GRIEVANCE POLICY

<table>
<thead>
<tr>
<th>POLICY REFERENCE NUMBER</th>
<th>HR 003</th>
</tr>
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<tbody>
<tr>
<td>DATE RATIFIED</td>
<td>March 2015</td>
</tr>
<tr>
<td>(This version)</td>
<td></td>
</tr>
<tr>
<td>NEXT REVIEW DATE</td>
<td>March 2018</td>
</tr>
<tr>
<td>ACCOUNTABLE DIRECTOR</td>
<td>Executive Director of Strategy and Transformation</td>
</tr>
<tr>
<td>POLICY AUTHOR</td>
<td>Senior HR Advisor</td>
</tr>
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Policy Statement/Key Objective:

The aim of this policy is to ensure that all grievance matters, whether they are ‘individual grievances’ or ‘collective disputes’, are dealt with in a fair, consistent and timely manner and that managers and staff know what to do when a grievance or collective dispute arises.
## Executive Summary

<table>
<thead>
<tr>
<th>Title of Policy:</th>
<th>Grievance Policy</th>
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<tbody>
<tr>
<td>Subject</td>
<td>Individual grievances or collective disputes</td>
</tr>
<tr>
<td>Applicable to</td>
<td>(State Network, Services and staff groups) All staff</td>
</tr>
<tr>
<td>Key Policy Issues</td>
<td>Grievances may be concerned with a wide range of issues, including the allocation of work, the working environment or conditions, operational management procedures, work relations, flexible working issues, health and safety issues or opportunities for career development.</td>
</tr>
<tr>
<td>Original Issue Date</td>
<td>October 2014</td>
</tr>
<tr>
<td>Issue Date (This Version - including any minor amendments)</td>
<td>October 2014</td>
</tr>
<tr>
<td>Dates Policy Reviewed (include all previous dates of review)</td>
<td>October 2014</td>
</tr>
<tr>
<td>Next Review Date</td>
<td>October 2017</td>
</tr>
<tr>
<td>Policy written by (State title only)</td>
<td>Senior HR Advisor</td>
</tr>
<tr>
<td>Policy Lead (State title only)</td>
<td>Senior Human Resources Business Partner</td>
</tr>
<tr>
<td>In Consultation with</td>
<td>Staff side</td>
</tr>
<tr>
<td>Monitoring Arrangements</td>
<td>The HR Department will ensure monitoring of this policy.</td>
</tr>
<tr>
<td>Approved by (state group)</td>
<td>EMT</td>
</tr>
<tr>
<td>Authorised by (state senior accountable person e.g. Network or Clinical Director)</td>
<td>Executive Director of Strategy and Transformation.</td>
</tr>
<tr>
<td>Related Procedural Documents</td>
<td>Grievance Guidance</td>
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| Links to CQC outcomes | }
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1.0 Introduction

1.1 The Trust believes that this procedure contributes to the maintenance of good management and staff relations. It will help to ensure that all grievance matters are dealt with in a fair and consistent manner throughout the Trust. The procedure also aims to provide for the quick resolution of a grievance as close as possible to its point of origin.

1.2 This Policy must be read in conjunction with the Dignity at Work Guidance document.

2.0 Scope

2.1 This policy applies to all employees

2.2 This policy does not cover situations appropriate to be dealt with under any other Trust Policy or to seek redress of any issue raised under that Policy where such policies provide for an appeal.

3.0 Definitions

3.1 Individual Grievance – any matter arising from and concerning an individual’s employment (to be read in conjunction with 2.2 above)

3.2 Collective Grievance – any matter arising from and concerning two or more employees’ employment.

4.0 Duties

4.1 Responsibility of the Trust Board

4.1.1 The responsibility for the provision of a policy for grievances rests initially with the Trust Board.

4.1.2 Additionally, the Trust Board will ensure through the line management structure that this policy is applied fairly and equitably and adequate resources are available to support the policy.

4.2 Responsibility of the Human Resources Directorate

4.2.1 The Human Resources Directorate will oversee the introduction, operation and monitoring of this policy to ensure the fair and consistent application throughout the Trust in accordance with employment legislation.

4.2.2 The Human Resources Directorate will ensure the provision of training, guidance and support to line managers on the operation of this policy.

4.2.3 The Human Resources Directorate will ensure that queries in relation to this policy at a local level will be answered and ensure the policy is applied fairly and consistently throughout the Trust.
4.3 **Responsibility of Line Managers**

4.3.1 Line Managers are responsible for ensuring that this policy is applied fairly and consistently within their own area.

4.3.2 Ensuring that all staff are aware of the policy and understand the process for raising grievances.

4.4 **Responsibility of Employees**

4.4.1 To raise any grievances immediately with their line manager with a view to resolve informally

4.4.2 To follow this procedure in lodging a grievance.

5.0 **Stage 1 Informal Approach**

5.1 Employees should aim to resolve any concern, problem or complaint informally by approaching their line manager in the first instance.

5.2 The manager will have an informal discussion with the employee, investigate the grievance if required and seek to resolve the problem.

5.3 The employee must be informed of the findings and what action (if any) has been taken. This must be done without any unreasonable delay (normally within 10 working days).

5.4 If the complaint is against the line manager or immediate supervisor and the employee does not feel able to discuss the matter formally with them, the employee must raise it with the next level of management.

6.0 **Stage 2 Formal Approach**

6.1 If the procedure at stage 1 does not satisfactorily resolve the grievance, the employee must raise it formally, in writing to their line manager (or the most appropriate next level of management) using the Grievance form which is available on the Trust’s e-HR portal. This should be within 10 working days from receipt of the outcome letter. The grievance form must clearly outline the nature and basis of the grievance.

6.2 The formal stages of the Trust’s Grievance Policy and associated guidance will be followed where the informal approach is unsuccessful or it is demonstrated to have at least been considered following issues being raised through the Dignity at Work policy.

6.3 The relevant manager will acknowledge receipt of the formal grievance and arrange a grievance meeting without unreasonable delay (normally within 10 working days). The manager must be supported by HR at the hearing, and if the employee chooses can be accompanied by either a trade union or a work place colleague.
6.4 The employee must have the opportunity to explain their grievance and what action they think needs to take place for it to be resolved.

6.5 At the meeting the manager will discuss and ask questions regarding the grievance in order to understand the employee’s complaint. The manager may need to investigate the employee’s complaint further and take whatever action is necessary to deal with the matters complained of.

6.6 If the grievance submitted is following the informal stage of the Dignity at Work policy, it will be necessary to investigate the concerns raised. If there is evidence of bullying and harassment following completion of the investigation, disciplinary action should be taken.

6.7 Where further investigation is not required following the meeting, the manager will consider all the matters raised at the meeting and will inform the employee of their decision, in writing, within ten working days (or any agreed longer period) detailing the following:

- The complaint heard
- The investigation undertaken
- Any action that has been taken to deal with the complaint
- The right to appeal the decision

A copy should also be forwarded to the Human Resources Department for retention on the employee’s personal file.

6.8 Following the investigation the manager must compile a report detailing the investigation process, findings and any recommendations. This will not be shared with the employee. Upon completion, the manager must then write to the employee as specified in 6.7.

7.0 **Stage 3 Appeal**

7.1 Should the employee wish to appeal against the outcome of the grievance they must do so, in writing, to the Director of Human Resources within 14 days of receipt of the outcome letter.

7.2 Any request for an appeal must specify the ground of the appeal preferably under one or more of the following headings:

- The nature of any redress
- The finding of the hearing on a point of fact which is pertinent to the decision of the hearing
- A failure to adhere to the policy and procedure

7.3 Arrangements will then be made for the appropriate level of management above that which heard the original grievance, from a different/independent Network or Department, to hear the case.

7.4 The appeal meeting should be arranged normally within 20 working days and the employee will be notified in writing, of the time and place of the meeting. A member of the HR Department may be present at the meeting in an advisory capacity.
7.5 The manager that heard the original formal grievance will attend to present their findings and reason/s for their decision.

7.6 The employee should be given the opportunity to explain why they are not satisfied with the outcome of their original grievance, and how it might be resolved. The manager hearing the case should also ensure the attendance of anyone that they believe will be able to assist them in reaching a decision, by, for example, clarification of issues or factors.

7.7 The outcome of the appeal should be communicated to the employee, in writing, without unreasonable delay (usually within 10 working days). A copy should be forwarded to the Human Resources Department for retention on the individual's personal file.

7.8 The decision at this stage will be final.

8.0 Training

8.1 Line managers may access one-to-one advice and guidance from the Human Resources department. Where a significant need to increase management capability in the application of the policy is identified, training sessions will be delivered to a cohort of line managers.

8.2 Further advice and support in relation to this policy can be obtained through e-HR or the HR Advice Centre.

9.0 Monitoring (Including Standards)

9.1 The effectiveness and the compliance of this policy will be monitored by the Human Resources Department.

10.0 References

10.1 Lancashire Care Trust’s Dignity at Work Policy