

ELIZABETH FINN HOMES LIMITED

Exceptional care for the individual

9.2 – Grievance

Copies of all Elizabeth Finn Homes Limited (EFHL) HR Policies can be found on the EFHL Intranet. All EFHL employees are subject to EFHL HR Policies. EFHL HR Policies are non-contractual, are reviewed regularly and may be subject to change. All queries on the application or interpretation of this policy should be raised with the Head of Department or HR.

If you have any queries about your rights in relation to how we collect and store your personal information please speak to your manager or HR

Purpose

The purpose of the Grievance Policy and Procedure is to encourage and maintain a harmonious and professional working environment within Elizabeth Finn Homes Limited (EFHL). This Policy and Procedure applies to all Elizabeth Finn employees including Bank Workers and Agency Workers.

Roles and Responsibilities

It is the responsibility of all Managers, Heads of Department, Line Managers, employees and companions to ensure that they fully understand and comply with the policy, when applicable

Policy

- If an employee has a grievance or complaint relating to their employment this procedure should be used to help resolve the matter as quickly and as fairly as possible.
- Any employee, who feels that the management of the workplace is being conducted in such a way as to place the reputation of EFHL at risk, or places the residents at serious risk, is not obliged to follow the normal grievance procedure but may approach a Director or other Senior Manager of EFHL.
- If an employee feels that internal procedures, policies or senior managers are inadequate to deal with a very serious risk issue then employees should refer to the Public Interest Reporting Policy & Procedure ("Whistleblowing"). **However the Whistleblowing policy should not be used in a vexatious way to bypass or replace the normal complaints and communications procedures. If it is found that it has been used in this manner it will be considered an abuse of process and gross misconduct.**

Procedure

Informal Process

If the employee has a grievance about any aspect of their employment, they should discuss this informally with their line manager or Head of Department and agree a resolution to the issue. We hope the majority of concerns will be solved this way. A brief file note detailing the outcome should be kept and a copy given to the employee where appropriate.

Where a grievance can not be solved quickly and informally, the Head of Department may consider appointing a neutral mediator to help resolve the problem. The mediator would be someone who is not party to the dispute and more than likely someone from another department or another home. In the event that all parties do wish to mediate please contact Human Resources for guidance.

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If the employee or relevant Manager for any reason believes it is not appropriate to resolve the grievance informally; or if the employee is not satisfied with the outcome of this informal stage, the employee must proceed with the formal process. The employee should where appropriate be provided with the details of our counselling service.

Formal Process

Statement

If an employee feels that the matter has not been solved through informal discussions or mediation they should put the grievance in writing to their Head of Department. If the grievance is against the Head of Department then they need to put this to the next level of management or their designate. The employee must outline in their written grievance any relevant facts, dates, relevant documents and names of individuals involved. The employee should also set out in writing how they believe the issues may be resolved. During all stages of the formal grievance procedure the Head of Department or Manager should keep Human Resources informed.

The Head of Department or Manager will respond to the grievance without unreasonable delay. The Manager will investigate the matter and organise a formal meeting to hear the grievance.

Meeting

- The grievance should be acknowledged and a meeting invitation sent to the employee, normally within seven calendar days of receipt of the grievance letter.
- An employee should be given at least 48 hours notice to prepare and attend a meeting to discuss the complaint.
- The grievance should be heard without unreasonable delay, but ideally within the first two weeks from the date it was received.
- The Manager will arrange for another party to take written notes of the meeting. Notes will not be verbatim. Recordings of any kind are not permitted by either party.
- The employee must make all reasonable steps to attend the meeting.
- The employee may be represented or accompanied by a colleague of their choice or by a Trade Union representative.
- If a worker's chosen companion will not be available at the time proposed for the hearing you must postpone the hearing to a time proposed by the worker provided that the alternative time is both reasonable; and not more than five working days after the date originally proposed.
- Where deemed appropriate the Manager may be accompanied by another Manager or by a representative from Human Resources
- Consideration should be given to adjourning the meeting for any further investigation that may be necessary

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- The Head of Department /next level of management or their designate will decide on appropriate action and give their response in writing without unreasonable delay. The outcome letter confirming the outcome should set out what action we are taking to resolve the grievance. The letter will also include a reminder of the employee's right of appeal, if the employee is not satisfied with the outcome.

Appeal

If the employee wishes to appeal the outcome of the hearing:

- The grounds for the appeal should be put in writing to the next level of management or their designate. This should usually be within seven days of the date of the written reasons of the grievance outcome. The appeal letter should set out clearly the grounds of appeal.
- A meeting with the employee to discuss the matter will be arranged without unreasonable delay.
- The Manager will arrange for another party to take written notes of the meeting. Recordings of any kind are not permitted by either party.
- Where deemed appropriate the Manager may be accompanied by another Manager or by a representative from Human Resources.
- The employee may be represented or accompanied by a colleague of their choice or by a lay or official Trade Union official
- The outcome of the appeal will be communicated in writing without unreasonable delay
- The decision will be final and there will be no further right of appeal.

Directors with an unresolved grievance may appeal to the Chairman of EFHL.

Right to Be Accompanied

Employees may be accompanied at all formal meetings by a colleague, a practising Trade Union official or a lay official who is certified to represent you. They may ask questions, or make statements on your behalf. However they cannot answer questions on your behalf. We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help overcome a disability, or if you have difficulty understanding English.

If the employee wants to bring a companion, they should tell their employer who that person is as soon as possible. It is not for the employer to make these arrangements and it is the responsibility of the employee.