

Lindsey Lodge Hospice and Healthcare

GRIEVANCE POLICY AND PROCESS

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1. Introduction

It is our policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied. We also want to encourage, where it is appropriate to do so other interventions, to support the resolution of issues such as formal workplace mediation.

Issues that may cause grievances include:

- terms and conditions of employment;
- health and safety;
- work relations;
- bullying and harassment;
- new working practices;
- working environment;
- organisational change;
- discrimination.

2. Responsibilities and Accountabilities

2.1. Chief Executive Officer.

It is the overall responsibility of the Chief Executive to ensure that all employees' grievances are dealt with in a professional and timely manner and that the dignity of all employees is respected throughout.

2.2. Workforce Manager

It is the overall responsibility of the Workforce Manager to ensure that the policy and its contents provide a fair and measurable method of dealing with grievance issues, and reflects the principals set out within the ACAS Code of Practice on Disciplinary and Grievance Procedures.

2.3. Managers

It is the responsibility of all line managers to be aware of the provisions within this policy and ensure compliance with the procedures and timescales set out.

2.4. Employees.

It is the responsibility of all staff to comply with the policy and the processes set out within this document.

2.5. The Workforce Committee

The Workforce committee will review and approve this policy and will receive quarterly reports on the numbers of grievances and nature of grievances for monitoring purposes and to direct future workforce strategy.

2.6. Who is covered by the procedure?

This procedure applies to all employees regardless of length of service and bank workers and volunteers. The policy does not apply to agency workers or self-employed contractors.

It is recognised that whilst volunteers are not employees of the Hospice on occasion they may have concerns whilst performing their roles that require consideration and as such the provisions set out within this policy should be applied in these circumstances.

3. Procedure and Implementation

- 3.1. This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the disciplinary procedure.
- 3.2. The Hospice operates a separate speaking out policy to enable employees to report illegal activities, wrongdoing or malpractice or concerns around team or organisational culture. Personal concerns however regarding working arrangements and terms and conditions should be progressed in accordance with this policy.
- 3.3. Written grievances will be placed on your personal file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Management Policy.
- 3.4. The Hospice operates a separate Dignity at Work policy for those individuals who have concerns regarding bullying and harassment within the workplace and which sets out how such concerns should be progressed.

4. Raising grievances informally

Most grievances can be resolved quickly and informally through discussion with your line manager and individuals are encouraged to do this whenever possible. If however you feel unable to speak to your manager, for example, because the complaint concerns him or her, then you should speak informally to a more senior manager/ or the Workforce Manager.

4.1. Formal Workplace Mediation

The Hospice wishes to promote the prompt resolution of concerns and disputes. In the event of a matter arising relating to a grievance, and if the concern/dispute cannot be resolved through normal line management channels, the parties in the first instance and where it is appropriate to do so and are in agreement, shall agree to formal workplace mediation by a trained Workplace Mediator. The mediation shall take place within 30 days of the date on which the parties gave notice of their desire to mediate the dispute. If mediation does not resolve the issues, the individual concerned will retain their entitlement to pursue matters under the grievance and it will not affect their statutory rights. Mediation provides a framework for individuals to raise their concerns in a neutral setting with the aim of collectively identifying mutually acceptable solutions through an independent facilitator. Further information on the principals involved in formal workplace mediation can be provided by the Workforce Department.

5. Formal written grievances

- 5.1. If your grievance cannot be resolved informally or the concern is so serious that informal resolution is not appropriate, you should put it in writing and submit it to your line manager or the Workforce Department, indicating that it is a formal grievance. If the grievance concerns your line manager, you may submit it to the Workforce Manager instead.
- 5.2. The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations we may need to ask you to provide further information.

6. Investigations

- 6.1. In some cases it may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the concerns and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. [The investigation may be carried out by your line manager OR the Workforce Manager or someone else appropriate, appointed by us]. It is anticipated that any investigation if required will be completed within 6 weeks from the date the grievance was submitted. Where this is not possible you will be advised of the reasons and a reasonable timescale agreed.
- 6.2. You should co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- 6.3. We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

7. Support at Grievance meetings

- 7.1. You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a workplace colleague.
- 7.2. At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may talk privately with them at any time during the meeting.
- 7.3. Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so, they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- 7.4. If your choice of companion is unavailable or inappropriate we may ask you to choose someone else, for example:
 - if in our opinion your companion may have a conflict of interest or may prejudice the meeting; or

- if your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards.

7.5. We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family). In instances where you might want to bring someone who is neither your trade union colleague nor a workplace colleague you must tell the Workforce Department OR the person chairing the grievance meeting, who your requested companion is, at least a week in advance of the meeting to enable the chair of the meeting to consider your request.

8. Grievance meetings

8.1. We will arrange a grievance meeting, at the earliest opportunity normally within two weeks of receiving your written grievance (in instances where concerns do not require further investigation prior to being considered within a grievance meeting).

8.2. You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.

8.3. The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.

8.4. After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.

8.5. We will write to you, usually within one week of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal.

9. Appeals

9.1. If the grievance has not been resolved to your satisfaction you may appeal in writing to the Workforce Manager, stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.

9.2. We will hold an appeal meeting, normally within four weeks of receiving your written appeal. This will be dealt with impartially by a senior manager who has not previously been involved in the case (although they may ask any individual previously involved to be present). You are able to bring a companion to the meeting as set out in the section entitled 'Support at Grievance Meetings'.

9.3. We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further right of appeal.

In grievance matters involving the Chief Executive Officer or his/her Line Reports a hearing will be convened by the Chair of Trustees who will select a Trustee to conduct the hearing.

Two other Trustees will be nominated to sit on the panel considering the complaint. The Chair of the Panel will ensure, that as far as is possible, those selected to sit on the panel have had no direct involvement in the issues or complaint being considered.

Any appeal hearing against any decision made relating to a grievance, will be convened by the Chair of Trustees who will select two Trustees not involved previously in the grievance process to conduct the hearing. HR support will be provided to the panel.

The decision of the Appeal Committee will be final.

10. Employees Who Have Left Hospice Employment

An employee who is no longer employed by the Hospice does not have statutory entitlement to raise a grievance after he/she has left the Hospice. However Lindsey Lodge Hospice may seek to address any issues raised by an ex-employee if such matters are put in writing to the Workforce Manager within 14 days of the individual leaving employment and will follow the provisions set out within this document.

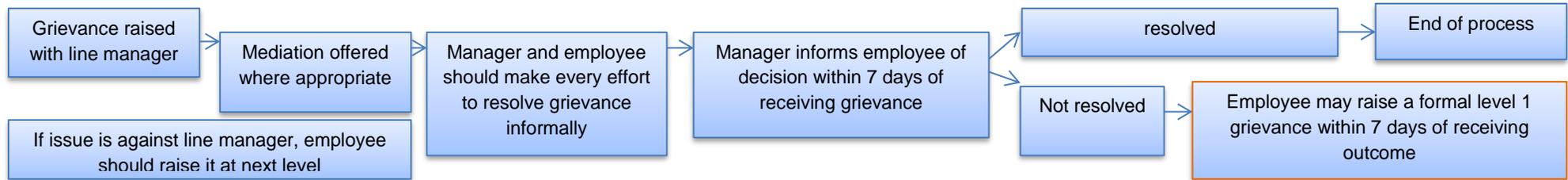
11. Related Policies / Guidelines

- Disciplinary Policy
- Health and Wellbeing Policy
- Health and Safety Policy
- Raising Concerns Policy
- Performance Management Policy.
- Dignity at Work Policy

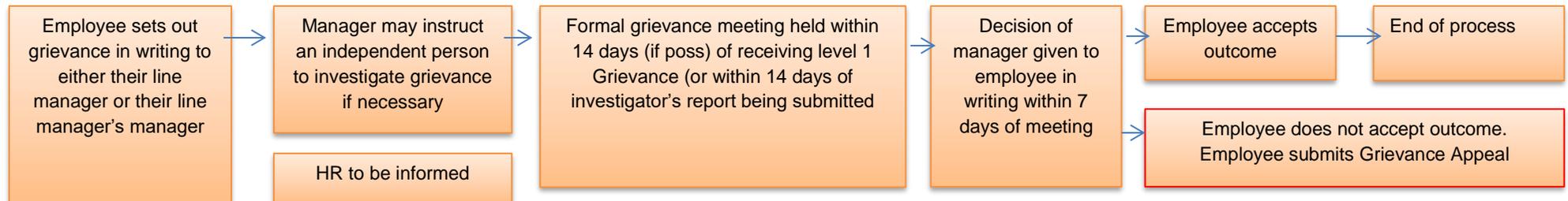
REFERENCES: Employment Rights Act 1996 Employment Relations Act 1999 Employment Act 2002 Employment Act 2008 Equality Act 2010 Employment Act 2008 Equality Act 2010 Code of practice Reference: ACAS code of practice on disciplinary and grievances procedures				
Lead Author of Policy - Jane Lacey-Hatton, Senior HR Adviser Responsible Sub-group – Human Resources (HR) Subgroup of the Board				
RATIFICATION DATE: 26th June 2018 Review interval: 3 years or sooner if required.				
To Be reviewed	Review completed	By	Approved By	Circulation
June 2021	Workforce	JLH	Workforce Sub-committee	L:Policies & Guidelines
June 2024				

GRIEVANCE PROCESS FLOWCHART

Informal stage



Formal Stage – Level 1



Appeal Stage

