

Low Farm Therapy Centre Grievance Procedure

Written by Ruth Lo October 2015

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The object of the grievance procedure is to enable employees who consider they have a grievance or complaint arising from their employment with Low Farm Therapy Centre (hereafter known as 'the Centre'), or regarding behaviour by colleagues, to have it dealt with at an appropriate level within a reasonable timescale. Anyone wishing to use this procedure can do so freely and without prejudice to his/her position in the Centre. It applies to all employees, irrespective of job or grade.

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended to deal with the grievance. Where the disciplinary and grievance are related it may be appropriate to deal with both concurrently.

Initially the employee should raise the issues informally with the Head of Centre. If, however, such action does not resolve the problem, or is not appropriate, then the following standard procedure should be used:

1. The employee must set out his or her grievance in writing and send a copy to the Head of Centre (unless it concerns the Head of Centre in which case it should be sent to Pascale Lo as a representative of Lo and Lo Education). To ensure that issues are dealt with promptly, this should be done as soon as is reasonably practicable.
2. On receipt of a written grievance, the Head of Centre/Lo and Lo Education will investigate issues raised before inviting the employee to a meeting to discuss the grievance.
3. The meeting will normally take place within 14 days or in any event without undue delay and will be arranged for a reasonable time and location taking into account the needs of those attending. Occasionally it may be necessary to extend the investigation beyond 14 days. If so, the employee will be notified of the reason(s) why.
4. The employee and employer should make every effort to attend the meeting. Employees should be allowed to explain their grievance and how they think it should be resolved. Consideration should be given to adjourning the meeting for any further investigation that may be necessary.
5. Workers have a statutory right to be accompanied by a companion at a grievance meeting which deals with a complaint about a duty owed by the employer to the worker. To exercise the statutory right to be accompanied workers must make a reasonable request. What is reasonable will depend on the circumstances of each individual case. A request to be accompanied does not have to be in writing or within a certain time frame. However, a worker should provide enough time for the employer to deal with the companion's attendance at the meeting. Workers should also consider how they make their request so that it is clearly understood, for instance by letting the employer know in advance the name of the companion where possible and whether they are a fellow worker or trade union official or representative. If a worker's chosen companion will not

be available at the time proposed for the hearing by the employer, the employer 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. The companion should be allowed to address the hearing to put and sum up the worker's case, respond on behalf of the worker to any views expressed at the meeting and confer with the worker during the hearing. The companion does not, however, have the right to answer questions on the worker's behalf, address the hearing if the worker does not wish it or prevent the employer from explaining their case.

6. After the meeting the Head of Centre/Lo and Lo Education will decide on what action, if any, to take. They will inform the employee of his/her decision in writing within 10 working days unless further investigation is required. The letter will provide details of the employee's right to appeal and the employee will have 5 days in which to decide whether to appeal.
7. If the employee wishes to appeal he/she should confirm to the Head of Centre/Lo and Lo Education in writing the grounds upon which he/she wishes to do so. The Head of Centre/Lo and Lo Education will then arrange a further meeting to discuss the appeal. The appeal will normally be held within 14 days of receipt of the notification from the employee and will be held with a representative of Lo and Lo Education and two independent panel members with senior experience in education or healthcare.
8. After the appeal meeting the Manager who heard the appeal will inform the employee of his/her decision within 10 working days. This decision will be final and binding.