

Heritage Care at Home Ltd

Grievances Policy and Procedure

Policy reviewed and valid from: 01/01/20



Purpose

- The Grievance policy is a framework for resolving a formal grievance which an employee has regarding any aspect of his/her employment.
- The basic aim of the grievance procedure is to try and arrive at a mutually satisfactory solution of the grievance as quickly as possible. Employees are encouraged to deal with the problem informally, in the first instance with the manager. If it is not possible to resolve a grievance informally then the employee should then raise the matter without any reasonable delay with a manager who is not the subject of the grievance and this should be done in writing setting out the nature of the grievance.
- The objective of a grievance procedure is to provide a recognised channel through which a grievance can be brought to attention of management by providing the right for an employee to have their grievance heard, investigated and if proved justified, remedied.

Scope

- All employees.

Policy

- The Company recognises that from time to time employees may wish to seek redress for grievances relating to their employment.
- In this respect the Company policy is to encourage free communication between employees and their managers in order to ensure that questions and problems arising during the course of employment can be aired and where possible, resolved quickly and to the satisfaction of all concerned.

Procedure

This procedure is not part of your contract of employment; however, we will not depart from it without good reason.

- If there is any matter relating to your work, or the people you work with, with which you are unhappy, you should use the following grievance procedure.
- If your grievance relates to an equal opportunities matter, it may be easier to deal with all complaints under one procedure rather than using both the grievance procedure and the equal opportunities complaints procedure. We will advise you of which procedure is most appropriate.
- At any formal meeting you have the right to be accompanied by a single companion who is either:
 - A work colleague;
 - A full time official employed by a trade union;
 - A lay official so long as they have been certified in writing by their union that they have received training acting as workers companion at disciplinary and grievance meeting.
- Your companion has the right to explain and sum up your case, and to respond to any views expressed at the hearing. They may not answer questions on your behalf. If your companion cannot attend on the date we have set for the interview, we will always postpone for up to 5 days and longer if (at our discretion) if necessary.

Informal stage

- Where possible, the employee should first discuss on an informal basis, their grievance with the manager who is in the best position to help.
- On hearing the employee's grievance the manager shall reach a decision within 5 working days or as soon as possible. If a delay is unavoidable, the manager will provide the employee with the reason why and the anticipated timescale expected to reach a decision.

Formal stage

- If it isn't possible to resolve a grievance informally the employee should raise the matter formally and without unreasonable delay with a manager who is not the subject of the grievance. The grievance should clearly set out the facts in writing of the exact nature of the complaint or problem and the redress being sought. You should state that this comes under the formal stage of the grievance procedure.
- The grievance will be investigated and the manager will arrange as soon as possible a mutually agreed date for a meeting where the employee will be allowed to explain their grievance and how they think it should be resolved.
- During this meeting the employee may also be accompanied by a companion if they wish. To exercise this right the employee must first make a reasonable in advance to the manager. What is reasonable will depend on the circumstances of each case, however, it would not normally be reasonable for employees to insist on being accompanied by a companion whose presence would prejudice the hearing or where it is not sensible logistically for a companion to attend for geographical reasons.
- If the meeting is likely to take longer to arrange then this will be communicated to the employee giving reasons for the delay.
- Consideration may also be given to the adjourning the meeting for any further investigations as it may be necessary for us to make further enquiries with other people about your grievance, and possibly to have a second meeting with you.
- The grievance meeting will be recorded in writing and the signature of the employee will be obtained as verification to the accuracy of the statement. After the meeting we will write to you with the outcome of your grievance. The letter will include a right to appeal if you are not satisfied with the outcome.

Appeal:

- If after receiving the grievance decision the employee is still aggrieved, they may inform a more senior manager in writing that they wish to appeal stating the grounds on which the grievance should be reviewed. This appeal must be submitted in writing within 5 days of receiving the last decision. After this period the right to appeal will be lost.
- Following the receipt of the employee's notification of their wish to exercise their right to appeal, the manager will arrange the appeal hearing for as soon as possible on a mutually agreed date. The employee again will have the right to request a companion at this meeting.
- The decision of the appeal will be conveyed in writing within 10 working days. Where this is not possible, the employee will be given an explanation for the delay and notified when a response can be expected.
- The decision of the Appeal shall be final and binding.

Overlapping Grievance and Disciplinary Cases:

- Where an employee raises a grievance during a disciplinary process then depending on the circumstances, the disciplinary process may be temporarily suspended in order to deal with the

grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.