Grievance Policy and Procedure

Policy Statement

It is essential that you feel comfortable and able to communicate honestly and openly with the organisation that employs you. The Lioncare Group has worked hard over the years to establish a range of appropriate and different meetings and forums to promote this; honest and open communication amongst all its members is, after all, a fundamental principle of the therapeutic practice approach on which The Lioncare Group is based.

The primary purpose of this grievance policy and procedure is to enable you to air any legitimate concerns that you may have about practices, policies or treatment from other individuals at work or from the organisation, and to produce a speedy resolution where genuine problems exist. It is designed to help all employees take the appropriate action, when they are experiencing difficulties, in an atmosphere of trust and collaboration, and following the guiding principles of The Lioncare Group; honesty and openness.

Although it will not be possible to solve all problems to everyone's complete satisfaction, this policy forms an undertaking by the Organisation that it will deal objectively and constructively with all employee grievances, and that anyone who decides to use the procedure may do so with the confidence that their problem will be dealt with fairly.

Informal Resolution

This grievance policy and procedure is not a substitute for open and effective day-to-day communication in The Lioncare Group. We actively encourage you to discuss and resolve daily working issues informally with your colleagues and others and in a supportive atmosphere and always in the aim of reaching a workable solution. Most problems can be solved on an informal footing very satisfactorily if all employees are prepared to keep the channels of communication between themselves open and working well.

This Grievance Policy and Procedure is instead designed to deal with those issues that need to be approached on a more formal basis so that every route to a satisfactory solution can be explored and so that any decisions reached are binding and long lasting.

This policy and procedure is intended to supplement the Open-Door Policy set out in the Employee Handbook, which states that you have free access to your immediate Line Manager or to others in management positions to informally express work-related concerns for the purpose of reaching an appropriate and amicable agreement on how best to resolve the matter.

This grievance policy and procedure is entirely **non-contractual** and does not form part of your contract of employment, and may be amended at any time. The Lioncare Group may also vary this grievance procedure as appropriate in any case.

Definition of a Grievance

For the purpose of this policy, a grievance is defined as a work-related problem or concern that you have about your work, working conditions or relationships with colleagues, or a work-related action which The Lioncare Group or a colleague has taken or is contemplating taking which directly affects you in a detrimental way.

You should not invoke the grievance procedure if your grievance relates to your dissatisfaction with a disciplinary, performance review or dismissal decision. Instead, you should appeal against that decision in accordance with the particular appeal procedure with which you will have been provided.

Procedure

If, having tried and exhausted all possible methods of settling your grievance informally, you feel you still have a legitimate grievance, you should raise it formally by following this procedure, that has been drawn up to establish the appropriate steps to be followed when pursuing and dealing with a formal grievance.

Stage 1

In the event of your having a formal grievance relating to your employment you should, in the first instance, put your grievance in writing and address it to the HR & Office Manager[1], making clear that you wish to raise a formal grievance under the terms of this procedure. This grievance procedure will not be invoked unless you raise your grievance in accordance with these requirements.

[1] Celeste Balmer. E: celeste@lioncare.co.uk Lioncare House, 58a Livingstone Road, Hove BN3 3WL. T: 01273 720424

The HR & Office Manager will then decide who is best to hear your grievance, and will invite you to attend a grievance meeting to discuss your grievance with the person in role as chair of the meeting; this may be the HR & Office Manager, or a member of the Leadership Team or of the Executive Team or an Independent Consultant. The meeting will also be attended by someone whose role is to take an attendance note of the meeting.

You have the right to be accompanied at this meeting by a trade union official or a work colleague of your choice. You must advise the HR & Office Manager in writing of the name and status of the person accompanying you if you choose to take up this right.

Every effort will be made to convene the grievance meeting at a time which is convenient for you and your companion to attend. If this means that the meeting cannot be held within a reasonable period (usually within five working days of the original date set), we ask that you make arrangements with another companion who is available to attend. Any employee who is chosen to accompany another in a grievance hearing is entitled to take paid time off for this purpose.

Your chosen companion will be permitted both to address the meeting and to confer with you during the meeting, but they will not be permitted to answer questions on your behalf. They are also not entitled to address the meeting against your wishes or to act in a way that prevents anyone from contributing to the meeting. You must inform the chair of the meeting of the identity of your chosen companion in good time in advance of the meeting.

The Lioncare Group may, at its absolute discretion, allow you to bring a companion who is not a trade union official or representative or a work colleague where this will help you overcome a particular difficulty caused by a disability or where you have difficulty understanding English. Individuals are not obliged to act as companions if they do not wish to do so.

You must make every effort to attend the grievance meeting. If you or your companion cannot attend, you must inform the chair of the meeting immediately so that an alternative date and time can be scheduled. If you fail to attend the meeting without good reason, or are persistently unable to do so, this could result in the meeting being held in your absence and then The Lioncare Group may have to take a decision on your grievance based on the available evidence and including any written representations that you may have made.

Although The Lioncare Group will endeavour to hold a face-to-face grievance meeting with you in ordinary circumstances, we reserve the right at our absolute discretion to hold the meeting and any appeal meeting remotely in exceptional circumstances, for example, in the case of a pandemic virus.

At the meeting, you will be permitted to explain your grievance and how you think it should be resolved.

Please note that it is prohibited for you to record whether covertly or otherwise the proceedings at the grievance meeting, and at any appeal meeting, without the express permission of The Lioncare Group. If The Lioncare Group discovers that you have done this covertly, you could be subject to disciplinary action. Depending on the circumstances, it may amount to gross misconduct and could result in your summary dismissal.

Following the meeting, The Lioncare Group will endeavour to respond to your grievance as soon as possible and, in any case, within five working days of the grievance meeting. If it is not possible to respond within this time period, you will be given an explanation for the delay and be told when a response can be expected. You will be informed in writing of The Lioncare Group's decision on the grievance and notified of your right to appeal against that decision if you are not satisfied with it.

Stage 2

In the event that you feel your grievance has not been satisfactorily resolved, you may then appeal in writing to the Chief Executive Officer[2] of The Lioncare Group. Appeals must be submitted within five working days starting with the day after the date on which you received the written grievance decision. You should also set out the full grounds for your appeal.

On receipt of your appeal letter, the Chief Executive Officer will decide who is best to hear your grievance, and will invite you to attend a grievance meeting to discuss your grievance with the person in role as chair of the appeal meeting; this may be a member of the Leadership Team or of the Executive Team or an Independent Consultant.

The meeting will also be attended by someone whose role is to take an attendance note of the meeting, and the person whom took up the role of chair of the grievance meeting may additionally be present. At this meeting you may again, if you wish, be accompanied by a trade union official or representative or a work colleague of your choice.

You must make every effort to attend the grievance appeal meeting. If you or your companion cannot attend, you

[2] Matt Vince. E: matt@lioncare.co.uk Lioncare House, 58a Livingstone Road, Hove BN3 3WL. T: 01273 720424

must inform the chair of the meeting immediately so that an alternative date and time can be scheduled.

If you fail to attend the meeting without good reason, or are persistently unable to do so, this could result in the meeting being held in your absence and then The Lioncare Group may have to take a decision on your appeal based on the available evidence and including any written representations that you may have made.

Although The Lioncare Group will endeavour to hold a face-to-face appeal meeting with you in ordinary circumstances, we reserve the right at our absolute discretion to hold the meeting remotely in exceptional circumstances, for example, in the case of a pandemic virus.

At the appeal meeting, you will be permitted to explain the grounds for your appeal.

Please note that it is prohibited for you to record whether covertly or otherwise the proceedings at the appeal meeting, without the express permission of The Lioncare Group. If The Lioncare Group discovers that you have done this covertly, you could be subject to disciplinary action. Depending on the circumstances, it may amount to gross misconduct and could result in your summary dismissal.

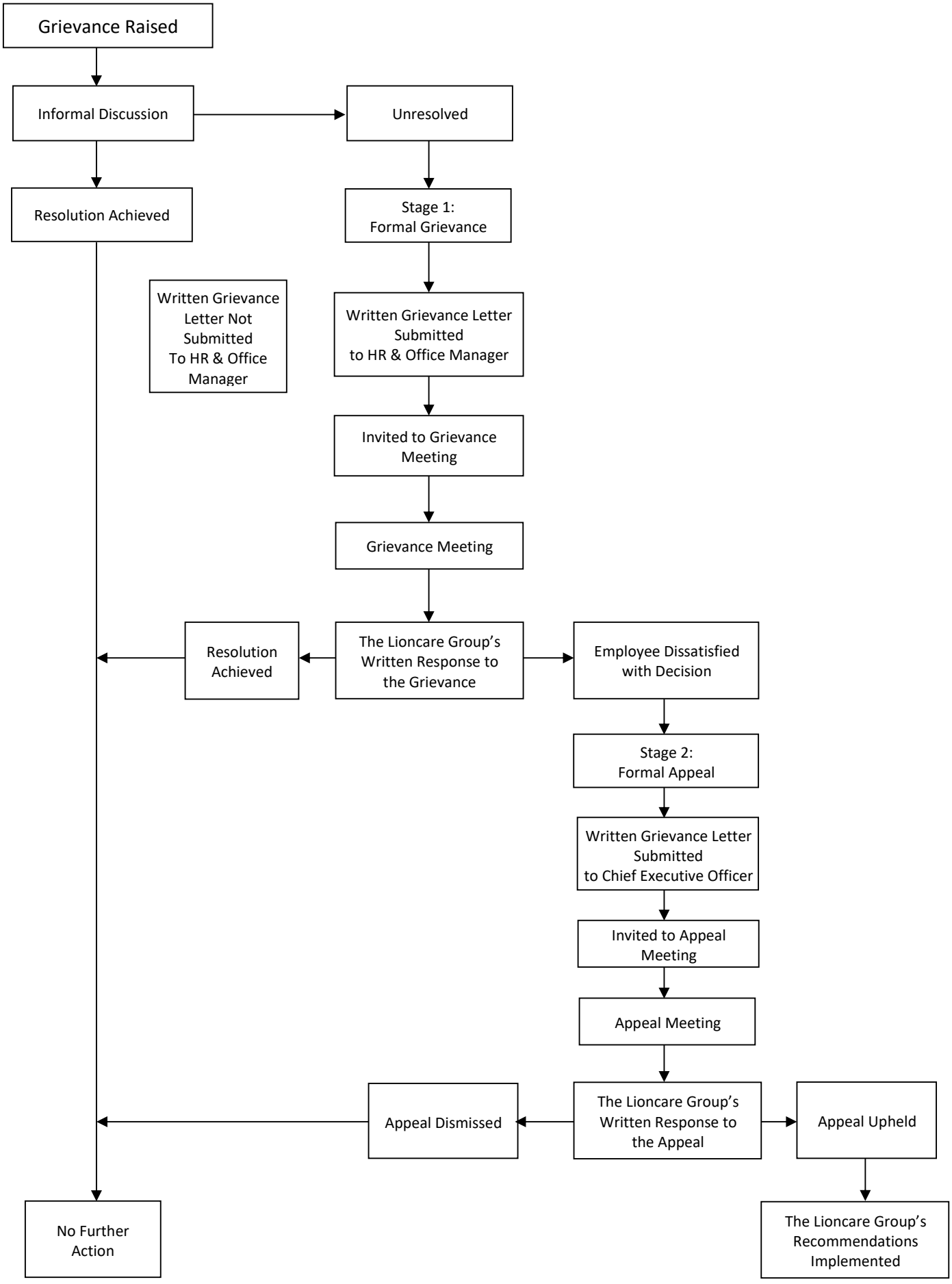
Following the meeting, The Lioncare Group will endeavour to respond to your appeal as soon as possible and, in any case, within five working days of the appeal meeting. If it is not possible to respond within this time period, you will be given an explanation for the delay and be told when a response can be expected. You will be informed in writing of The Lioncare Group's decision on your appeal.

This is the final stage of the grievance procedure and The Lioncare Group's decision on your appeal shall be final.

Disciplinary Considerations

In the event that The Lioncare Group discovers a grievance previously raised by you is malicious, fabricated or falsified it reserves the right to take disciplinary action against you. Please note that this could result in your dismissal for gross misconduct.

Non-Retaliation

If you file a formal grievance in good faith, you will not be disciplined or otherwise penalised because of the grievance, regardless of whether or not the grievance is upheld or dismissed.

Grievance Procedure Flow-Chart