

Problem Solving Policy



THE WHITE COMPANY
LONDON

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Name	Role	Type of Change	Amendment	Version	Date
Heather Pinder	People Director	Review	1. Change of format 2. Investigation policy combined	1.1	March 2024
Kelly Clarke	Chief People & Retail Officer	Review	1. Investigation section streamlined 2. Mediation process added	1.2	April 2026

Policy Purpose & Scope

We recognise the importance of maintaining good working relationships throughout the business and seek to achieve a working environment in which problems can be discussed, and easily resolved, at an early stage through open and honest communication.

This policy applies to all our people with a contract of employment with us and enables anyone who feels that they have been treated unfairly or incorrectly at work, to raise their concerns ensuring that all issues are dealt with in a fair, open and timely manner.



1. Principles

- We are committed to supporting you to resolve any problems with your working relationships wherever possible
- We will support you with managing any complaint or grievance, initially informally or through a facilitated conversation/ mediation, before managing through the formal grievance process
- Grievances are concerns, problems or complaints raised in relation to something at work. They may arise over issues such as terms and conditions of employment, health and safety, relations with colleagues or management of change
- All grievances made under this policy will be treated seriously and confidentially where possible
- We have a separate policy and procedure for dealing with complaints of discrimination, bullying and harassment and whistleblowing, and you should refer to those procedures should you have such a complaint
- You should not fear that you will be victimised for raising a grievance. Any retaliation against someone who raises a grievance (against themselves or others) will be subject to disciplinary procedures which could constitute gross misconduct

2. Procedure

2.1 Informal Procedure

Wherever possible, you are encouraged to first raise any complaint or grievance by discussing it informally with your line manager, as this allows most problems to be resolved quickly and effectively. However, if the complaint relates to your line manager, then you will be advised to discuss the issue informally with another manager not connected to the complaint, or a member of the People Team. Alternatively, you can call our confidential helpline on 0207 361 0995 where you can leave a message regarding your concern.

If a complaint cannot be resolved directly between two parties, then either a facilitated conversation or mediation should be considered if appropriate. Otherwise, the formal process outlined below should be followed. The People Team can advise on the most appropriate option based on the circumstances.

2.1.1 Facilitated Conversation

If you are experiencing conflict within the workplace, facilitated conversations are a potential means of resolution. A member of the People Team will support the discussion in a confidential, open setting between the two parties in conflict, to discuss the reasons for the conflict and agree ways of working going forward.

2.1.2 Mediation

Mediation is an informal, confidential, and voluntary process involving the two parties involved in a conflict. It is a non-confrontational way of resolving difficult situations and can be an alternative to a formal grievance process or may be recommended following a formal process to rebuild relationships. Mediation is:

- Informal - the parties come up with their own solutions through mutual agreement to resolve any conflict

- Confidential - only the Mediators and the parties will be partial to anything discussed during the mediation process, unless otherwise agreed as part of the agreement
- Voluntary - any party can withdraw at any stage of the process. No one can be compelled to participate in mediation or to agree to a particular solution

Through the support of a mediator/s the two parties will be given an open forum to discuss the conflict in detail and address the underlying root cause of the conflict. The mediator will assist the parties to negotiate a mutually acceptable outcome.

Mediation Procedure

Once both parties have voluntarily agreed to mediation the case will be handed over to a qualified mediator. The mediator will be independent to enable them to be totally impartial and non-judgemental throughout the process.

1. The mediator will contact each of the parties prior to the mediation to introduce themselves and answer any questions they may have. In this meeting, an outline of the mediation process will be shared, so each party knows what to expect. The mediator will also try to understand more detail about the conflict they hope to support being resolved with mediation.
2. On the day of the mediation, the mediator will meet with both parties separately before the joint mediation session to help them prepare for the joint meeting. Each party will be given a private space that they can use before, during and after the mediation, where possible.
3. The joint meeting will begin with the mediator establishing ground rules with both parties. Once agreed by all parties, the mediation can begin. The joint meeting will start with both parties listening to each other's opening statements with no interruptions, before engaging in open dialogue to discuss the conflict, and they will then work towards an agreement to resolve the conflict going forwards. Notes can be taken during the meeting to support the conversation, but they need to be destroyed at the end of the mediation. Parties can take a break at any time.
4. After the mediation session, all parties will agree a timeline for appropriate check-ins, during which the mediator will check in with both parties following the mediation, to offer any support needed and follow up on the agreement.

The aim of the mediation process is that parties reach a mutual agreement however, if one or both parties are unhappy with the outcome there is no appeal process as mediation is informal.

Mediation does not prevent either party from invoking a formal process, such as a grievance, however the content of any mediation conversation remains confidential and cannot be referred to in any formal processes.

Confidentiality may be breached by the mediator in very limited circumstances, for example if a criminal act is disclosed or suspected discrimination occurs, as they have an obligation to report this.

Mediation Application

If you want to pursue mediation to resolve a conflict between you and a colleague, please email People Support and include (if appropriate) your Line Manager for visibility. In your request, ensure it is clear who the colleague is, and what issue you hope to resolve from the mediation process.

Once your request has been submitted, consent from the second party will be sought by the People Team. If and when consent has been confirmed, the mediation process can begin.

Mediation is not appropriate when:

- There has been evidence of, or suspected Criminal Activity
- It is used by Managers to avoid their managerial responsibilities
- There is allegation of discrimination and/or harassment that requires investigation
- One or both parties do not consent to Mediation
- There is no desire from one or both parties to resolve the conflict

Mediation Reporting

After the mediation process, both parties and the mediator will have the opportunity to provide feedback on the process. Apart from this feedback, there will be no record of the meeting and contents of the mediation stored.

The Head of People & Talent will receive regular reports on mediation within the business, and to maintain confidentiality, information will be limited to the following;

- Number of cases

- Outcome of mediation
- Recourse to formal procedure
- Summary of feedback on the process

2.2 Formal Procedure

When the informal route has been tried but has failed to resolve the issue, or if it is deemed that the informal procedure is not appropriate, then the formal procedure should be followed. If you wish to make a formal complaint, you need to write to your line manager or the People Team stating:

- the nature of the complaint
- the name of the person(s) the complaint is regarding
- the names of any witnesses
- any action taken so far to resolve the situation

On receipt of the grievance, the People Team will appoint a grievance manager, whose role is to investigate all facts connected to your concerns and deliver an impartial outcome. It is their role to establish the facts and circumstances of the case by carrying out a thorough investigation in an objective and impartial way.

The grievance manager will have no prior involvement in the incident(s) or allegation(s) and should declare any conflict of interest that may disqualify them from undertaking the investigation at the outset. Where a conflict is declared, for example, where a manager is a potential witness in the case, it will not be appropriate for them to lead the grievance investigation, and an alternative person will then be appointed to chair the grievance process.

You will be notified in writing of a proposed date for a grievance hearing, which will be as soon as is reasonably practicable, following receipt of the grievance. You will also be advised in writing of your right to be accompanied at this hearing (as detailed below).

We aim to ensure that all complaints are dealt with in a timely, impartial, confidential, and sensitive manner. The allegations will be fully investigated with you, the alleged

person(s) responsible, and with potential witnesses, all of whom will be separately interviewed by the grievance manager.

The investigation should be conducted as promptly as possible to ensure a thorough investigation is carried out. During the investigation, the grievance manager will endeavour to keep any relevant parties informed of progress/ any delays.

Where possible, necessary action will be taken to minimise the contact between you and the person your grievance is against while the investigation is being carried out. In more serious cases you and the person your grievance is against may be suspended on full pay pending the investigation.

2.2.1 The Right to be Accompanied

At any grievance hearing you are entitled to be accompanied by a willing colleague of your choice or by a Trade Union representative. Please note that exceptions may be made in special circumstances, for example, if you are under the age of 18, disabled or have poor English language skills. You can choose who will accompany you, but we may disallow any person who may have a conflict of interest for whatever reason. If you want to exercise your right to be accompanied you need to advise the manager who is holding the hearing, ideally at least 24 hours in advance of the hearing.

The date, time and venue for any grievance hearing will always be confirmed in writing. If you wish to postpone the hearing because the proposed date is not suitable to you or your companion, or you require more time to arrange to be accompanied, you may, in exceptional circumstances, ask for another date which will be arranged within a period of 5 working days. We will endeavour to arrange the meeting on a date suitable to everyone involved, but if you unreasonably refuse or fail to attend a meeting, it may be assumed that you wish to withdraw your grievance, in which case, this will be confirmed in writing.

The role of the companion is to support you during the meeting. They may address the hearing chair and ask questions, but they may not answer questions on your behalf. They may confer with you and ask for a break during the proceedings if necessary.

2.2.2 Managing Absence During Grievances

If you are absent due to sickness during a grievance investigation, this will be managed in line with the Absence Policy. In the event that the sickness absence is prolonged, a referral may be made to occupational health to assess your fitness to continue with the grievance process. It may also be appropriate to conduct grievance investigation enquiries over the phone or video call to expedite the process.

2.2.3 Notetaking

Notes will be taken at all grievance investigation interviews but will not be a complete transcript of the meeting.

Notes will be shared with you following the meeting and if you do not agree with the contents of the notes, you can request amendments to the record, highlighting any changes made, subject to agreement with the investigation manager and note taker.

We do not permit audio-recording of any interviews, except for in limited circumstances, such as making a reasonable adjustment for you if you have a visual impairment disability which prevents you reading notes, or if a large number of people needed to be interviewed.

The notes taken at the grievance investigatory interviews will be used, along with other evidence collected, to support the grievance manager's decision-making.

2.2.4 Witnesses

In some grievances there may be named witnesses who are alleged to have seen or heard first-hand part or all of the incident(s) alleged. We reserve the right to decide on who to interview based on what we feel is reasonable.

We will endeavour to make witnesses aware that their statement may be shared with others where necessary.

2.2.5 Police Involvement

There may be occasions whereby the Police become involved within an investigation, particularly whereby allegations raised are believed to be illegal. Where this is the case, we will cooperate fully with the Police investigation, and it may be necessary (but not always) for us to pause our internal investigation to not prejudice the police investigation.

The Head of People and the Head of Loss prevention will decide whether to refer any matters to the Police.

2.2.6 Reasonable Belief

When the investigation has concluded, the grievance manager's role is to determine whether there is a need for any further action. This could be a disciplinary hearing or other recommendations.

All recommendations will be based on reasonable belief, considering all facts established throughout the case and determined on whether, on the balance of probabilities, there is substantial enough evidence to imply that the allegations are true.

Following the investigation meetings, the grievance manager will prepare a summary of your grievance including their decision and the recommendations (if any) proposed, which you will receive in writing as an outcome.

2.2.7 The Role of the People Team

For every grievance, there will be a People Partner assigned to support the case. The role of the People Partner is to support and advise the grievance manager throughout the investigation.

2.2.8 The Right to Appeal

You will have the right to appeal the outcome of your grievance. If you wish to appeal, you should do so within 7 calendar days of receiving your written outcome, stating your reasons. An appeal hearing will be arranged as soon as possible after receiving your appeal letter. At this meeting, you will be given the opportunity to explain the situation from your point of view.

2.2.9 When Employment Ends

This policy still applies if you leave The White Company (TWC). If you submit a grievance after your employment has ended, the procedure may be modified and completed in writing (without a meeting to discuss the grievance). This will depend on the content of the grievance and will be decided on in discussion with you.

2.2.10 Other Processes

If you raise a grievance during a disciplinary or capability process, the disciplinary or capability process may be temporarily suspended in order to deal with the grievance, particularly if the matters are related. Where the grievance and disciplinary cases are not related it may be appropriate to run both processes simultaneously.

Should you have any feedback post completion of the grievance process, then please send this to peoplesupport@thewhitecompany.com.

Making our policies work

Our policies provide the guidelines for how we treat each other – with respect and fairness – and are accessible to all who work for and with us. You should be aware that failure to follow our company policies or procedures may lead to disciplinary action, up to and including dismissal.

From your first contact, as a job applicant, to full-time or part-time employment the policies reflect our culture and our pride in how we work. This extends to all who work with us – agency workers, independent contractors and self-employed consultants.

Understanding and supporting these policies is not only essential to providing a positive working environment for everyone, but also it's critical to our success.

Thank you for reading this policy. It was written with our People in mind.

Our policies are intended to be inclusive to all, however, should you have any feedback that you wish to share with us, please send this to peoplesupport@thewhitecompany.com for our consideration.

Please note this policy is non contractual.

