



Grievance Policy

Approved by Directors:

March 2025

Review date:

March 2026

DIRECTOR LEAD

POLICY STATEMENT

The purpose of this policy is to set out the standards on how eCAPH will approach and resolve general issues or grievances that may arise in the workplace.

What is a grievance?

Grievances are concerns, problems or complaints that employees raise with their employers. From time to time, people working in any organisation may have problems or concerns about their work, working environment or conditions that they wish to be addressed. We believe that it is in everyone's interests to resolve problems before they can develop into major difficulties for all concerned.

By implementing and following the procedures in this policy, eCAPH aims to:

- Provide a platform for grievances to be processed and handled fairly and consistently.
- Constructively resolve grievances in a way that avoids damaging professional relationships.
- Enable any employee to have their grievances heard and addressed.
- Encourage a harmonious working environment.

This policy explains:

- Roles & responsibilities in relation to the grievance policy
- What you can expect from eCAPH and what eCAPH expects of you.
- How to raise and deal with an issue informally in the first instance.
- How to pursue a formal grievance if informal action has not resolved the issue.
- Your rights under that process, including the right to be accompanied and the right to a fair hearing.

The eCAPH Directors collectively are responsible for:

- Ensuring the effectiveness of this policy by monitoring and reviewing it annually.
- Ensuring that all members of staff read and understand the provisions in this policy.
- Assuming the Chair/s responsibilities, where a grievance is in relation to the Chair/s
- Determining the outcome of a grievance appeal.
- Ensuring no member of staff is discriminated against, in accordance with the Equality Act 2010.
- Handling any incidents of malicious grievance reporting.
- Handling any disciplinary actions following a grievance being raised.
- Where they are the investigating officer, receiving assistance as required.

A named Director is responsible for:

- Handling any grievances that are brought to their attention.
- Overseeing any grievances raised by employees.
- Acting as the grievance officer, unless the grievance concerns them, or assigning the role to another suitable member of eCAPH's Directors.
- Assessing information during grievance meetings and investigations, and assisting the investigation officer in determining the best course of action.
- Writing and delivering grievance outcome letters.

The grievance officer is responsible for:

- Resolving employees' formal grievances promptly.
- Assisting with the grievance investigation.
- Presenting information at grievance meetings and during any appeal hearings.
- Making any reasonable adjustments to ensure employees are able to attend meetings.
- Remaining unbiased and listening to all sides of the grievance to uncover the truth.
- Appointing an impartial investigation officer.
- Being a witness at appeal hearings.
- Determining what the grievance outcome will be – unless the grievance goes to an appeal, in which case the Directors/Exec Board is responsible.

The investigation officer is responsible for:

- Investigating the facts of a grievance, as directed by the grievance officer.
- Providing evidence at grievance meetings.
- Standing as a witness during any appeal hearings.

Employees are responsible for:

- Raising grievances without unreasonable delay.
- Submitting formal grievances in writing to the grievance officer within **four months**, using the employee grievance form (see appendix 1)
- Ensuring any grievances that they raise are truthful and fair.

WHAT STAFF CAN EXPECT FROM eCAPH

We will:

- Provide an environment where you feel comfortable in discussing concerns and have the opportunity to raise problems with the Director/s.
- Offer access to trained, accredited Mediators where Mediation may help to provide a resolution.
- Provide the means for you to formally raise a grievance where it has not proved possible to resolve the issue informally or through mediation.
- Ensure that matters are dealt with promptly at every stage.
- Ensure that matters raised are fully investigated and that those involved have the opportunity to put their side of the story before any decision is made.
- Treat people fairly and consistently, irrespective of their position in the organisation.

WHAT eCAPH EXPECTS OF STAFF

We expect you to:

- Wherever possible, seek to resolve matters informally in the first instance, for example by discussing the matter privately with the colleague concerned.
- Be prepared to be honest and upfront about your concerns and co-operate in seeking to arrive at a solution.
- Submit your grievance in writing where you wish to pursue it on a formal basis. You can, of course, ask someone to help you with this.

DEALING WITH GRIEVANCES INFORMALLY

Many grievances can be resolved quickly and informally through day-to-day discussions between you and your manager. If you have a specific concern or problem you should:

- Request to meet with and speak to a Director
- Explain what the issue is and, most importantly, what the outcome that you are seeking to achieve is.

You may, if you wish, also provide information in writing. A Director will arrange to meet with you at the earliest opportunity but, wherever possible, within 5 working days of your request. At the meeting the Director/s will consider carefully the points you have raised and discuss with you how to best resolve the matter. The Director may need to make further enquiries or seek advice following your discussion but, wherever possible, should aim to let you have a decision within 20 working days of the meeting.

Where your grievance relates to a decision made by a named Director you should approach the Business Manager to identify another Director to address the grievance.

Trying to resolve the matter informally may often be the best and quickest solution. However, it may not be successful in all cases or you may feel that you are not able to deal with the problem in this way, in which case you may want to consider the alternative options of either Mediation or else making a formal complaint.

WHAT IS MEDIATION?

Sometimes it can be helpful to involve an independent third party or Mediator to help resolve the grievance. Mediators may be employees trained and accredited by an external mediation service who act as internal mediators in addition to their day jobs.

Mediation is a voluntary process whereby the Mediator helps two or more people in dispute to attempt to reach an agreement. It can only take place where all the parties involved agree to do so. Any agreement comes from those in dispute, not from the Mediator. The Mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the Mediation what they should do. The Mediator is in charge of the process of seeking to resolve the problem but not decide the outcome.

Mediation may not be suitable if:

- Used as a first resort – ideally people should consider speaking to each other directly before they seek a solution via mediation.
- A decision about right or wrong is needed, for example where there is possible criminal activity.
- The person with a grievance wants it investigated.
- One side is completely intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

If you think that mediation may provide a suitable option to resolve a grievance, you should speak to a Director in the first instance.

If the other party declines the invitation to participate in mediation, you will be informed of this. You may then wish to consider the option of making a formal grievance.

DATA PROTECTION

eCAPH processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the eCAPH 's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

FORMAL GRIEVANCE PROCEDURE

You may raise a formal grievance where:

- Informal action or mediation does not result in the grievance being resolved.
- You are dissatisfied with the informal action taken.
- The Director agrees that, because the nature of your grievance, it cannot be dealt with informally.

If you wish to make a formal grievance, you must do so in writing by completing form GR1 (see Appendix 1) and sending this to the named Director who will acknowledge your complaint within 5 working days of receipt.

You should also indicate the outcome that you are seeking, in order to resolve your grievance.

The named Director may look into your grievance themselves or they may ask another Director to do this on their behalf.

A Director will be appointed as the Investigating Officer who will undertake any necessary fact finding and will present this information to the Hearing Manager.

A formal Grievance Hearing will be arranged to allow you to put forward your case and provide any information you think is relevant.

You may be accompanied by a companion at the Grievance Hearing. Your companion may be a fellow worker, a trade union representative or an official employed by a trade union.

Companions should not:

- Answer questions on the employee's behalf.
- Address the hearing if the employee does not want them to.
- Pose a conflict of interest to the grievance being raised.
- Prevent the employee from explaining their case.

Written notes will be taken during any meetings that are arranged as part of this process.

If you advise us that you have any disability related needs that need to be considered to enable you to participate in such a meeting, then we will make any reasonable adjustments that are necessary, to enable you to do so.

Following the meeting, the Hearing Manager will give you a decision in writing. **You should receive a decision within 30 working days of receipt of your original complaint.** Exceptionally, there may be circumstances where it may be necessary to extend this timescale, for example where the parties involved are on leave or the scale of the investigation requires a significant amount of fact finding. In these circumstances the Hearing Manager will keep you updated on a regular basis (at least fortnightly) of the progress of the investigation and the revised timescale for completion.

APPEALS

If you are dissatisfied with the outcome of the Hearing findings, you have you have the right of appeal. **If you wish to appeal against the outcome of the investigation, you must do so in writing within 10 working days of receipt of the letter confirming the decision and send this to the named Director in the first instance.**

To be progressed, an appeal must have proper grounds that should normally relate to one of the following:

- There has been a serious shortfall in the procedure e.g., a full and fair investigation of the facts was not carried out or
- New evidence, not available during the original investigation, has emerged or
- The decision/conclusion reached by the Director is wholly unreasonable, having regard to the evidence presented.

The employee will:

- Be given the opportunity to explain their case at the meeting.
- Be permitted to bring a companion.
- **Not introduce new grounds for raising their concern.**

Appeals will be heard by a Directors Appeals panel who have had no previous involvement with the process. They will aim to hear it within 30 working days following the receipt of your appeal. **Their decision will be final.**

When the panel have heard all the information, including the rationale for the original judgement, they will make a decision on the outcome. The outcome decision will be provided to the employee in a written letter within **five working days** of the appeal meeting. The panel's decision will be final.

The same procedure will apply if you have a grievance against a Director where there may need to be an independent officer appointed.

Malicious grievances

Disciplinary action may be taken against employees making malicious grievances. Bullying, harassment or victimisation will not be tolerated.

All employees will be made aware of the eCAPH's Staff Code of Conduct and should act in accordance with it.


Monitoring and review

The guidance set out in this document is non-contractual and does not form part of the terms and conditions of your employment. We will monitor this policy to ensure that it is operating fairly, consistently and effectively. The policy will be reviewed in the light of operating experience and/or changes in legislation.

Appendix 1

FORM GR1

This form should only be used where you wish to make a formal complaint under eCAPH's Grievance policy. Please send the completed form to the Directors.

Name	
	
Name of appointed Director	
Trade Union (if a member)	
Details of complaint. Please include below: <ul style="list-style-type: none">• details of your grievance• details of the outcome you are seeking (attach a separate sheet or any supporting documentary evidence, if necessary)	

Appendix 2

Grievance Appeal Form

Please submit this form to the Directors/Business Manager within **10** working days of receiving the grievance outcome letter.

Employee details			
Name			
Job title		Form completion date	
Grievance appeal details			
Date of grievance meeting:			
Outcome of grievance meeting:			
Please provide details of the grievance appeal:			
Please provide details of your preferred solution:			
Are you being supported by a colleague, trade union official or trade union representative?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please provide their name:			
Employee's signature			