

group policies and procedures

# grievance policy

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**Related policies and guidance**

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# 1 introduction

The main aim of the grievance procedure is to allow employees an immediate means by which a grievance relating to your work can be aired and resolved.

Use of this procedure should avoid the unnecessary build up of stress, tension and aggravation by an employee nursing a grievance.

This grievance procedure is intended to assist you in raising a formal or informal grievance with the appropriate person.

Informal discussion can frequently resolve problems without the need for a written record.

If you do wish your grievance to be formally recorded and investigated please make this clear at the outset, by informing your immediate supervisor in writing.

You are actively encouraged to use this procedure if you have a grievance and you are assured that the genuine use of this procedure will not be used against you at any time.

# Our Rules And Procedures Ensure

1. Any grievance you may have, formal or informal, will be dealt with fairly and consistently.
2. Provision will be made for setting out a formal grievance in writing, if you are unable to formulate one yourself due to a disability, or for some other justifiable reason (i.e. illiteracy or where English is not your first language).
3. You will be invited in writing to attend a meeting to discuss your grievance.
4. You have the right to be accompanied by a companion during your grievance / Appeal meeting.
5. You will receive written notification of the outcome of the Grievance meeting.
6. You have the right to appeal if you feel the grievance has not been resolved to your satisfaction.
7. You will be invited to attend an Appeal meeting in the event that you exercise your right to appeal.
8. You will receive written notification of the final decision.

If you feel aggrieved at any matter during the course of your employment with Castleman Healthcare Ltd you should follow the procedure set out in this document.

# Grievance Procedure

**Informal Grievance**

1. If you have an informal grievance you should raise the matter with your immediate line manager.
2. If your line manager does not settle your grievance to your satisfaction then you must present a written formal grievance in-line with the Formal Grievance Procedure below.

**Formal Grievance**

1. If you have a formal grievance you must inform your line manager (in writing) of your grievance. If your manager is the subject of the grievance you should inform the Director of HR & People (in writing) of your grievance.
2. Your written grievance should fully explain the nature and extent of your grievance. If you are unable to formulate a written grievance for yourself, due to reasons as detailed above, the Director of HR and People will offer you confidential assistance.
3. You will be invited to attend a Grievance Meeting.
4. You have the right to be accompanied at this meeting by a single companion, who can be an employee of Castleman Healthcare Ltd or an official of a trade union.
5. Your companion will be permitted to confer with you and allowed to address the meeting but not to answer on your behalf. The companion will be allowed time off work with pay to undertake this role.
6. You will have the opportunity to address the meeting, explaining your complaint and how you believe it should be settled.
7. We may need to adjourn the meeting to make further investigations, prior to a final decision.
8. You will receive a written response to your grievance normally within five working days,

This will detail your right of appeal. If there is a delay in our response you will be notified when you can expect a response and an explanation for the delay.

**The Grievance Appeal Procedure**

1. If you are unhappy with the decision of the grievance meeting, you have the right of appeal. If you wish to exercise this right you must do so, in writing, within 5 working days stating the grounds for your appeal to the Director of HR & People.
2. Your appeal will be heard by a more senior member of the organisation where possible.
3. You have the right to be accompanied at any Appeal meeting by a single companion, who can be another employee of the Practice or an official of a trade union.
4. Your companion will be permitted to confer with you and allowed to address the meeting but not to answer on your behalf. The companion will be allowed time off work with pay to undertake this role.
5. You will have the opportunity to address the Appeal meeting, explaining your reason for your appeal and how you believe it should be settled.
6. We may need to adjourn the Appeal meeting to make further investigations, prior to a decision on your grievance appeal.
7. You will receive a written response to your grievance appeal, normally within five working days, which will detail the final decision of your grievance appeal and confirm this is the final stage of the grievance appeals procedure. If there is a delay in our response you will be notified when you can expect a response and an explanation for the delay.

This is the final stage of the Grievance Procedure.

# Castleman Healthcare Ltd’s Grievance Procedure & Supporting Documentation

The following rules and procedures are for best practice, avoid the unnecessary build up of stress, tension and aggravation experienced by an Employee nursing a grievance, and reduce the possibility of the Employee’s working performance being affected. They will also ensure fairness and consistency throughout Castleman Healthcare Ltd.

Castleman Healthcare Ltd recognises that it takes a certain amount of courage for an Employee to use the grievance procedure and all Managers will treat the grievance procedure seriously and give all grievances due consideration.

The person to whom grievances are to be taken is the Director of HR & People.

Issues that may cause grievances include:

1. Terms and conditions of employment
2. Health and safety
3. Work relations
4. Bullying and harassment
5. New working practices/procedures
6. Working environment
7. Organisational change
8. Discrimination
9. Equal opportunities.

Castleman Healthcare Ltd will ensure everyone understands the grievance procedures and staff, Managers and Employee Representatives will be trained in their use.

The grievance procedure forms part of the Castleman Healthcare Ltd’s Induction Programme for new and transferred Employees.

**The Grievance Rules and Procedures incorporate:**

1. The right to formally bring to the attention of line management (who is not subject to the grievance) any grievance which an Employee may have and without unreasonable delay.
2. The right of certain Employees to request assistance in the formulation of a written formal grievance (i.e. Employees with a disability, who are illiterate, or English is not their first language).
3. The right of an Employee to discuss their grievance at a formal meeting.
4. The right of an Employee to have a single companion of their choice present at the meeting (who can be another worker of the Practice or member of an official trade union). The companion, who will be give time off work with pay to undertake this role, will be allowed to confer with the worker and address the meeting but not to answer on behalf of the worker.
5. The right of the Employee to receive written notification of the outcome of the meeting.
6. The right of the Employee to appeal against the outcome of the meeting and have a more senior member of the Practice deal with the appeal.
7. The right of the Employee to receive written notification of the final decision.

At every stage of the grievance procedure the Practice will ensure that a record of the events and a copy of any documentation is placed on the Employee’s file; that any meetings are recorded and signed by the Employee (such records are vital if an unfair dismissal claim at any Employment Tribunal is to be successfully resisted).

Castleman Healthcare Ltd will use the Checklist & Record of an Employee Grievance in Appendix 1 to ensure that it can be demonstrated that both the Employee and the Employer had a reasonable opportunity to explain their case and that meetings were arranged and took place, to prove the facts.

# Grievance Appeals

Castleman Healthcare Ltd will always offer an Employee the right of appeal against a decision made following a grievance meeting.

If the Employee exercises their right to appeal against a decision made following a grievance meeting, then it will be confirmed at the Appeal Meeting and in the written response following the Appeal Meeting that this is the final stage of the grievance appeals procedure.

The person to whom appeals are to be made is the Director of HR & People.

The person specified to hear the appeal, who ideally will not have been previously involved, will:

1. Allow the Employee to attend and address a meeting stating their reasons for the appeal and how they believe it should be settled.
2. Allow the Employee to be accompanied by a single companion, who can be another worker of the Practice or an official of a trade union. The companion will be permitted to confer with the Employee and address the meeting but not allowed to answer on the Employees behalf. The companion will be allowed time off work with pay to undertake this role.
3. Ensure a full written record of the appeal proceedings is kept in the Employee file.
4. Provide the Employee with a written response to the appeal, normally within five working days, confirming this is the final stage of the grievance appeals procedure.

# Appendix 1 - Checklist & Record of an Employee Grievance

**Investigating the Allegations**

It is important that you can demonstrate that both the Employee and the Employer have a reasonable opportunity to explain their case and that meetings were arranged and took place, to prove the facts.

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| **Employee Name** | |  | | | | | | |
| **Confirm the date the Employee received a full copy of the Grievance Procedure** | | | | | |  | | |
| **How can you prove this?** | | |  | | | | | |
|  | | | | | | | | |
| **Stage One of the three-Stage Grievance procedure requires that the Employee sets out an explanation of their grievance in writing and sends it to their Employer:** | | | | | | | | |
| **Did the Employee set out their grievance in writing?** | | | | **Yes** |  | | **No** |  |
| **If not, did you request that they did put it in writing?** | | | | **Yes** |  | | **No** |  |
| **If Yes, state the date of this request** | | | |  | | | | |
| **If No, why not?** |  | | | | | | | |
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| **Stage Two requires the Employer to arrange a meeting to discuss the grievance with the Employee, who has the right to be accompanied:** | | | | |
| **Confirm that a meeting was arranged** | **Yes** | |  | |
| **State the date of the meeting** |  | | | |
| **Confirm that a letter setting out the date, time of the meeting and the right to be accompanied was sent to the Employee** | **Yes** | |  | |
| **State the date the letter was sent** |  | | | |
| **Confirm a copy of the letter is in the Employee’s File** | **Yes** | |  | |
| **Was a request received to rearrange the meeting?** | **Yes** |  | **No** |  |
| **If Yes, state the date & location of the rearranged meeting** |  | | | |
| **Confirm that the meeting took place** | **Yes** | |  | |
| **Confirm the notes of the meeting are in the Employee’s File** | **Yes** | |  | |
| **When a decision was reached, confirm that the Employee was advised of the decision and given the right of appeal, both verbally and later in writing** | **Yes** | |  | |
| **Confirm a copy of the letter, which was sent to the Employee after the decision was given, confirming that you have given them the right of appeal both verbally and in the letter itself, is in the Employee’s File** | **Yes** | |  | |

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| **Stage Three involves the right of appeal against the decision given in Stage Two and a meeting with the Employee, who has the right to be accompanied, to deal with the appeal:** | | | | | | | |
| **Did the Employee appeal in writing?** | | **Yes** | |  | **No** | |  |
| **If Yes, confirm that the letter is in the Employee’s File** | | **Yes** | | |  | | |
| **If No, do you know why not?** |  | | | | | | |
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|  | | | | | | | |
| **If Yes, state the date of the meeting to discuss the appeal and the grounds for the appeal (the meeting must be at a reasonable time and a suitable location)** | | | | |  | | |
| **Confirm that a letter was sent to the Employee incorporating arrangements for the meeting and advising of the right to be accompanied** | | **Yes** | | |  | | |
| **Confirm that a copy of this letter is in the Employee’s File** | | **Yes** | | |  | | |
| **Was a request received to rearrange the Appeal Meeting?** | | **Yes** |  | | **No** |  | |
| **If Yes, state the date & location of the rearranged Appeal Meeting** | |  | | | | | |
| **Confirm that the Appeal Meeting took place** | | **Yes** | | |  | | |
| **Confirm the notes of the meeting are in the Employee’s File** | | **Yes** | | |  | | |
| **When the post-appeal decision was reached, confirm that the Employee was advised of the decision and given the right of appeal, both verbally and later in writing** | | **Yes** | | |  | | |
| **Confirm a copy of the letter, which was sent to the Employee after the post-appeal decision was given, confirming that you have given them the right of appeal both verbally and in the letter itself, is in the Employee’s File** | | **Yes** | | |  | | |