



Grievance Policy & Procedure

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POLICY OWNER(S)	Janet Bond, HR Manager; Rachele Gale, Director of HR & Communications		
DESIGNATION	HR		

Purpose of policy	To provide information on the Grievance Process.
Intended audience	All staff
Links to other policies	<ul style="list-style-type: none"> Equal Opportunities Policy Data Protection Policy Disciplinary Procedure Speaking Out Policy

Revision History

Version	Date	Page Number	Details of Change	Author
1	May 2022		Moved to new policy format	Janet Bond
2	July 2023		Updated to include reference to Collective Grievances	Janet Bond

CONTACTS

CONTACT NAME	PHONE	EMAIL
Rachele Gale	01279 844 524	Rachele.Gale@stelizabeths.org.uk
Janet Bond	01279 844 339	Janet.bond@stelizabeths.org.uk

RELATED POLICIES AND OTHER REFERENCES

This policy should be read in conjunction with our:

- Equal Opportunities Policy
- Data Protection Policy
- Disciplinary Procedure
- Speaking Out Policy

CQC Fundamental Standards	
Regulation Number	Regulation Details
	Not applicable
Key Question	
Key Question	How this applies to:
Links to Related Legislation / Best Practice	
Equality Act 2010	

St Elizabeth's Centre

GRIEVANCE POLICY AND PROCEDURE

1.0 Introduction

- 1.1 St Elizabeth's believes that all employees should be treated fairly and with respect. If you are unhappy about the treatment that you have received or about any aspect of your work, you should discuss this with your line manager, who will attempt to resolve the situation on an informal basis. If you feel unable to approach your line manager directly, you should approach your Head of Service and/or a member of the Employee Relations Team who will discuss and advise you on how your concerns can be dealt with
- 1.2 Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure. A formal grievance should be concerned with the way in which you have been treated by the organisation or managers acting on its behalf. (If your complaint relates to bullying or harassment on the part of a colleague, please refer to the bullying and harassment procedure). Complaints that amount to an allegation of misconduct on the part of another employee will be investigated through the grievance process in the first instance, and depending on the findings, may result in the concerns being further investigated under our disciplinary procedure. In these cases, the individual raising the concerns will be advised only of whether the complaint is to be taken further. No confidential information relating to an individual's disciplinary process will be shared.
- 1.3 Grievances may be concerned with a wide range of issues, including the fair allocation of work, your working environment or conditions, the opportunities that you have been given for career development or the way in which you have been managed.
- 1.4 Where the same concerns are being raised by a number of different staff, this is known as a Collective Grievance. Individuals raising a collective grievance should refer to the process below under section 7.0
- 1.5 Complaints that you may have about any disciplinary action taken against you should be dealt with as an appeal under the disciplinary procedure.
- 1.6 Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. However, there may be circumstances when disciplinary processes need to be halted and a grievance heard. Insofar as a grievance has any bearing on the disciplinary proceedings, it can be raised as a relevant issue in the course of those proceedings.
- 1.7 St Elizabeth's reserves the right to handle any complaint or grievance as a potential disciplinary issue and to deal with it under its disciplinary policy and procedure without recourse to the grievance policy and procedure.

- 1.8 Whilst the grievance procedure is being followed, usual working arrangements will normally be maintained. However, as part of its duty of care, there may be occasions where the organisation may subject to the requirements of the service temporarily transfer one or both parties.
- 1.9 In a potential case of a gross misconduct complaint about another member of staff, or where it may be necessary for a fair and thorough investigation to take place, and/or to protect the employee or someone else, the person(s) concerned may need to be placed on precautionary paid suspension pending the investigation, the grievance hearing and, if appropriate any resulting disciplinary hearing.
- 1.10 Mediation: It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree. Usually mediation may be recommended as part of the informal grievance process or as an outcome of formal processes.

2.0 The right to be accompanied

- 2.1 You have the right to be accompanied by a fellow worker, a Staff Forum representative, or trade union official at any grievance meeting or subsequent appeal, but not at investigation meetings. The choice of companion is a matter for you. Please note that colleagues are not obliged to accompany you and can choose not to. Companions will be given appropriate time off to allow them to accompany colleagues at a grievance hearing or appeal hearing.
- 2.2 At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf should you wish them to. However, both the hearing and appeal hearing are essentially meetings between the employer and you, so any questions put directly to you should be dealt with by you and not your companion.
- 2.3 Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting may be rescheduled once, providing you can propose an alternative within five working days of the scheduled date. This is to ensure that your complaint is dealt with in a timely manner and to avoid any unnecessary delays.

3.0 Accessibility

If any aspect of the grievance procedure causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this with your manager or Head of Service. Where possible every effort will be made to ensure any additional support or adjustments are put in place to enable you to fully engage in this process.

4.0 Conducting the grievance procedure

The organisation recognises that a formal grievance procedure can sometimes be a difficult and stressful experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect. They will also have access to the company's Employee Assistance program which can provide additional independent support should they need it (please see point 8.0). Additionally, further confidential support is available through our Catholic Ethos Advocate. The organisation will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

5.0 Informal grievance procedure

Wherever possible, the organisation will try to support an individual with resolution through informal processes.

Initially when an individual raises a concern with their manager or Head of Service, a meeting will be arranged as soon as practical to talk through these. Every effort will be made to try to resolve the issues without the need for formal processes to be instigated.

6.0 Formal grievance procedure

6.1 Making the complaint (*for collective grievances see section 7 below*)

Where informal processes have been unsuccessful in resolving your concerns, or where you feel your complaint is serious enough to move straight to formal stages, the first stage of the grievance procedure is for you to put your complaint in writing either by email or

letter. This written statement will form the basis of the subsequent hearing and any investigations, so it is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking. If your grievance is unclear, you may be asked to clarify your complaint before any meeting takes place.

Your complaint should be headed “Formal grievance” and sent to your line manager. If your complaint relates to the way in which your line manager is treating you, the complaint should be sent to your Head of Service or a member of the Employee Relations Team.

Further attempts may be made to resolve the matter informally, depending on the nature of your complaint. However, if you are not satisfied with the outcome, you may insist on the matter proceeding to a full grievance hearing.

Before proceeding to a full grievance hearing, it may be necessary to carry out preliminary investigations of any allegations made by you, although the confidentiality of the grievance will be respected. If any evidence is gathered in the course of these investigations, you will be given a copy long enough in advance of the hearing for you to consider your response. In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained to you and an appropriate summary of the evidence gathered will be given to you.

6.2 The grievance hearing

The hearing will be held as is reasonably practicable and, subject to any need to carry out prior investigations, within **ten working days of the receipt of your written complaint**. It will be conducted by your line manager or, if the grievance relates to your line manager, another manager or your Head of Service, and attended by an HR representative. At the meeting, you will be asked to go through the nature of your complaint and what action you feel should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

It is important for early resolution that you make every effort to attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control,

you should inform the manager hearing the grievance as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

While you will be given every opportunity to explain your case fully, you should confine your explanation to matters that are directly relevant to your complaint. Focussing on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of your complaint. The manager conducting the hearing will intervene if they feel that the discussion is straying too far from the key issue(s). The manager may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of your complaint.

Following the meeting, you will be informed in writing of the outcome within ten working days and told of any action that the organisation proposes to take as a result of your complaint. In the case of a conduct issue relating to another member of staff, you will only be informed as to whether further action is to be taken.

No confidential information in relation to disciplinary processes or actions will be shared. It may be necessary in some cases to extend the time in which an outcome is made. For example, where follow up investigation with a number of individuals may be required. In such circumstances the organisation will inform you of the delay and a likely response date in writing prior to the ten working days' deadline.

If you are dissatisfied with the outcome of your grievance, you may make a formal appeal.

6.3 **Appeal**

Your appeal should be made in writing to the Director of HR & Communications, or another Manager more senior to the Manager who heard your original Grievance (this detail is typically outlined within your Grievance outcome letter). You should clearly state the grounds of your appeal, ie the basis on which you say that the outcome of the grievance was wrong or that supporting evidence provided by you has not been considered or taken into account fairly. This should be done within ten working days of the written notification

of the outcome of the grievance. An appeal meeting will be arranged to take place within ten working days of the submission of your formal appeal or as soon as reasonably practicable.

It is important for early resolution that you make every effort to attend the appeal meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform the manager hearing the appeal of this as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

The appeal hearing will be conducted by a Senior Leadership Team member or another delegated Senior Manager who will consider the grounds that you have put forward and assess whether or not the conclusion reached in the original grievance hearing was appropriate.

The appeal is not a rehearing of the original grievance, but rather a consideration of the specific areas with which you are dissatisfied in relation to the original grievance. The manager conducting the appeal may therefore confine discussion to those specific areas rather than reconsider the whole matter afresh.

The result will be notified to you in writing within ten working days or longer by mutual agreement. The Appeal outcome will be final and will conclude the Company's Grievance Procedure eg no further internal stages would be available.

7.0 Collective Grievances

7.1 Definition of a Collective Grievance

Where a group of employees raise the same concern or complaint regarding their work, working practices or working conditions, this is known as a Collective Grievance. Collective concerns may centre on issues such as terms and conditions of employment, health and safety concerns, complaints relating to the action of a colleague(s), discrimination claims.

This list is not exhaustive but is intended to provide guidance on the types of situation which may constitute a collective grievance.

7.2 Nomination of a representative

Employees wishing to raise a collective grievance, should nominate a representative to act on their behalf throughout the process. The representative can be a union member or a member of the group raising the concerns. They cannot be a solicitor or an external legal representative.

If agreement cannot be reached in terms of nominating a representative, it may be necessary for the organisation to nominate a member of the Staff Forum Group to support the complainants. Alternatively, if the number of employees is relatively small (ie less than 5), it may be possible to meet with the whole group as part of this process.

7.3 Formal complaint

If informal resolution cannot be reached, a statement of grievance form will need to be completed and submitted outlining the concerns raised by all of the employees concerned. This should include the names of all those individuals raising the complaint and be signed by their nominated representative.

7.4 The Collective Grievance Hearing

Once the statement of grievance is received this will be acknowledged and a meeting set up with the nominated representative or the group (if this is manageable). The hearing will be held as is reasonably practicable and, subject to any need to carry out prior investigations, within **ten working days of the receipt of your written complaint**.

It will be conducted by an appointed manager or, if the grievance relates to one of the Group's line manager's, another manager or Head of Service, and attended by an HR

representative. At the meeting, the representative will be asked to go through the nature of the Group's complaint and what action they feel should be taken to resolve the matter. Where appropriate, the meeting may be adjourned to allow further investigations to take place.

It is important for early resolution that the nominated representative makes every effort to attend the meeting at the specified time. It is the responsibility of the group raising the complaint, to ensure their representative attends. If they are unable to attend because of circumstances beyond their control, they should inform the manager hearing the grievance as soon as possible. If they fail to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence or another nominated representative may be asked to attend.

Following the meeting, the representative will be informed in writing of the outcome within ten working days and told of any action that the organisation proposes to take as a result of the collective complaint. In the case of a conduct issue relating to another member of staff, they will only be informed as to whether further action is to be taken. No confidential information in relation to disciplinary processes or actions will be shared. Due to the nature of a collective grievance, it may be necessary in some cases to extend the time in which an outcome is made. For example, where follow up investigation with a number of individuals may be required or the complaints raised are voluminous. In such circumstances the organisation will inform the nominated representative of the delay and a likely response date in writing prior to the ten working days' deadline.

It is the responsibility of the representative to share any updates on timeframes and the outcome of the collective grievance to the group.

If any of the group are dissatisfied with the outcome of the grievance, the representative may make a formal appeal on behalf of the group.



8.0 Additional support

St. Elizabeth's offers employees access to a free counselling service as part of its Employee Assistance provisions. The Employee Assistance Programme is provided currently by Spectrum Life. All details of how to access this service can be found on the Intranet by following this link: [EAP Spectrum Life](#)