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Dear Sir or Madam

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

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Yours faithfully

Monaco Solicitors

**MONACO SOLICITORS - Grievance appeal letter:**

**Discrimination, bullying and constructive dismissal**

[Human Resources]

[Employer]

[Employer Address]

[Date]

Dear [HR Manager]

Further to my email to you on [12th May 2016], I am writing to formally appeal against the outcome of my Formal Grievances, lodged on [10th March 2016], the outcome letter dated [5th May 2016] “the Outcome Letter”.

[Employer] findings and outcome conclusions are fundamentally flawed.  The Outcome Letter demonstrates the one-sided and partisan approach adopted in the grievance process and made findings and conclusions that were biased. For the most part, there was an over-reliance on untested, and selected, witness statements that include inconsistencies, inaccuracies, and untruths. Furthermore, the majority of my testimony and the facts and circumstances laid out in my original grievance have been overlooked by [Employer].

Consequently, it is clear to me that [Employer] investigation has not been conducted fairly or ethically. The investigation is simply not fit for purpose and is clearly biased against me, which is evidenced throughout [Employer] outcome document and its interpretation of witness statements. This has prejudiced my receiving a fair and equitable investigation and outcome to my grievances. The Outcome Letter makes conclusions that no reasonable adjudicator could have reached with the facts presents to them.

The incidents of misrepresentation and the flaws evident in [Employer] ‘Background’ section alone goes to show that this investigation is based on very shaky foundations. If the facts are not properly ascertained and clearly reported by [Employer] in the first place, how is an investigation able to produce reliable results? The failings in this regard have been to my detriment.

[Employer] has clearly failed to properly understand and investigate my grievances. One acute failure (of many) is [Employer] apparent inability to look at the bigger picture outlined by the ‘Timeline of Events’ in my Grievance and recognise key patterns, which clearly demonstrate a systematic campaign of bullying, harassment and discrimination, and which are evident throughout, and which are vital to the proper understanding of the severity of my situation. [Employer] has therefore failed to recognise or acknowledge the profound negative impact, which [Employer] has had on me, and my health, over such a long period of time. [Employer] failings in this regard have also been to my detriment.

I am also extremely concerned that [Employer] has chosen to be influenced so much by untested, inconsistent, and flawed witness statements, and it is evident that there is a clear tendency for [Employer] to accept these untested, and in many cases, unreliable witness statements as evidence, over mine. There is also evidence that [Employer] has chosen to completely overlook, ignore, and/or disregard much of what I have supplied as well as statements made by certain witnesses that support my case. As I clearly demonstrate in this Appeal document, [Employer] investigation illustrates a distinct lack of credibility of some of the witnesses and extremely poor investigation technique on [Employer] part. [Employer] cannot and should not rely on, or base its conclusions on flawed interviews and witness statements. This is not a basis on which fair and justified conclusions can be drawn in the outcome of my Grievance. The fact that [Employer] has done so is to my detriment.

There are indicators of collusion amongst witnesses, and I also understand that it is common knowledge to many within the Company that I have raised Grievances against [Line Manager] despite [Employer] assurances to me that NDA’s would be signed, that no-one could discuss this investigation, and that this process would be strictly confidential. The fact that my Grievance and the resulting investigation have not remained confidential is to my detriment.

It was incumbent upon [Employer] to have acted with diligence and competence to get to the root cause of my grievances. Instead, it seems that [Employer] has chosen to condone and/or conceal management and [Employer] failings relating to me rather than dealing with my grievances in good faith. The Outcome Letter is evidence of a fundamentally flawed grievance investigation, full of acute failures, which are to my detriment. As such, the vast majority of the conclusions reached by [Employer] are entirely without merit.

[Employer] actions to date have seriously undermined the employment relationship and as a consequence, there has been a breach of the implied term of mutual trust and confidence. I entirely reserve my position in this regards and hope that the appeals process will rectify the issues identified in my original grievance. [Employer] has divested me of a fair and equitable investigation and have abused the power they delegate over me as an ordinary employee.

Not only has [Employer] deep-seated failure to recognise the severity of what I have been subjected to been detrimental to me and my health but [Employer], has even levelled criticism against me for being a highly capable, high performing and ambitious woman. After reading the Outcome Letter, and having endured such continual discriminatory treatment from [Line Manager] it appears that [Employer] culture supports the idea that women are not there to progress and flourish.

[Employer] has demonstrated evident bias against me, and the Company has denied me the opportunity of a fair outcome, which has caused a detrimental impact on me and my health, and my wellbeing. [Employer] has caused me significant injury to my feelings, a huge amount of upset and anguish, further stress, insomnia, depression and anxiety as a direct result, and has also negatively impacted my family, my financial situation, my day-to-day life, and my ability to properly enjoy significant life events. For the avoidance of doubt, [Employer] was the root cause of my conditions mentioned above, and I hold [Employer] entirely responsible for the damage that has been caused to me, and which is still ongoing.

Please note: [Employer] has known about my medical conditions (epilepsy, and work-related stress, depression and anxiety and associated issues) for a substantial period of time, and not only has [Employer] failed to make appropriate reasonable adjustments for me, despite my requests, but [Employer] has, in fact, profoundly exacerbated my conditions. This amounts to unlawful discrimination against me and has been to my extreme detriment.

I raise the above as a new Grievance, which I would like to be investigated fully and fairly.

Yours faithfully

[Employee]