



GRIEVANCE POLICY

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Destroy All Previous Issues

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Glossary

Term	Description

1 INTRODUCTION

This policy is to enable grievances to be expressed and subsequently settled quickly, equitably and fairly and as near to the point of origin as possible.

This procedure is available to any member of staff who has a grievance as a result of working for Badger regardless of length of service, age, gender, disability, religion or belief, marital status, sexual orientation or ethnic group.

Where there is doubt about the operation of the grievance procedure, members of staff should contact the Human Resources department for clarification.

Staff have the right to be accompanied at all stages of the procedure by a work colleague who must be an employee of Badger, or a full time trade union representative.

It is usual for the line manager to investigate a grievance, but where appropriate an investigation may be undertaken by another appropriate person as appointed by management.

A grievance should be raised as quickly as possible after an event or incident. This procedure is designed for use after the employee has attempted to resolve the problem informally with his/her immediate manager/ supervisor. Badger recognises that most grievances can be dealt with informally and early action at the source of a problem often resolves issues appropriately.

Badger wishes to ensure that any grievance is properly heard and resolved at the earliest opportunity.

2 DEFINITION OF A GRIEVANCE

A grievance shall be interpreted as an issue raised by a staff member relating to their work, working conditions, working hours, unfair treatment, health and safety, a breach of statutory employment rights or where it is felt a condition of employment has been incorrectly used against them. It can also be where an issue is raised by one staff member against another which has not been resolved informally and where a staff member continues to feel aggrieved.

Staff concerns about the performance or delivery of healthcare services within Badger are not covered under this procedure and staff should apply the Raising Staff Concerns policy in such cases.

Grievances will be treated seriously and investigated thoroughly yet with the utmost sensitivity. A balance must be struck between the need for confidentiality and the need for informed discussion.

3 EXCLUSIONS FROM THE PROCEDURE

This procedure does not apply to:

- 1 A grievance about a matter over which the employer has no control.
- 2 Dissatisfaction with the outcome of a disciplinary case.
- 3 Performance and capability issues
- 4 Badger will not intervene formally in disputes or disagreements between employees except where it affects the organisation. However Badger will provide advice in the event that a dispute cannot be settled.
- 5 An attempt within six months of the completion of action under the grievance procedure, to restart the procedure in respect of the same or similar grievance, unless any action by the organisation to resolve that grievance has not been implemented, or when such implementation has failed to resolve it.

4 THE PROCEDURE

The following paragraphs set out both the informal procedure and the formal procedure to be adopted where informal discussions have not resolved the grievance.

4.1 Informal Stage

Staff have a responsibility to raise a concern informally with their line manager before invoking the grievance procedure. This should take place as soon after an event as possible. An informal discussion will then be held between the two parties, within five working days, with the line manager giving a verbal explanation and response.

Should they wish, a member of staff may seek advice from the HR department and a member of the HR department may also attend the meeting in an advisory capacity if requested. In all cases, a record of the meeting and the outcome should be placed on the staff member's personal file.

Should the grievance involve the staff member's line manager, or it is felt inappropriate to raise the matter with their own line manager, a staff member should raise the matter of concern informally with the next level of management. After informal discussion between both parties, should the matter not be resolved, the staff member may then raise a formal grievance by following the procedure set out below.

Where the grievance involves another member of staff the line manager should meet with the other party and explain the problem.

In some circumstances, it may be necessary to move directly to the formal procedure but it is hoped the majority of differences will be resolved at the informal stage.

4.2 Stage 1 – Formal

Where a grievance has not been resolved informally, an employee should state in writing to their line manager that they wish to raise a formal grievance setting out clearly the basis for the grievance and request a meeting. A formal grievance must be raised as soon after an incident or event as possible and a meeting arranged to take place within five working days of the grievance being raised.

4.3 Stage 2 – Formal

A meeting will be held between the employee and the line manager with a member of the HR department in attendance to provide advice and record the discussion. The meeting should take place as quickly as possible after the grievance has been raised.

A written record showing the notes of the meeting should be provided by the HR department and a copy given to the line manager and the staff member. The line manager should provide their conclusion and any recommendations and proposed action. The record, with reasons for the decision, should normally be given to the staff member within five working days.

4.4 Stage 3 – Formal

Where a grievance has not been resolved at Stage 2, and the staff member remains dissatisfied, the aggrieved member of staff may submit an appeal and request the grievance to be heard at Formal Stage 3 of the Grievance Procedure. Such a request must be made in writing, clearly setting out the reason for the appeal. If only part of the grievance remains unresolved, that should be clearly stated in writing within seven working days of the outcome of the Formal Stage 2 grievance meeting. The letter of appeal should be addressed to the Head of HR.

The line manager will, wherever practicable, and subject to availability, ensure that a meeting is arranged within fifteen working days of receipt of an appeal. The appeal meeting should be attended by the employee, the line manager, chaired by an independent senior manager or director, where that attendance did not occur at Stage 2, or in certain situations where the grievance is raised by a staff member at a senior level, the, the Chief Executive, or a member of the Board. HR will attend to provide advice and guidance and record the discussion.

The Chief Executive or Board Member will only hear the reasons for the appeal and will not re-hear the entire case. A decision will be passed to the employee, in writing, within ten working days from the date of the appeal meeting.

That decision will be final and there is no further right of appeal after that stage.

A staff member has the right at any stage of the grievance procedure to be accompanied by a work colleague who must be an employee of Badger, or trade union representative.

Should the chosen companion be unavailable to attend a meeting, or any witnesses either party wishes to call, then the scheduled hearing may be postponed as long as an alternative time is proposed within the following five working days.

We will aim to conclude any grievances in a timely manner. However, this may not always be possible due to the operational needs and the nature of the business. Should these circumstances arise we will promptly inform the member of staff concerned and keep them updated.

5 OPERATION OF THE PROCEDURE

At all stages of the procedure the staff member must specify in writing that a grievance is being lodged and clearly state what the grievance is. Additional grievances cannot be “added” between stages, although they may be removed if settled at any earlier stage.

6 RECORDS

Written records will be taken and kept at all stages by a member of the HR department.

7 GRIEVANCES INVOLVING MORE THAN ONE EMPLOYEE

Where a grievance involves more than one employee, wherever possible one person should be nominated to submit the grievance in writing, clearly defining the grievance and providing the names of those who are aggrieved. All staff members involved should sign the written grievance to confirm their agreement to be involved.