.2. If it is not possible for GBS and the Complainant with their Authorised Representative to attend a meeting or hearing due to an unforeseeable reason, GBS will reschedule it within the following five working days. In the event of the Complainant or their chosen Representative not attending the rearranged meeting, GBS would be entitled to determine the issues in the absence of the Complainant or their Representative based on the information available.
- 9.3. GBS reserve the right to commission an external professional to undertake any investigation, into a Grievance or appeal should it believe the case requires it.

10. Confidentiality and Record Keeping

- 10.1. Confidentiality is an important part of the procedures provided under the Policy. Details of the investigation and the names of those involved must only be disclosed according to GBS' specific needs.
- 10.2. Information about a complaint by or about an Individual may be placed on their file, along with a record of the outcome and of any notes or other documents compiled during the process.
- 10.3. A breach of confidentiality may give rise to disciplinary action under the GBS Disciplinary Policy.

Appendix A: Informal Resolution

- A 1.1. GBS recommends that if the Complainant has a Grievance that involves another person, they should first try to resolve the matter by discussing it informally with the person involved. It is recommended that wherever possible the Complainant tries to settle their Grievances informally in the first instance, even if this is with someone more senior to them.
- A 1.2. However, if the Complainant does not wish to raise their concerns with the other person involved for whatever reason, there are many ways in which the Grievance can be resolved informally:
- A 1.2.1. The Complainant may request a meeting with their Line Manager (if the Complainant is GBS Staff) or Discipline Committee Chair (If the Complainant is a GBS Athlete, GBS Volunteer, or Third Party) who will try to resolve the issue. The meeting should be held within 10 working days after the Complainant makes the request.
 - A 1.2.2. Successful Informal Resolution can frequently involve the use of Mediation. Mediation is an extremely effective method of resolution that uses a Third Party to aid in resolving Grievances and it should always be considered from the outset. It is important to use a trained mediator when using this method and The British Athletes Commission have trained mediators that can be provided by UK Sport should they be needed.
 - A 1.2.3. If the Complainant feels they cannot approach their own point of contact, as listed in Clause 1.2.1, or if the Grievance is about that Individual, they may wish to approach another senior member of GBS with whom they feel comfortable.
 - A 1.2.4. If, after any action to resolve the Grievance taken by the Individuals referred to in Clause A 1.2.1 and A 1.2.3, the Complainant is still dissatisfied; they may proceed to the Formal Procedure.

Appendix B: Formal Grievance Procedure

- B 1.1. The Complainant has the right to be accompanied by their Authorised Representative at every stage of the following Formal Procedure. This may be a trade union representative or fellow colleague. The Formal Procedure is internal to GBS and apart from external trade union representatives, does not allow for any external representation.

Informing GBS

- B 1.2. If the Grievance has not been resolved during Informal Resolution and the Complainant wishes to proceed to the Formal Procedure, the Complainant may do so, and the complaint will be heard by the Panel. The Complainant must set out in writing without unreasonable delay, the nature of their complaint and the reasons why they were not satisfied with the Informal Resolution stage outcome. The Complainant should explain how they think it should be settled. This must be submitted to the Chair of the Board.

Investigations

- B 1.3. In some cases, it may be necessary to investigate the Complainant's Grievance. If there is an investigation, it will be conducted before holding a Formal Hearing. If after the Grievance hearing a further investigation is required, then a second Formal Hearing will be held.
- B 1.4. For complaints relating to a process or decision, the Chair of the Board will appoint an Investigating Officer (which in most cases may be the Chair themselves) who will be asked to provide a full written report together with any relevant documents. The investigation should be conducted as quickly as possible while allowing for all relevant information and evidence to be gathered. A timescale for this will be agreed between the Complainant and the Investigating Officer.
- B 1.5. An Investigating Officer may be someone internal to GBS who is designated the role, or in investigations that have a larger scope, GBS may hire an independent person to fill the role.
- B 1.6. For complaints against a named Individual or Individuals, the Chair of the Board will give a copy of the complaint to the Respondent at the earliest opportunity. The Respondent will present their response at a hearing with a view to gain relevant information and achieve a resolution without an investigation.
- B 1.7. GBS requires all persons involved in Grievance investigations to fully co-operate during this process. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents, and attending interviews.

The Hearing

- B 1.8. The Formal Hearing will be held within 10 working days of receipt of the Investigating Officer's report, or within 10 working days of the complaint being received if it is against an Individual. The Complainant will be given 5 working days' notice that the Formal Hearing is to be held. The Complainant may request an alternative date to allow up to an additional 5 working days.
- B 1.9. Any relevant written information or evidence must be made available to all parties at the earliest opportunity and, in any case, 24 hours before the Formal Hearing.
- B 1.10. All parties involved will be allowed to attend and make representations at the Formal Hearing. Witnesses may be called. The HR Representative will also attend.
- B 1.11. Refusal of either party to attend shall not invalidate the proceedings.
- B 1.12. The Panel itself will consist of a Board member, a Line Manager, and an external independent member of the Panel. An impartial note-taker, will take down a record of the proceedings. Where possible, the Panel should have a gender balance.
- B 1.13. A Formal Record of a Hearing will be given to the Complainant. In serious cases, the Formal Hearing will be recorded, and a copy will be given to the Complainant.

The Decision

- B 1.14. Following the Formal Hearing, GBS will adjourn to decide on what action, if any, to take. If further investigations are required these will be conducted without unreasonable delay.
- B 1.15. The Panel's decision, the reasons for that decision, and any form of remedy will be communicated in writing to the Complainant who has made the complaint. Where the complaint is against an Individual, both parties will be given a copy of the decision. This will be handed to the Complainant whenever possible or posted directly by recorded delivery to the Complainant within 3 working days of the Formal Hearing and to the Complainant's Authorised Representative, where applicable.
- B 1.16. If the Grievance is deemed valid by the Panel and the Grievance concerns another Individual's conduct, the Panel may make a referral of the Grievance to the Disciplinary Committee for disciplinary action to be taken. In such cases, the GBS Disciplinary Policy shall be followed.
- B 1.17. If the Grievance is deemed valid by the Panel and the Grievance instead concerns other things such as work practices or health and safety, the Panel will conclude that there will be discussion surrounding a form of remedy to ensure the Grievance matter does not occur again.

Appendix C: Appeals

How to Appeal

- C 1.1. An Appeal is commenced when the Complainant impacted by a Grievance decision, or their Authorised Representative makes an Appeal in writing ('the Notice of Appeal') to the GBS CEO by email to their email address within the time frame of 5 days after the original decision is delivered.
- C 1.2. The Notice of Appeal must set out full details of the Complainant's ground(s) of Appeal and include:
 - C 1.2.1. details of the decision which the Complainant is appealing;
 - C 1.2.2. details of the ground(s) of Appeal upon which the Complainant relies, including the way the Complainant alleges that the Formal Procedure may not have been applied or followed;
 - C 1.2.3. any documents or written evidence upon which the Complainant relies in support of their Appeal. Only documents relevant to the Complainant's grounds of Appeal may be submitted.
- C 1.3. If the Complainant or their Authorised Representative fails to submit the Notice of Appeal within the time limit set out in this process, the Complainant will have lost their right of Appeal.
- C 1.4. The Appeal will be considered first by the Panel who made the decision in the Formal Procedure, who will explain their reasons for the decision to the Complainant or their Authorised Representative. If the Complainant or Authorised Representative is not satisfied with the process or the outcome of the Panel's final decision, then the Complainant or Authorised Representative may opt to refer the matter to an Appeal Panel, based on the same grounds of appeal and Notice of Appeal.

The Appeal Panel

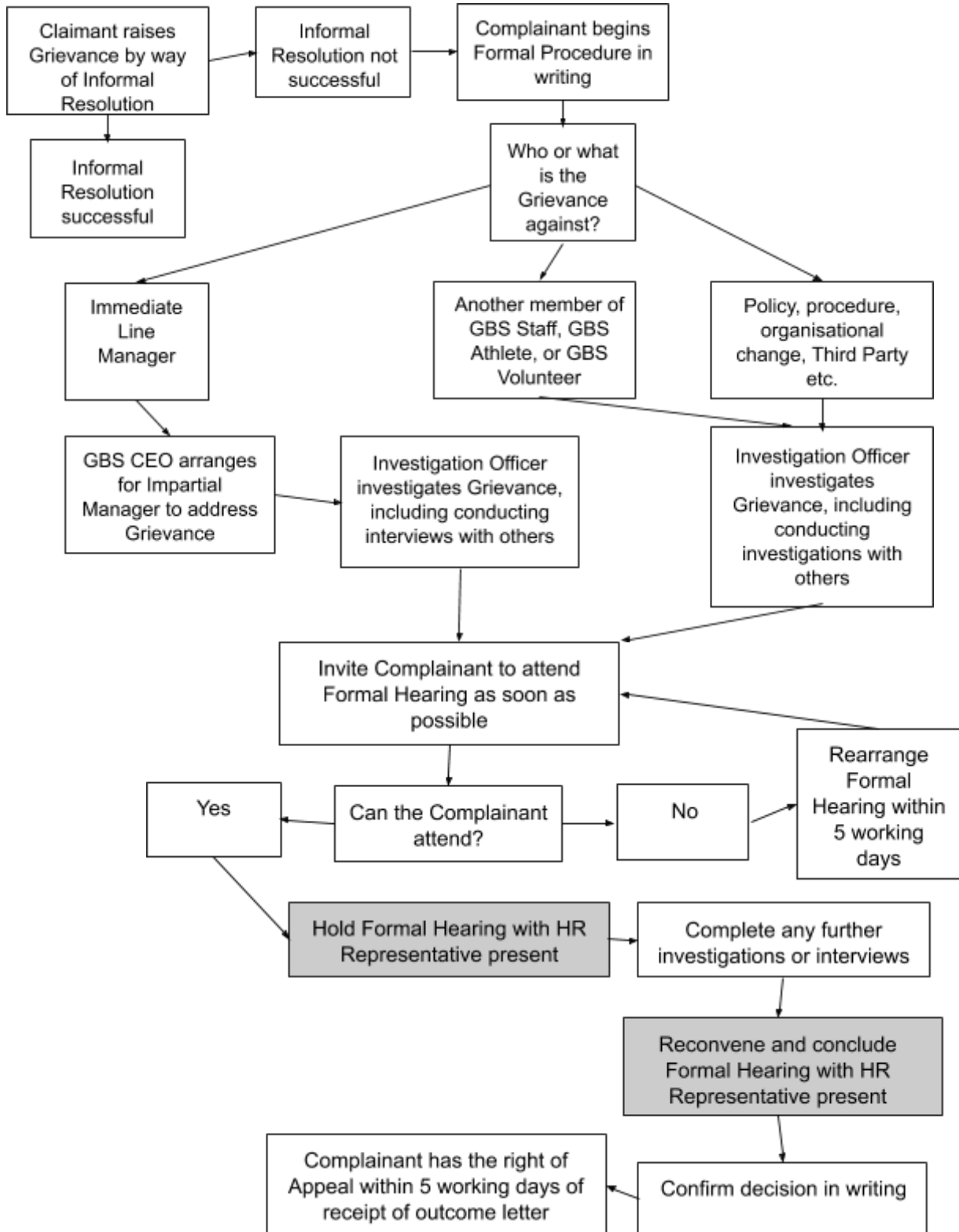
- C 1.5. GBS will nominate an Appeal Panel made up of at least three people (one of which being independent and the remainder being internal to GBS) and none of whom have any conflicts of interest in respect of the Appeal. One of the Appeal Panel members will be appointed as Chair of the Panel.
- C 1.6. Once appointed, the Appeal Panel will receive the Notice of Appeal and supporting information as soon as reasonably possible.

- C 1.7. The Chair of the Appeal Panel will convene a meeting to take place as soon as practical, and in any event, within 5 working days of receipt of the Notice of Appeal, at which the Appeal Panel will consider the Notice of Appeal.
- C 1.8. The Appeal Panel will investigate the grounds set out in the Notice of Appeal and establish, to their reasonable satisfaction, whether or not there has been a failure to apply or adhere to the Formal Procedure.

Outcomes

- C 1.9. The possible outcomes of an Appeal are:
- C 1.10. Confirm the original decision that is under Appeal and reject the Appeal; or
- C 1.11. Withdraw the decision under Appeal and remit the matter back to the Formal Procedure Panel, identifying the errors they have made in the conduct of the Formal Procedure and requesting that a new decision is made within 5 days; or
- C 1.12. Withdraw the decision under Appeal and confirm the remedy suitable for the Complainant.
- C 1.13. The decision of the Appeal Panel shall be reached by majority vote and all members shall have one vote each.
- C 1.14. All parties will be informed of the Appeal Panel's decision to either confirm or withdraw the decision under Appeal in line with Clause C 1.11. to C 1.13 above.
- C 1.15. The decision of the Appeal Panel shall be final.

Appendix D: Grievance Process Flowchart



Owner:	Board of GB Snowsport
Version number:	1.0
Date last modified:	September 18 2019
Modified by:	Josh Haughton
Authorised date:	September 18 2019
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