

AA015 Grievance Procedure Policy



Grievance Procedure Policy

Std Reference:	AA 015	Written by:	Helen Morley
Revision No:	3	Reviewed by:	Shane Scanlan
Pages:	4	Approved by:	Donna McNamara
Review Date:	February 2016		
Next Review:	February 2017		

1. Introduction	Page 2-2
2. Responsibility	Page 2-2
3 Where a complaint <u>does not</u> concern another employee or work colleague	Page 2-2
4. Where a complaint <u>does</u> concerns another employee or work colleague	Page 3-4
5. Document Revision Record	Page 4-4

AA015 Grievance Procedure Policy

1. Introduction

Brídhaven is committed to promoting and maintaining a good working environment for all employees and good employee relations. The purpose of the Grievance Procedure is to allow employees to raise their grievance concerning work related matters so that these complaints/grievances can be addressed promptly.

The grievance must relate to the employee's terms and conditions of employment, working environment or working relationship. While Brídhaven will endeavour to resolve any grievance raised in the specific time frame in accordance with the policy below, the intervention of Brídhaven may carry on into the medium term in order to ensure that we remedy the issues fully.

It is Brídhaven's policy, in the interest of both parties, to have a clear procedure for dealing with grievances in a timely manner and, where possible, to have grievances resolved internally.

Complete adherence to the procedures contained in this process is absolutely essential for both parties and the individuals covered by this agreement.

2. Responsibility

All employees are required to adhere to this policy. Employees must understand that this policy is also incorporated into their contract of employment.

Any queries on the application or interpretation of this policy should be discussed with the HR Manager prior to any action being taken.

3. Grievance procedures: Where a complaint *does not* concern another employee/ work colleague.

3.1 **Informal process**

All complaints must be raised firstly on an informal basis before invoking the formal grievance procedure. You should raise your complaint initially with your immediate Supervisor (or with the Person in Charge where you feel that approaching your immediate supervisor would be inappropriate or cause you difficulty). If the matter is not dealt with satisfactorily within ten days of receipt of the complaint by your supervisor then you may raise a formal complaint under the formal grievance procedures as set out below.

At all stages in the grievance procedure Brídhaven may give consideration to Mediation/Facilitation in an effort to resolve the matter.

3.2 **Formal process**

Note that before a formal grievance is made the informal process needs to have been explored.

You should refer your grievance/complaint in writing to the HR Manager after notifying your supervisor of your intention to do so. A meeting will be arranged by the HR Manager to discuss the matter usually within seven days following receipt of the complaint. You will be entitled to be accompanied by a work colleague or Employee Forum member to this meeting.

The purpose of this meeting is to investigate and establish the facts of the complaint and the specific issues complained of. It may be necessary to adjourn the meeting in order to consider the appropriate way of dealing with the grievance. The HR Manager will advise you of the outcome of this meeting and the next course of action, if any, required to address the grievance.

AA015 Grievance Procedure Policy

3.3 Appeal

If you are not happy with the decision reached at that stage, you may appeal to the Registered Provider within seven days of receipt of the decision above. The grounds of your appeal must be set out in writing and addressed to the Person in Charge. The appeal will focus only on the aspect of the case cited by the appellant as being the subject of the appeal. An appeal hearing may be conducted, if appropriate in the circumstances and if further information is required by the individual conducting the appeal. The grounds of the appeal and any outcome and methodology employed will be appended to the investigation file.

4. **Grievance procedures: Where a complaint *does* concern another employee/ work colleague.**

If your complaint concerns another employee, other than a complaint of bullying or harassment, (*in which case your grievance should be raised under the Bullying or Harassment policies*) then the following is the appropriate procedure.

4.1 Informal process

If you have a complaint concerning a fellow employee or other persons connected to you by way of your employment then you should firstly raise this matter informally with your immediate supervisor. If you do not feel comfortable raising the issue with your immediate supervisor, or if your immediate supervisor is the person against whom you have a complaint, then you should raise the matter with the most appropriate senior manager. They will obtain the facts of the complaint, the specific issues complained of, when any specific incident occurred to establish the precise nature of the complaint.

The complaint may be verbal or written but if it is verbal then a written note of what is complained of will be taken and you will be required to sign that note as a record of the complaint. The person handling the complaint will establish the facts, the context and the next course of action in dealing with the matter. The person complained of will be presented with a copy of the complaint and his/her response established.

The person handling the complaint will then agree to progress the issues or will try to resolve the matter and attempt to progress the issue for a resolution so that both parties can return to a harmonious working environment. The person handling the complaint will then issue a decision to the complainant within three working days of having received the complaint or as soon as possible thereafter.

The person handling the complaint will keep a record of all stages to include the complaint; the first meeting; any action agreed and signed records of any further meetings. Confidentiality is critical at all stages of the grievance procedures and breaches of same will result in disciplinary action being taken against the perpetrator.

Where resolution is found through informal procedures then both parties will be given support and periodic reviews to ensure and maintain a harmonious working environment.

4.2 Formal process

For complaints of a serious nature, or where matters complained of persist, matters may be dealt with under the formal procedure. To invoke the formal procedure, you should raise a formal complaint in writing. This complaint should be furnished to the Person in Charge who will appoint a designated person to investigate the complaint.

The person complained against will be notified in writing that a complaint has been made against or concerning him or her. That person will be assured of Bridhaven's presumption of his/her innocence and he/she will be advised of the aims and objectives of the formal process and the procedures and the time frames involved.

A meeting will be arranged and the person complained against will be furnished with a copy of the complaint and asked for his/her comments in relation to same. The person complained against will be advised of their entitlement to be accompanied by a work colleague to all meetings.

AA015 Grievance Procedure Policy

4.3 Investigation

A designated person will investigate the complaints made. The time scale for the completion of the investigation will be outlined to the complainant and the person(s) against whom complaints have been made.

Statements from all parties will be recorded in writing. Copies of all statements made will be given to the persons who made them.

The objective of the investigation will be to ascertain whether or not, on the balance of probabilities, the behaviours complained of occurred. Witness statements may be relied upon for this purpose.

The investigation will be conducted thoroughly, objectively, with sensitivity, utmost confidentiality but at all times with due respect to the rights of both the complainant and the person complained of. Anonymity and/or confidentiality cannot be granted in the case of any investigation if it is necessary to release information to any party to the investigation in order to ensure natural justice and fair procedures.

The investigator will meet with the complainant and the person complained of and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts. The person complained of and the complainant will be advised that they may be accompanied by a work colleague or Employee Forum Member to any such meetings. Where possible the investigation will be completed within seven days of the receipt of the complaint under the formal procedures and if this is not possible then within an agreed reasonable time frame.

Following completion of the investigation, the investigator will prepare a report to include the investigator's conclusions and recommendations.

Brídhaven will then decide in light of the investigator's report and comments made what action, if any, is to be taken arising from the report. Brídhaven will then inform the complainant and the person complained of the next steps in the process.

Where a complaint is upheld then Brídhaven will follow the appropriate disciplinary procedures.

4.4 Appeal

An appeals process for both parties is available. Such appeals must be made, in writing, to the Registered Provider whose decision is final and binding in the matter. The grounds for the appeal must be clearly set out in writing. The appeal will be conducted where possible within seven days of date of receipt of the written appeal. The appeal will focus only on the aspect of the case cited by the appellant as being the subject of the appeal. An appeal hearing may be conducted, if appropriate in the circumstances and if further information is required by the individual conducting the appeal. The grounds of the appeal and any outcome and methodology employed will be appended to the investigation file.

5. Review

Brídhaven reserves the right to review, amend or replace this policy. It will be reviewed on an ongoing basis in line with business needs and legislative amendments and any changes will be advised to employees.

Document Revision Record:

Revision No.	Reviewed by:	Date:	Changes: Yes/No	Reason for Review