

PP04 - Grievances Policy and Procedure

Category: Human Resources Sub-category: Performance & Discipline

Policy Review Sheet

Review Date: 09/01/17 **Policy Last Amended:** 12/01/17

Next planned review in 12 months, or sooner as required.

Note: The full policy change history is available in your online management system.

Business Impact:	Low	Medium	High	Critical
		X		
Changes are important, but urgent implementation is not required, incorporate into your existing workflow.				

 Reason for this review:	Scheduled review
 Were changes made?	Yes
 Summary:	Changes to ensure clear, distinct three-stage process to ensure compliance with the ACAS Code of Practice.
 Relevant Legislation:	<ul style="list-style-type: none"> Equality Act 2010 Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)
 Underpinning Knowledge - What have we used to ensure that the policy is current:	<ul style="list-style-type: none"> ACAS, (2015), <i>CODE OF PRACTICE ON DISCIPLINARY AND GRIEVANCE PROCEDURES</i>. [Online] Available from: http://www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf [Accessed: 26/10/2016]
 Suggested action:	<ul style="list-style-type: none"> Notify all staff of changes to policy Confirm relevant staff understand the content of the policy

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? 1. Purpose

1.1 This policy is a framework for resolving a formal grievance which an employee has concerning any aspect of his/her employment.

1.2 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 therefore encouraged to deal with the problem informally in the first instance with their manager. If it is not possible to resolve a grievance informally, employees should then formally raise the matter without unreasonable delay with a manager who is not the subject of the grievance. This should be done in writing and should set out the nature of the grievance.

1.3 The objective of a grievance procedure is to provide a recognised channel through which a grievance can be brought to the attention of management by providing the right for an employee to have their grievance heard, investigated and, if proved justified and remedied.

1.4 To support GS Social Care Solutions Ltd in meeting the following Key Lines of Enquiry:

Key Question	Key Line of Enquiry (KLOE)
SAFE	S1: How do systems, processes and practices safeguard people from abuse?
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?

1.5 To meet the legal requirements of the regulated activities that GS Social Care Solutions Ltd is registered to provide:

- Equality Act 2010
- Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)



2. Scope

2.1 The following roles may be affected by this policy:

- All staff



3. Objectives

3.1 GS Social Care Solutions Ltd recognises that from time to time, issues may arise which may cause members of staff some distress.

3.2 GS Social Care Solutions Ltd will ensure there is a clear informal and formal process for members of staff to raise grievances.

3.3 GS Social Care Solutions Ltd will ensure that grievances are dealt with suitably and swiftly in accordance with this policy.



4. Policy

4.1 GS Social Care Solutions Ltd recognises that from time-to-time employees may wish to seek redress for grievances relating to their employment.

4.2 In this respect, GS Social Care Solutions Ltd's policy is to encourage free communication between employees and their managers. This is 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.

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5. Procedure

5.1 This procedure does not form part of any employee's contract of employment. It may be amended at any time and we may depart from it depending on the circumstances of any case.

5.2 GS Social Care Solutions Ltd expects that most grievances can be resolved by raising these informally with the member of staff's manager or, if the grievance relates to the manager, with a more senior manager. Through this process GS Social Care Solutions Ltd would look to discuss all the issues with the individual with a view to establishing a suitable outcome without the need for a formal process.

5.3 Where GS Social Care Solutions Ltd has been unable to resolve the grievance informally, the formal procedure will be invoked. The individual should outline their grievance in writing in as much detail as possible including facts, times, dates, names and any other details. Again, if the grievance relates to the individual's manager, then the grievance should be addressed to a more senior manager.

5.4 On receipt of the formal complaint and dependent on the content, GS Social Care Solutions Ltd may carry out a formal investigation. The individual who raised the grievance will be expected to co-operate fully with this investigation.

5.5 GS Social Care Solutions Ltd will arrange a grievance meeting to be held within 7 days of the formal grievance being received. The individual who raised the grievance is entitled to be accompanied to this grievance meeting by a fellow colleague or Trade Union Representative. The individual should inform the manager who has conduct of the grievance meeting who their intended companion is in a reasonable time before the grievance meeting takes place. If the individual or their companion are unable to attend the meeting, the individual should inform the manager who has conduct of the grievance meeting and a suitable alternative date for the meeting to take place will be arranged.

5.6 The purpose of the grievance meeting is to allow the individual an opportunity to provide an explanation for the grievance that they have raised along with a view on how they would like it to be resolved. The manager will then make a decision taking into account what has been said and the outcome of any investigation that has taken place. If further investigations are required dependant on what is said in the grievance meeting, the meeting will be adjourned for these further investigations to take place and will be re-convened once these are completed.

5.7 The grievance manager will write to the individual within 7 days of the grievance meeting being held or the adjourned meeting being re-convened and concluded with the outcome of the grievance. Should the individual not be happy with the outcome they have the right to appeal the decision within 7 days of it being communicated to them. Any appeal should be in writing and set out the full grounds of appeal. GS Social Care Solutions Ltd will then hold a grievance appeal meeting within 7 days of receiving the notification of appeal and will appoint a manager to hear the appeal who had not been involved in the previous grievance process. Again the individual has a right to be accompanied by a fellow colleague or Trade Union Representative. Following the appeal hearing, the manager will write to the individual with the appeal outcome within 7 days. At this point there is no further right of appeal.

5.8 Where an individual 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.

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6. Definitions

6.1 Grievance

- A problem, issue or concern that an employee or worker may have which relates to their employment or engagement with GS Social Care Solutions Ltd

6.2 Grievance Manager

- The manager who is appointed by GS Social Care Solutions Ltd to hear the grievance at the initial grievance meeting. The grievance manager will be independent from any of the issues raised in the grievance and will make a decision on the outcome of the grievance once the grievance meeting has taken place, taking into account all facts and representations

6.3 Grievance Appeal Manager

- The Grievance Appeal Manager will hear any appeal from the outcome of the grievance provided by the Grievance Manager. Again the Grievance Appeal Manager will be independent of any of the prior steps taken in the grievance procedure up to that point

Key Facts - Professionals

Professionals providing this service should be aware of the following:

- The employer should ensure that at each stage of the process a manager with sufficient seniority who is entirely independent of any of the facts arising out of the grievance and/or any of the process of the grievance is appointed to hear the grievance or any appeal
- Every effort should be made to resolve the grievance informally before proceeding with a formal grievance as most grievances are able to be resolved without the need for a formal process
- Managers who have been appointed to the roles of Grievance Manager or Grievance Appeals Manager should ensure that there is no unreasonable delay in scheduling grievance meetings and providing the outcomes following these
- An individual who wishes to raise a formal grievance should ensure they do so in writing and set out all details of their grievance in a clear and precise way

Further Reading

As well as the information in the 'Underpinning Knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

ACAS - Discipline and grievances at work: The ACAS Guide - <http://www.acas.org.uk/media/pdf/b//Discipline-and-grievances-Acas-guide.pdf>

ACAS - Conducting workplace investigations - <http://www.acas.org.uk/media/pdf/o/5/Conducting-workplace-investigations.pdf>

Outstanding Practice

To be outstanding in this policy area you could provide evidence that:

- Deal with grievances and appeals swiftly within the 7 day guidelines
- Consider whether to allow the individual to be accompanied by someone other than a fellow colleague or Trade Union Representative if the circumstances mean it would be more appropriate
- Ensure all grievances are treated sensitively and carefully with the understanding that, although sometimes an issue may appear minimal, it is sufficiently serious for the individual to have raised it under this process

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