
Scope

This policy applies to all employees at the Care Group and forms part of the contract of employment that applies to directly employed staff.

Definition

Grievances are concerns, problems or complaints that an employee raises regarding their work, working conditions or their professional relationships with colleagues.

Where an employee wishes to raise any allegation of bullying or harassment this will be addressed under the procedure set out in the Bullying and Harassment Policy.

Principles

Employees and managers should make every effort to resolve issues without recourse to the formal grievance procedure.

Complaints should be raised with your manager. If the complaint is against your manager then it should be raised with the next level of management.

Matters should be dealt with promptly, taking into account the need for appropriate investigations to be carried out.

Grievances are heard at the level of management above the one at which the action or decision complained about was taken. Where this is not possible another suitable manager may hear the complaint. In either case, the manager hearing the grievance should not have been involved in the original action or decision.

Every effort will be taken to ensure that cases are dealt with in a non-discriminatory and consistent manner.

Where a grievance is pending against the possible implementation of a decision that decision will be implemented on the due date without prejudice to any adjustments that may be agreed as a result of any grievance hearing outcomes.

Employees raising a grievance should be able to do so without fear of victimisation. Grievances will be heard in a calm and objective manner and every effort will be made to resolve the problem.

All those involved in a grievance have a duty to act honestly and without malice. Individuals raising complaints maliciously may be subject to disciplinary action.

All those involved in a grievance procedure are expected to respect the confidentiality and privacy of others. Where appropriate, information may be withheld or anonymised in certain circumstances, for example to protect witnesses.

At any formal meeting employees may be accompanied by an accredited trade union representative or work colleague and the employee will be advised of this prior to the meeting. The companion will be allowed to address the meeting in order to present the employee's case.

Employees must take all reasonable steps to attend formal grievance meetings. Failure to attend a meeting without good reason may result in the grievance process being halted or decisions being made in the employee's absence.

Informal Action

It is important that employees raise any concerns with their manager and work with them to explore options for resolution. Support and assistance from colleagues, other managers and or Trades Union representatives may be helpful.

Formal Procedure

Every effort should be made to resolve issues without recourse to the formal grievance procedure. However, if the concerns remain unresolved then the following steps can be taken:

Step 1: Submitting the Grievance

The employee should raise their concerns to their manager, or in the case of a grievance against their manager, the next level of management. This should be done in writing within three weeks of the action complained of. The letter should give details of the complaint, the efforts made to resolve the matter and the resolution the employee is seeking.

Exceptionally, this time limit may be extended up to a maximum of five weeks when circumstances make it impracticable for written notification to be lodged within three weeks.

The manager will send the employee written acknowledgement of the grievance.

Step 2: The Grievance Meeting

A meeting will be arranged to hear the employee's grievance.

At least one week's notice of the meeting would usually be given to allow the employee sufficient time to contact and brief their companion if they have one.

If the companion will not be available at the meeting time arranged the employee can request that it is rearranged to an alternative time and date and this should not usually be more than one week after the original date.

Relevant documents and information to be discussed in the meeting will be forwarded to the employee, usually at least one week ahead. The employee may submit evidence to support their complaint and should provide this at least one week ahead also.

The formal grievance meeting is chaired by a manager with appropriate level of seniority and experience for the concerns being considered and the possible outcomes. At least one other appropriate person will support the chair. This may be a special adviser with appropriate clinical knowledge if required. The *grievance meeting guide* describes how the meeting will usually be conducted.

At the meeting the employee will have the opportunity to explain their complaint and how they think it should be resolved.

Wherever possible it is expected that options for resolving the grievance will be discussed and agreed at the meeting. However it may be necessary to adjourn the meeting to further investigate the issues.

Summary notes will be taken at the meeting either by a member of the panel or a note taker as appropriate. A copy of the summary notes will be sent to the employee and their representative [if appropriate] for comment. Provided comments are received within a reasonable timeframe, as defined by the hearing manager, they will be held with the original notes from the meeting.

Following the meeting the hearing manager will inform the employee of their decision in writing, outlining the basis of the decision reached and any action that is involved. This will usually be sent to the employee within two weeks of the meeting.

Step 3: The right to Appeal

The employee has the right to appeal against the outcome of the grievance process. All appeals will be conducted in accordance with the Care Group Appeals Policy.

Collective grievances

Cases where two or more employees raise a grievance on the same issue are known as a collective grievance. In such cases an appropriate representative may set out details of the grievance in writing on behalf of the employees if they wish and represent them at any formal meetings. This will be a Trade Union Representative or an employee nominated from the group raising the complaint.

Grievance raised during a disciplinary case

If an employee raises a grievance during a disciplinary process the disciplinary may be suspended if the complaint is relevant to the disciplinary matter. The grievance should then be addressed before the disciplinary case is recommenced. Alternatively, the two issues may be dealt with jointly if this is appropriate.

Produced 15 March 2016