Online Legal Advise

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Dear Sir or Madam

**Free Legal Letters and Documents: Templates and Examples**

Many thanks for visiting Online Legal Advise’ website. We attach copy of the document that you asked for and hope you will find it useful.

If we can be of any further help, please do get in touch by ‘phone or via our website.

Yours faithfully

Online Legal Advise

**ONLINE LEGAL ADVISE**

**ONLINE LEGAL ADVISE- Grievance letter:**

**Made redundant after making complaint**

[HR manager]

[Company] HR Department

Dear Sirs

**Formal grievance**

I write to set out my formal grievance in relation to my recent dismissal, ostensibly by way of redundancy, and events leading up to that.

**Background**

1. In around January 2018 [Line Manager] used the internal instant messaging system greeting me as ‘Hello gorgeous’.
2. In around July 2018 I made a protected disclosure relating to [Line Manager] asking a supplier of [Company] to take him to a lap-dancing club. This supplier duly complied and took [Line Manager] to such a venue, and then told me about it. This made me feel uncomfortable as one of the only women attending the relevant meetings with these people. We had also just attended a seminar on such matters as compliance, best practice, the Bribery Act and so on. I felt that it was my duty to report this behaviour to management.
3. Other people who would have known about [Line Manager] attending lap dancing classes [Company] include the [Account Director], the [Account Manager], and the supplier’s representative**.**
4. Previously [Line Manager] had interacted with me in a sexist way, for example for greeting me ‘Hi Gorgeous’ on the instant messaging system.
5. When I made my protected disclosure, I was told by [Company] HR Department that they would not keep my complaint anonymous, and that they would tell [Line Manager] that it was me who informed them of his misconduct. I was not given a choice about this anonymity, nor was it explained to me why it was necessary to divulge my name to [Line Manager]. I was not made aware of any disciplinary action or any other outcome of my complaint.
6. On the 17th September 2018, I received a letter announcing I was at risk of redundancy.
7. Over the next two weeks there were no assessment meetings or interviews.
8. I had no interaction with [Company] which could be classified as an individual consultation.
9. On the 3rd October 2018 I received a letter making me redundant.
10. I was not made aware of any objective criteria used to select me for redundancy.

**Other**

1. Given the speed of my being made redundant, the lack of transparency regarding objective criteria and the closeness in time to my whistleblowing, it is possible that the real reason for being redundant was due to my protected disclosure about my manager.
2. This could be sex discrimination in the form of victimisation and direct discrimination, as well as being unfair dismissal.

**Grievance questions**The following questions are material for establishing what actually happened, and should be incorporated into the investigation:-

1. Please state who made the decision to make me redundant, when and the reasons.
2. Please name anyone else consulted, on what dates and what were their views.
3. Please provide a full list of my duties prior to my redundancy.
4. Please state who has performed a similar role as my job from 1st January 2017 to date.
5. Please state the names and job titles of all employees who were considered for redundancy alongside myself, in the same redundancy pool.
6. Please state every reason why I was made redundant rather than my three other team members ([Employee 1]),  ([Employee 2]) and ([Employee 3]).
7. Please provide a full list of duties carried out by my three team members throughout their employment with the company, giving dates when any duty was added or removed.

Please list the length of service of my three members [Employee 1], [Employee 2], [Employee 3], giving start dates and end dates where appropriate.

Please set out the grades of my three team members [Employee 1], [Employee 2], [Employee 3] since 1st January 2017 in relation to all annual and 6 monthly reviews and assessments carried out with them.

In respect of every member of the redundancy committee, please state
[a] on what date they were told of my possible redundancy

[b] what were their views
[c] what view [Line Manager] expressed to them about my redundancy

[d] whether my whistleblowing was considered as part of the redundancy decision.

[e] the names of people consulted regarding my redundancy (the ‘redundancy committee’)

In respect of my redundancy, please state:
[a] were all staff considered as potential for redundancy or only certain staff? If the latter, please state which staff were under consideration.
[b] when was the possibility of a redundancy in my department first considered and by whom?
[c] when was the possibility that I might be made redundant first considered and by whom?
[d] when were staff first consulted about the possibilities of redundancy?

[e] when was it decided that I was going to be made redundant and by whom (please list names of decision makers and dates of decisions)?

1. Please state why only 9 working days elapsed between my being put at risk of redundancy and my being made redundant.
2. Please state why none of my work was assessed as part of the decision to make me redundant.
3. Please state why I was not interviewed as part of the decision to make me redundant.
4. Please state each and every criterion applied to decide which staff should be made redundant. In each case, please state (a) whether such criterion was put in writing and when (b) who decided upon the criterion and when (c) how each member of staff under consideration matched each criterion.

Please state the number of staff employed by the company from 1st January 2017 to date by reference to:

[a] sex

[b] job title and department

[c] start date and if applicable, leaving date

1. Please state the number of staff dismissed for reasons other than redundancy since 1st January 2017 by reference to:
[a] sex and marital status
[b] job title and department
[c] reason for dismissal
[d] dates of employment
2. Please state all staff made redundant or redeployed following redundancy since 1st January 2017 by reference to:
[a] sex and marital status
[b] job title and department
[c] whether consulted prior to their redundancy
[d] whether offered redeployment and if so, into what position
[e] dates of employment
3. Please provide a copy of your Equal Opportunities Policy and policies related to redundancy and redeployment.
4. Please provide a vacancy list of all job vacancies in the company from 1st June 2018 – date.
5. Please provide a copy of my HR file and any other data held by you about me.

In relation to my whistleblowing in around July 2018 concerning [Line Manager] asking a supplier to take him to a lap dancing club (and the supplier obliging), please state: -

[a] who was involved in considering this matter (please state names of HR and management involved)

[b] did the investigation conclude that my allegations were in fact true

[c] what, if any, disciplinary action was taken against [Line Manager]

[d] what was the outcome if not already set out above

[d] why you decided to provide [Line Manager] with my name when it would have been perfectly straightforward for you to present my allegations against him anonymously.

[e] which members of [Company]  staff and representatives of the supplier were interviewed as part of the investigation.

Does [Line Manager] admit that he messaged me on the instant messaging system in around January 2018 as ‘Hello gorgeous’? Do you keep a record of the instant messaging system? If so please disclose the relevant record.

Given that my employment has been terminated, I would like to use the accelerated grievance procedure and have the matter dealt with in writing rather than attending interviews in person. I look forward to receiving your reply at your earliest convenience, and within 7 days, failing which I will be forced to issue employment tribunal proceedings.

Yours faithfully

[Employee]