

Grievance Policy and Procedure

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Name of responsible (ratifying) committee	Policy Review Group
Document Manager (job title)	Group HR Manager
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Version Tracking

Version	Date Ratified	Brief Summary of Changes	Owner
1	26 th October 2019	Amended to reflect updated ISO 9001 2015 controlled document register	AC
16/1	1 April 2020	Annual issue update	AC
17/1	April 2021	Annual issue update	AC
17/2	23 October 2021	Updates to make it clearer throughout and added new flow chart.	

Purpose of this document

Agincare believes that all employees should be treated fairly and with respect. Grievances may be complaints or concerns about a wide range of issues, such as:

- your work, working conditions, pay and benefits, working hours; or
- discrimination on the grounds of race, sex, sexual orientation, religion, disability, age, gender reassignment, marital status or ethnic origin; or
- treatment by colleagues including harassment and bullying; or
- your health and safety or a breach of statutory employment rights; or
- any other issue affecting your employment,

Complaints in respect of disciplinary action taken by the Company should be dealt with as an appeal under the disciplinary procedure.

Informal approach

If you are unhappy about the treatment that you have received or about any aspect of your work, where possible you should discuss this with your line manager, who will attempt to resolve the situation on an informal basis. If you feel unable to approach your line manager directly, or the issue may pertain to your line manager, you should approach their line manager or the HR Department, who will discuss ways of dealing with the matter with you and will be able to sign post you to the correct person to assist with this issue.

Where the informal procedure is used, both parties should keep a written record of the meeting including what was discussed and any proposed action. Should the grievance not been resolved or cannot be settled informally, the matter should be dealt with in accordance with the formal grievance procedure.

Mediation

It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of your grievance. This may involve the appointment of a third-party mediator, who will discuss the issues raised by your grievance with all of those involved and seek to facilitate a resolution. Mediation will be used only where all parties involved in the grievance agree.

Formal grievance approach

Where attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under this procedure. A formal grievance should be concerned with the way in which you have been treated by the Company or managers acting on its behalf. These issues must be highlighted without unreasonable delay. Grievances that amount to an allegation of misconduct on the part of another employee will be investigated and dealt with under the disciplinary procedure and you will be informed of this action. Grievances will be dealt with strictly in confidence.

The Company recognises that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect. The Company will not tolerate abusive or insulting behaviour from anyone taking part in or conducting grievance procedures and will treat any such behaviour as misconduct under the disciplinary procedure.

Grievances Raised as Part of the Disciplinary Procedure

Grievances that you may have about any disciplinary action taken against you should be dealt with as an appeal under the disciplinary procedure.

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance, however there is no legal requirement to put the disciplinary on hold where the grievance is unrelated to the

disciplinary process. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently. HR will make this decision in discussion with relevant stakeholders.

Grievance Procedure

Stage 1 – Informal Investigation

Stage 2 – Formal Grievance Investigation Meeting and Outcome

Stage 3 – Formal Grievance Appeal Meeting

Right to Representation

Agincare's Grievance policy and procedure follow ACAS guidelines. A person raising a grievance has the right to be accompanied at any stage by a colleague who may be a fellow employee, a member of a professional body or a trade union representative but not a solicitor or barrister.

The choice of companion is a matter for you, but the Company reserves the right to refuse to accept a companion whose presence would undermine the grievance process. Please note that individual workers are not obliged to agree to accompany you.

Grievance Raised after Employment has ended

If an employee has not raised a concern they have prior to leaving Agincare's employment they will have the opportunity to discuss any concerns they may have at the point of exit interview/questionnaire.

If, however, you have not done this and you wish to raise a grievance after your employment has ended you should put it in writing, indicating it is a formal grievance and send it to your line manager or HR within one month. Your written grievance should contain a brief description of the nature of your grievance, including any relevant facts, dates and names of individuals involved. You should also state how your grievance should be resolved. We will decide how best to proceed and you will be informed of this within 10 working days of the date we receive your written grievance. If requested a meeting may be arranged but normally an investigation and a written response will be sent to you.

Contractual impact

Agincare's policies and procedures are to be followed in conjunction with the requirements of the contracts under which you provide services. There may be occasions where the contract contains requirements which appear to contradict or be in addition to, standard Company policy. In these instances you are to:

- If the requirement is in addition to standard Company policy - adhere to the terms and conditions of your contracts
- If the requirement is lesser than standard Company Policy - follow Company policies and procedures

If you require any further clarification please contact the Commercial Department for guidance

Training

The management team of Agincare believe that, in order to provide a quality service, Agincare requires high quality staff who are suitably trained, supervised and supported.

Agincare policies and procedures are referenced in the induction programme and are available for staff in their work place (Care Home or Branch office). Staff will be informed of how to access all policies, procedures and related documentation and of how to seek further advice regarding Agincare's agreed ways of working. Staff should be provided with regular updates to encourage continuous improvement and include latest good practice.

Agincare is committed to provide an ongoing programme of support for all staff. This includes supervisions, appraisals and training which will be in line with company policy, contractual obligations and current best practice

REVIEW OF THIS POLICY

Review of this document is recorded on the controlled index and reviewed annually as part of the management review process.

Name: Policy Review Group

Date: October 2021



Grievance Procedure

All managers are responsible to ensure they receive training and manage employees and the process in a positive and proactive way with a “constructive feedback” attitude to ensure continuous improvement.

Agincare guiding principles are to ensure:

- Fairness
- Equality
- Confidentiality
- Representation
- Natural justice

Note **bold underlined** refers to a template letter, meeting or report as guidance as support to managers. Access these from Sharepoint copying and amending on correct business letter headed template

Grievance Procedure Flow Chart



