



RCH Group Grievance Procedures 2024 -27

Remuneration & Nomination Committee Approval: 22 February 2024	Person Responsible: Senior HR Manager	Reviewed: February 2024 Next Review: February 2027
--	--	---

1. Introduction	
1.1	The purpose of these procedures is to provide managers and staff with a clear framework within which they can address a grievance.
1.2	RCH Group hopes that the great majority of concerns will be settled through constructive informal discussions. RCH Group has both an Informal Stage and a Formal Stage in this procedure when dealing with grievances. However, it does recommend that the Informal Stage be used to remedy the situation, if at all possible, but does recognise the need for a formal procedure designed to meet those circumstances that cannot quickly be resolved through constructive informal discussions.
1.3	In all circumstances where a grievance is raised, the status-quo ante (the previous state of affairs) will be maintained until such time as the issue which is the subject of the grievance is finally resolved.
1.4	Mediation can be used at any stage and involves an independent, impartial person working with both sides to find a solution.
2. Informal Stage	
2.1	An employee who has a grievance concern should try to resolve the complaint by letting the other person(s) know that their attitude or behaviour is causing concern. In some cases, the offender may not be aware of the effect their attitude or behaviour is having on others and once it is drawn to their attention, this could resolve the problem.
2.2	If raising the matter directly is too difficult or too embarrassing for the employee, the person should ask someone they trust to be a “liaison officer”. This officer could be his/her line manager, union rep, member of the HR Team or a colleague. The “liaison officer” should be able to provide advice, assistance and support the person in a sensitive, understanding and confidential manner, and to explore possible courses of action to ensure that there are no further incidents of unacceptable behaviour.
2.3	The identified “liaison officer” may accompany the employee raising the concern(s) to a meeting with the alleged offender and help to explain the feelings held by the complainant. If the complainant does not wish to proceed with any further action, the “liaison officer” will respect this decision. The “liaison officer” will keep a note of any action taken at this stage and the outcome will also be held in the complainant’s personal file – no record will be kept on the alleged offender’s file. However, if further problems occur, either side or an appropriate manager can ask that the matter be dealt with formally.
2.4	There is no compunction on the employee to attempt an informal resolution first and they may choose instead to use the formal route to raise their concern. The formal stage would be used if the informal stage failed or was an unrealistic starting point for a particular concern. The formal stage would also be used if the behaviour complained of causes such distress that the continued working relationship is impossible or the person making the complaint wishes the formal procedure to be used.
3. Formal Stage	
3.1	Employee Raises a Grievance If an employee wishes to raise a formal grievance, they must complete the grievance form (appendix 1). If an employee does not complete the form and gives it to the appropriate line manager, their complaint will not be treated as a grievance.
3.2	Invite the Employee to Attend a Meeting On receipt of the grievance form (appendix 1), the line manager will need to invite the employee to a formal grievance meeting (hearing) to be held within 5 working days of the

formal notification (this date could be extended by mutual consent). The line manager will confirm that the meeting is to hear a grievance and that the employee has the right to be accompanied a fellow worker, a trade union representative or an official employed by a trade union (a companion). The accompanying person can summarise the employee's case and confer with them. However, they do not have the right to answer questions on the employee's behalf.

3.3 **The Grievance Meeting (Hearing)**

A grievance hearing is different from a disciplinary hearing. In a grievance hearing, it is not necessary to have all parties in the room and indeed a more private type of meeting may allow the employee to speak more freely to their concerns. The employee may wish to offer witness statements or suggest witnesses that could be interviewed by the manager hearing the matter. The line manager hearing the grievance should listen carefully and try to ensure full understanding of the concerns raised before taking any view on its validity or possible solutions. The employee should always be asked for suggestions on how the issues can be put right but may not be able or willing to offer any. There is no compunction on the employee to do so. The manager will want to have as much discussion as is reasonable at the meeting to discuss possible ways forward; bearing in mind it will not always be practical to resolve the employee's concerns in full.

3.4 **What happens in the Grievance Meeting (Hearing)**

3.4.1 The hearing is the chance for the person who raised the grievance to:

- Explain the grievance
- Show any evidence they have
- It's also the chance for the line manager to ask questions, so that they know what steps to take.

3.4.2 In the hearing the line manager will ask the person who raised the grievance to:

- Provide more information about it
- Discuss how it could be resolved
- Remain impartial
- Do their best to understand the feelings of the person raising the grievance
- Take notes or appoint someone else to take them
- Go through the evidence
- Take care in deciding on any actions (usually the employer will not need to make an immediate decision)
- Consider ending the hearing and resuming it at a later date, if they need to investigate statements and facts from the hearing
- Sum up the main points at the end

3.4.3 The line manager will also give the person who raised the grievance the chance to:

- Explain their side
- Express how they feel – they might need to 'let off steam', particularly if the grievance is serious or has lasted a long time
- Ask questions
- Show evidence
- Provide details of any witnesses the employer should contact

3.4.4 With the permission of the employee raising the grievance, the companion is allowed to:

- Take notes
 - Set out the case of the person raising the grievance
 - Speak for them
 - Talk with them during the hearing
- The companion cannot:
- Answer questions put to the person raising the grievance
 - Prevent anyone else at the hearing from explaining their side of things

3.5 Responding to the Grievance

3.5.1 The meeting may end without an overall solution having been proposed or agreed. If so, further enquiries and discussions with others may have to be made before an authoritative response can be compiled. Conducting such enquiries will often take longer than a simple adjournment permits and thus the response will not usually be possible on the day of the meeting. The employee should be advised when a likely response can be expected but should be within an agreed timeframe of not more than 5 working days after the grievance hearing. Where a complex matter looks like taking additional time to conclude, it is possible to agree an extension to the time limits by mutual consent. However, the ACAS Code of Practice also recognises that there will be cases where an extensive investigation won't be necessary and in such circumstances it is acceptable that a decision is taken following a straightforward adjournment and this should be communicated in writing as soon as possible thereafter.

3.5.2 In all circumstances, the line manager is required to respond to the employee's concerns in writing setting out any views on the matters raised and detailing actions or other proposed ways forward. In addition, the response will advise the employee of the right of appeal, within 5 working days of receiving the decision and a meeting to be arranged within 5 working days from receipt of the appeal. The person hearing the appeal may be an equivalent or higher level than the manager making the decision.

3.6 Deciding the outcome

3.6.1 After following a fair grievance procedure, the line manager should decide on the best outcome based on:

- The findings from meetings and investigations
- What is fair and reasonable
- What their workplace has done in any similar cases before

The line manager should tell the employee of the outcome as soon as possible and in writing.

3.7 Hearing an Appeal

3.7.1 The appeal hearing will be heard by a member of the SLT or the Group Remuneration & Nominations Committee, whichever is relevant. The appeal gives a fresh opportunity to look at the employee's concerns and check whether any alternative ways of resolving

these are possible and/or reasonable. If the employee raises an appeal, member of the SLT or the Group Remuneration & Nominations Committee hearing the appeal should reply in writing and invite the employee to attend a meeting and advise of the right of representation. There may be a need for the manager who took the original decision on the grievance to attend an appeal hearing.

- 3.7.2 The member of the SLT or the Group Remuneration & Nominations Committee hearing the appeal would primarily listen to the employee’s views on why they felt the original response was unsatisfactory. An adjournment or period of time after the meeting may be needed to make further enquiries before the formal response is given to the employee and the decision on whether the appeal is upheld or rejected will be stated. Following the appeal hearing, the employee will be advised that they have exhausted the appeals process.

4. Collective Grievances

- 4.1 This is a grievance raised by more than one member of staff with the same complaint. These should be raised through the same procedure as the individual grievance and will be dealt with on a collective basis with up to two spokesperson, with representation attending the meeting.

5. Disciplinary and Dismissal Procedures

- 5.1 RCH Group Disciplinary and Dismissal Procedures may apply where grievances are upheld that have been raised relating to unacceptable conduct. If action is taken against one of the employee’s colleagues due to the complaint, the employee will not be informed of this under any circumstances.
- 5.2 If a grievance is raised while a disciplinary is taking place RCH Group can pause RCH Group’s Discipline Procedure and deal with the grievance first. If the disciplinary and grievance cases are related, RCH Group can deal with both at the same time.

6. Procedures Review / Consultation

- 6.1 The Procedures will be reviewed on February 2027 or an earlier date if required to respond to new legislation, regulations or best practice. Any review will take account of the views of the Trade Unions and staff that use Policy and its Procedures on a regular basis.

7. Related Legislative and Statutory Framework

- 7.1 In formulating and implementing these procedures, statutory requirements including the Employment Act 2008; the Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2008 and the Employment Act 2002 (Dispute Resolution) Regulations have been incorporated in addition to the ACAS Code of Practice 2015: Disciplinary and Grievance Procedures.

8. Key Stakeholders

- Joint Consultative Forum
- All staff
- RCH Group Remuneration & Nominations Committee

9. Related Documents

- RCH Group Organisational Development Strategy
- RCH Group Code of Conduct for Staff
- RCH Group Equalities and Diversity Policy
- RCH Group Discipline Policy & Procedures
- RCH Group Attendance Management Policy & Procedures
- RCH Group Dignity at Work Policy and Procedures
- RCH Group Whistleblowing Policy
- RCH Group Data Protection Policy
- RCH Group Notifiable Events Policy,
- RCH Group Data Protection Policy,
- RCH Group Standing Orders and Delegation; and

10. Procedures Owner

- Senior HR Manager
- HR Team