

Grievance Policy

Policy Statement

Warren Park recognises that anybody working in an Organisation may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with management. They want the grievance to be addressed, and if possible, resolved. It is also clearly in management's interests to resolve problems before they can develop into major difficulties for all concerned.

We fully adhere to Outcome 12: Requirements relating to workers of Quality and Safety published in accordance with the Health and Social Care Act 2008 regulation 21.

Aim of the Policy

This policy is intended to set out the values, principles and policies underpinning Warren Park's approach to staff grievances. The aim of the grievance procedure is to provide a realistic opportunity for employees to exercise their right to discuss complaints or problems with the management of the home, with the aim of coming to a fair and agreed equitable solution.

Why have a Grievance Procedure?

The purpose of this policy is to ensure that employees have a formal procedure within which to raise grievances if the matter cannot be dealt with informally or a formal approach is preferred.

On 6th April 2009, the former Statutory Dispute and Resolution Procedures were repealed and replaced by the Employment Act 2008 and the new ACAS guidelines. The guidelines still require grievances to be dealt with without unreasonable delay and with a manager who is not the subject of the grievance. Warren Park are not required by law to follow the 3 step procedure as previously set out by the statutory procedures. However, Warren Park will endeavour to conduct grievances fairly and consistently offering the same 3 steps as previously followed. Those are:

Step 1

The employee informs the employer of their grievance in writing

Step 2

The Organisation invites the employee to a meeting to discuss their grievance where the right to be accompanied will apply. Following the meeting, the Employee will be notified in writing of the decision and of their right to appeal.

Step 3

If the employee would like to exercise their right to appeal, they should inform the Organisation in writing. On receipt of this they will then be invited to attend another meeting with another manager following which they will inform the employee in writing of the final decision (employees must take all reasonable steps to attend all meetings)

Raising Grievances

Informally

Where possible all grievances should be raised informally with the individual's line manager. This has advantages for all workplaces, particularly where there might be a close personal relationship between a manager and an employee. It also allows for problems to be settled quickly.

Issues that can cause grievances include:

- Terms and conditions of employment
- Health and safety
- Work relations
- Bullying and harassment
- New working practices
- Working environment
- Organisational change
- Equal opportunities

When raising a grievance informally staff members should ask their manager for a private meeting at a set time and if possible give their manager a brief outline of the issue that will be raised to enable the manager to prepare for the meeting. This may help the manager to provide an immediate response during the meeting.

If an individual has raised a grievance informally and does not feel that the issue has been settled they may invoke the formal grievance procedure by putting their grievance in writing to their line manager.

Formally

An employee who wishes to raise a formal grievance must do so in writing. The letter should be addressed to their Line Manager (or another appropriate manager if the grievance involves the Line Manager). Once a formal grievance is received the Manager will liaise with Human Resources and respond to the letter with plans to arrange a grievance hearing within 5 working days. After the hearing has taken place Managers will endeavor to provide a formal written response within another 5 working days or within a timescale agreed during the meeting confirming the decision that has been reached and the employees' right to appeal.

However, where it becomes necessary to speak with other individually in order to consider your grievance, further time will be required and should be allowed for.

Grievance Hearings

A grievance hearing is a meeting which deals with any grievance raised by an employee. For the purposes of the legal right to be accompanied, a grievance meeting is defined as a meeting where an employer deals with a complaint about a 'duty owed to them as a worker'.

Any grievance hearing should be held in private without interruption from outside. It is usual for a second manager to be present at a Grievance Hearing and possibly somebody in a note taking capacity (however, occasionally the grievance may be heard by 1 manager and note taker). As the manager will have received a written statement of the grievance before the hearing is held they should find out whether similar grievances have been raised before, how they have been resolved and any follow up action that has been necessary.

When involved in a grievance hearing it is important to:

- Remember that a grievance hearing is not the same as a disciplinary hearing, and is an occasion when discussion and dialogue may fruitfully produce the answer
- Put care and thought into resolving the grievances. They are not normally issues calling for snap decisions, and the employee may have been holding the grievance for a long time.

It will be usual for a manager to adjourn a grievance hearing to explore other possibilities or to take advice on how to proceed further. The employee will be told when they might expect a response if one cannot be made at the time, bearing in mind the time limits above.

Employees have the right to be accompanied at any grievance hearing by a work colleague or Trade Union Representative (if they wish).

Appeals

Under Warren Park's grievance procedure and following ACAS guidelines, employees have the right to appeal against a decision made in a grievance hearing.

If an employee is not satisfied by the response given by the immediate Line Manager (e.g. Registered Manager), they may raise their grievance with a company Director. Where possible an appeal will always be heard by a manager who is senior to the person who heard the original grievance. Where this is not possible the person hearing the appeal must act impartially. The time limits above will be met i.e. a grievance hearing will be arranged within 5 days and the Manager will endeavor to provide a response within 5 days of the hearing. The decision made as a result of the Appeal Hearing will be final.

All appeals must be made in writing. Employees have the right to be accompanied at any stage of the procedure.

Training

All new staff will be issued with a copy of the Grievance policy as part of their induction process.

Review of this Policy

This policy will be reviewed by Karl Lysaght or his representative in his absence not later than May 2018. It will be reviewed in response to changing legislative or contractual requirements and at least every three years.

Review of this Policy

Name: Karl Lysaght
Date: May 2017
Policy Review Date: May 2018