

Grievance Procedure

We will provide this policy on request at no cost, in large print, in Braille, on tape or in another non-written format.

Introduction

A Grievance Procedure is essential to allow Wheatley Care to deal with any staff complaints, consistently, fairly and promptly. It is the view of the organisation that most grievances can be resolved through informal discussion with the individual's line manager and this is usually the most beneficial for all concerned. However, if a grievance cannot be solved informally, then an employee may raise it formally through the following procedure.

This procedure incorporates the ACAS Code of Practice for Disciplinary and Grievance Procedures at Work 2009.

Scope

Grievances may be raised by individuals, groups of employees or former employees who have a complaint regarding their employment. The following are examples of issues which may be raised through the grievance procedure:

- Terms and Conditions of Employment
- Health and Safety
- Working Practices
- Organisational Change
- Flexible Working
- Relationships

Employees may also wish to refer to other related policies, such as the Dignity at Work Policy, Whistleblowing or Flexible Working Policy.

A former employee may raise a grievance which should be dealt with under these procedures. In such a situation, the procedure may be modified, but advice will be sought in light of the particular circumstances in each case. Managers should seek advice from the next level of management in such circumstances.

An employee whose grievance relates to their line manager, may raise the grievance formally at Stage 2.

PROCEDURE

Stage 1

An employee wishing to raise a formal grievance must put this in writing to their direct line manager, with an explanation of the nature of the grievance.

The line manager must invite the employee to a hearing at which the grievance can be discussed. This meeting should take place without unreasonable delay.

The line manager must advise the employee of the outcome and the right of appeal, where appropriate, in writing, within 5 working days of the meeting.

Stage 2

If the employee is not satisfied with the response, he or she may appeal against the decision to the next level of senior management. This must be done in writing.

The senior manager will invite the employee to a hearing to discuss the grievance. The first line manager will be present to explain the reason for their decision at Stage 1.

The senior manager must advise the employee of the outcome of the meeting and the right of appeal, if appropriate, in writing, within 5 working days of the meeting.

Stage 3

If the employee remains dissatisfied, then he or she may appeal to a member of the Coordinating Management Group (CMG) in writing.

The CMG member will invite the employee to a meeting to discuss the grievance. The Senior Manager will be present to discuss the reasons for the decision at Stage 2.

The CMG member will advise the employee of the outcome in writing within 5 working days of the meeting.

Note:

Members of the Co-ordinating Management Group may appeal to their line manager in the first instance, the Director of Wheatley Care at Stage 2 and the relevant Board at Stage 3. For Managers who report directly to the Director of Wheatley Care, they may appeal to the relevant Board at Stage 2. This would be the final stage of internal appeal. The Director of Wheatley Care may raise a grievance with the relevant Board at Stage 2.

Right to be Accompanied

An employee may be accompanied by a certified trade union representative or any person currently employed by one of the Wheatley Group companies at all stages of the procedure. A member of staff accompanying a colleague will receive appropriate time off.

Witnesses

If an employee wishes to call witnesses to a grievance hearing, then it is the responsibility of the employee to contact the witness and make arrangements for them to attend, should they agree to do so. The employee must however advise the Manager hearing the grievance of the wish to bring a witnesses and the arrangements made.

Collective Grievances

In the event that an issue is raised which concerns more than one employee, then a stage of the procedure may be omitted where appropriate and with the agreement of all parties. In any circumstance there must always be an initial meeting and a second appeal hearing.

Third Parties

A grievance may be raised by the employee themselves, but may also be raised by a third party on their behalf. For example, a grievance may be raised by a colleague or trade union representative. In all cases the procedure must be followed.

Venue

The manager making arrangements to hear the grievance must ensure that the venue is appropriate to allow a confidential meeting and that any accessibility or special arrangements have been considered for the employee and their companion.

Timescales

Wheatley Care recognises that it is in the best interests of all parties for a grievance to be resolved as quickly as possible. Therefore, decisions made at each stage will be confirmed in writing within 5 working days of the meeting. On receipt of a grievance or an appeal to the next stage, a meeting will be arranged ideally within 5 working days. The time limit will apply unless absence or annual leave makes it impossible to adhere to. If an employee's companion cannot attend on a proposed date, then a second date may be provided. This will normally be within 5 days of the original date. It is the responsibility of the employee to make every effort to attend a grievance meeting.

The organisation will consider that the employee has not followed the grievance procedure if they fail to attend the second date and it therefore prevents them from giving due consideration to the grievance raised.

Exceptions

There are exceptions to following the procedure, which may be rare, but require to be detailed. Wheatley Care will however always endeavour to follow procedures to resolve a complaint from a member of staff.

The exceptions to following the procedure are:

1/ Where either party feel that they are at risk of violent, abusive or otherwise unacceptable behaviour from the other party and it is unreasonable to expect them to go through with the procedure.

2/ Where factors beyond the control of either party, make it effectively impossible for the procedure to be carried out in the foreseeable future, for example, long-term illness.