

GRIEVANCE POLICY AND PROCEDURE

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CITY HOSPITALS SUNDERLAND NHS FOUNDATION TRUST

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1. INTRODUCTION

- 1.1 City Hospitals Sunderland believes that the delivery of high quality services to patients and clients is dependent on good working relationships at all levels. The Trust recognises however that from time to time in the course of their employment, individual staff or groups of staff collectively, may have concerns relating to their employment that they wish to raise and have addressed.
- 1.2 This policy sets out a process to resolve employees' grievances, individual or collective, fairly and consistently.
- 1.3 This policy sets out the expected standards of management practice in relation to dealing with complaints/grievances. It provides practical guidance to ensure a consistent approach with regard to equality and diversity to ensure that employees do not receive less favourable treatment on the grounds of any protected characteristic, including sex, marital status, disability, race, sexual orientation, nationality, ethnic origin, religious belief or age.
- 1.4 Employees who have difficulty expressing themselves on paper, or those, for example, whose first language is not English, are encouraged to seek help from a work colleague or an accredited trade union representative in setting out their grievance. The services of an interpreter can also be made available and information on how to access this service can be provided by the HR Department.

2. PURPOSE AND SCOPE

- 2.1 This policy is to be used by all employees and managers when addressing both individual and collective grievances from staff.
- 2.2 The procedure described in this policy is designed to allow employees to air and settle disagreements as quickly and easily as possible. Its purpose is to ensure that:
 - All employees are treated fairly, consistently and reasonably;
 - All cases are taken seriously by management;
 - All individuals and circumstances are dealt with sensitively;
 - Objectivity is maintained at all times;
 - Confidentiality is maintained at all times;
 - Grievances are dealt with as they occur, are settled as near to the point of origin as possible and as quickly as is reasonably practicable.
- 2.3 It would be impossible to provide a comprehensive list of all the issues that might give rise to a grievance, but typically they may be:
 - Terms and conditions of employment;
 - Health and safety;
 - New working practices;
 - New working environment;
 - Working relations;

- Organisational change;
 - Equal opportunities.
- 2.5 Grievances raised during the disciplinary process/at disciplinary hearings, will be dealt with separately to the disciplinary proceedings but in the same way as any other grievance, provided that the timescale set out in section 2.10 and procedure outlined in Section 8 onwards, are met.
- 2.6 The grievance policy should **not be** used to address issues, where there are separate policies in place e.g.:-
- Job Evaluation;
 - Bullying and Harassment;
 - Complaints under the Public Interest Disclosure Act 1998 - (Whistleblowing Policy);
 - Issues that form part of an agreed and ongoing consultation process with staff, where the consultation is not yet concluded.
- 2.8 It is important that line managers make every effort to resolve staff grievances as promptly and as informally as possible before referring the matter to the formal procedure. Employees should also aim to settle any concerns they may have informally with their line manager in the first instance (Stage 1/Section 8). This may involve the employee and their line manager having an informal "round the table" discussion with a view to reaching a resolution, before resorting to the formal procedure.
- 2.9 If the grievance raised is against the immediate line manager, then the matter should be raised with a more senior line manager within the directorate/department or with the Director of Human Resources.
- 2.10 Grievances should be raised informally in the first instance (see Section 8), within 1 month from the date that the matter occurred. **Grievances raised later than 1 month will normally be disregarded unless in exceptional circumstances and only with the approval of the Director of Human Resources.**
- 2.12 Setting out a grievance in writing is not always easy. Therefore in such circumstances employees are encouraged to seek help from a colleague or an accredited trade union/professional body representative.
- 2.13 In notifying a grievance, employees must indicate the remedy/nature of the action or outcome they are seeking to resolve it.
- 2.14 Employees have the right to be accompanied throughout all stages of this policy by a colleague or an accredited trade union/professional body representative.

3. DUTIES

3.1 Board of Directors

The Board of Directors is responsible for the ratification of and monitoring compliance with this policy.

3.2 Chief Executive

The Chief Executive is responsible for ensuring the proper application of the policy through appropriate management arrangements and the ongoing commitment by the Trust to equal opportunities in employment.

3.3 The Director of Human Resources

The Director of Human Resources has overall responsibility for the implementation of this policy, in addition to the following:

- Considering requests for grievances and appeals to be considered that are outside of the timeframes set out in the policy.
- Ensuring that managers receive the necessary training to enable them to deal with grievances in accordance with this policy.
- Monitoring all grievances including the outcomes;

3.4 Line Managers

Line Managers are responsible for:

- Dealing with any grievances raised by staff in accordance with this policy;
- Communicating this policy and procedure to new staff as part of their induction;
- Agreeing to resolve grievances through informal means or mediation whenever possible/practical.

Line Managers appointed to investigate grievances must:

- Ensure the investigation is carried out as quickly as possible;
- Be thorough and fair;
- Remain impartial and objective and not make assumptions;
- Consider whether there are any mitigating circumstances;
- Maintain confidentiality as appropriate;
- Seek supporting evidence, including both that which supports and any that refutes the grievance;
- Talk to relevant witnesses appropriate to establish the full facts;
- Ensure notes of meetings are taken;
- Compare statements and notes and attempt to resolve any discrepancies;
- Where the findings of the investigation support the grievance, consider possible resolutions, including that suggested by the employee.

3.5 Employees

Employees are responsible for:

- Making every effort to resolve their grievance at the informal stage prior to raising a formal grievance under this policy;
- Clearly stating the grounds of their grievance by using the Grievance Notification Form at Appendix 1 and any actions that have been taken to resolve it informally;

- Co-operating in the grievance procedure and making every effort to attend any meetings arranged by management;
- Arranging their own trade union/professional body representation or support throughout the grievance procedure;
- Raising grievances in good faith and in accordance with the procedure set out in this policy;

3.6 **Accredited Trade Union/Professional Body Representatives**

Accredited trade union/professional body representatives are responsible for:

- Ensuring they have received the necessary training in acting as an employee's representative at a grievance meeting;
- Ensuring that they and their members comply with the requirements of this policy;
- Ensuring that they familiarise themselves with the details of a case and confer with the employee prior to any meeting (accredited trade union/professional body representatives are allowed reasonable time off for this purpose);
- Ensuring that a grievance or appeal is set out in writing in sufficient detail to allow a full and fair consideration of the facts;
- Ensuring in the case of collective grievances that they fully communicate with the collective group.

3.7 **Work Colleagues**

There is no duty on a work colleague to accept a request to accompany a fellow worker and no pressure should be brought to bear on a person if they do not wish to do so.

A work colleague who has been asked by a colleague to accompany them and has agreed to do so, should be allowed a reasonable amount of time off with pay to fulfil this responsibility

DEFINITIONS

4.1 **Grievance**

A grievance is a **concern, problem, or complaint** that an employee or group of employees wishes to raise with the Trust about their work, working conditions or relationships with colleagues.

4.2 **Collective Grievance**

A collective grievance exists where a group of individuals, i.e. more than 3, wish to pursue a common grievance. In this circumstance, the procedure as set out in Section 11 should be followed.

4.3 **Aggrieved Employee(s)**

Aggrieved employee(s) or 'the aggrieved' are the member(s) of staff who have lodged the grievance.

4.4 **Vexatious Grievance**

A grievance will be considered vexatious where, after investigation the manager believes:

- The grievance is based on deliberate misrepresentations or untruths;
- The employee(s) continue to pursue a grievance where the processes outlined in this policy, have been fully and properly implemented, and exhausted.
- The grievance lacks a serious value or purpose;
- The grievance has not been made in good faith, e.g. it is designed to cause annoyance and disruptions;

In such circumstances, the manager will write to the Director of Human Resources, who will consider the matter and whether to allow the grievance or whether disciplinary action should be taken against the complainant(s).

4.5 **Mediation**

Mediation is a voluntary and confidential form of alternative dispute resolution. It involves a neutral third party/impartial person helping two or more individuals or groups reach an agreement that is acceptable to everyone. See Appendix 4 for more information.

5. RIGHT TO BE ACCOMPANIED

5.1 Under sections 10-15 of the Employment Relations Act, employees have a statutory right to be accompanied at their reasonable request, by a '*companion*' throughout the process. The term '*companion*' is defined as:

- An accredited trade union / professional body representative, as long as they have been certified in writing by their union as having experience of, or training in, acting as a worker's companion at grievance meetings - or;
- An official employed by a trade union or a professional body –
or:
- A work colleague.

5.2 Where an employee has a particular need such as a disability, then s/he may also be accompanied by an alternative companion, e.g. a signer for an employee who has impaired hearing.

5.3 An employee who wishes to be accompanied by someone other than is identified above, s/he must write to the Director of Human Resources explaining who they would like to act as their companion and the reason(s) why. The Director of Human Resources will then consider whether the request can be approved.

5.4 Managers should advise employees of their right to representation at all stages of this policy.

6. TIMESCALES

- 6.1 Once an issue has been raised as a grievance, it is in everyone's best interests to ensure that matters are dealt with promptly and resolved as quickly as practicable.
- 6.2 Unnecessary delays at any stage of the informal or formal stages of this policy will not be acceptable. Notification of absence due to holidays or sickness will be adhered to by all parties to minimize delays. If the requested delay is due to non-availability of an accredited trade union/professional body representative, a meeting will be rescheduled within a further 7 calendar days. If the chosen staff representative is still not available then it is expected that an alternative representative will make themselves available to accompany the employee.
- 6.3 In the event of a delay due to the employee's illness, which is likely to be more than 7 calendar days (and therefore covered by a medical certificate), the meeting will be postponed until an occupational health assessment can take place to establish if the employee is fit to attend the meeting. In the event that the employee is unfit to attend, then HR and staff side will discuss with the individual, how and when the process can continue, including the maximum delay period. Through discussion with all parties, it is expected that whenever possible, the grievance process will continue, even if the individual remains on long term sick.

7. STATUS QUO

- 7.1 Normally the 'status quo' – that is, the working and management arrangements that applied before the grievance was lodged, will operate until the grievance procedure including any appeal, is completed.
- 7.2 However in certain circumstances this may not be possible, e.g. where maintaining the status quo puts patients and/or staff at risk.
- 7.3 In the event that 'status quo' is not to operate, the employee(s) will be advised of this and the reason(s) for it and the grievance will continue to be dealt with in line with this policy.
- 7.4 Difficulties on defining the 'status quo' will be resolved by discussion between the Director of Human Resources, Staff Side or the employee(s) concerned.

8. (STAGE 1) INFORMAL RESOLUTION – LINE MANAGEMENT DISCUSSION

- 8.1 Where an employee(s) has/have a grievance, they should raise this in the first instance, directly with their line manager. If the grievance raised is against the immediate line manager, then the matter should be raised with a more senior manager (if possible within the same directorate or department) or with the Director of Human Resources.

- 8.2 The manager will arrange to meet with the employee(s) within 14 calendar days, unless exceptional circumstances dictate otherwise, to explore the nature of the grievance and to discuss potential solutions to resolve it. Depending on the nature of the grievance, the manager will consider the options available to them to resolve the matter informally.
- 8.3 If the grievance is resolved informally, the manager will confirm the outcome to the employee(s) in writing and the matter(s) will be considered closed.
- 8.4 Where the grievance cannot be resolved informally in discussion with the manager, it is expected that the employee and where appropriate, the respondent will agree to resolution through mediation within a reasonable timescale.

9. (STAGE 2) MEDIATION

- 9.1 Should the use of mediation be thought appropriate and likely to bring a positive outcome, the manager should approach the relevant Divisional Human Resources Manager for guidance.
- 9.2 A facilitator will be appointed (internal or external, depending on the nature of the grievance) who will be responsible for arranging the meetings, typing and distributing notes and following up on action points.
- 9.3 The grievance procedure will be suspended pending the outcome of the mediation and may be withdrawn if the mediation is successful.

10. (STAGE 3) FORMAL RESOLUTION – INDIVIDUAL

- 10.1 It is expected that an employee will seek to resolve his/her grievance informally in the first instance and will only progress to Stage 3 Formal Resolution, if the issue cannot be resolved by informal means. Where Stages 1 and 2 have been unsuccessful, or circumstances make these routes inappropriate, the matter should be raised formally. The employee should put their grievance in writing by completing a Formal Grievance Notification Form (Appendix 1) and send it to their line manager, a more senior manager (if possible within the same directorate/department) or grievance is against the line manager, to the Director of Human Resources and keep a copy for their own records.
- 10.2 The manager will acknowledge receipt of the grievance in writing within 7 calendar days and invite the employee to a formal meeting advising them of their right to be accompanied.
- 10.3 If the employee's representative cannot attend on the proposed date, a meeting will be rescheduled within 7 calendar days of the date of the original meeting. By agreement between all parties this timescale may

be extended in exceptional circumstances – e.g. if an employee is on leave, or is absent from work due to sickness.

- 10.4 At the formal meeting at which the manager will be advised by a Human Resources representative, the employee and/or their representative will be given the opportunity to explain the grievance including how they think it should be resolved.
- 10.5 Following the meeting the manager will set out their response to the employee in writing within 7 calendar days. However, if the manager reaches a point in the meeting where he/she requires further information or needs to seek advice, then the meeting may in agreement with the employee and their representative, be adjourned and reconvened. Normally this will be within 7 calendar days, depending on the extent of the further information needed.
- 10.6 Once the manager has reached a decision, he/she will respond in writing to the employee within 7 calendar days of the meeting/reconvened meeting. If it is not possible to respond within that time period, the employee will be given an explanation for the delay and told when a response can be expected
- 10.7 If the employee is dissatisfied with the outcome, they may make a formal appeal in line with Section 12 of this policy.

11. (STAGE 3) FORMAL RESOLUTION – COLLECTIVE

- 11.1 Where a group of employees have the same grievance and the outcome will affect all those employees equally, a collective grievance should be raised.
- 11.2 The collective grievance process will follow the same format as the individual grievance process outlined in Section 10, with the following exceptions:
 - a) The Formal Grievance Notification Form (Appendix 1) should include a list of all those employees raising the grievance, using a separate sheet if necessary
 - b) The employees raising the collective grievance should elect a representative to attend the grievance meetings on their behalf. Depending on the number of employees involved in the collective grievance and the unions/professional bodies of which they are members, it may be appropriate to have more than one representative to attend.
 - c) Accredited trade union/professional body representatives must ensure that they fully communicate with the collective group.

12. (STAGE 4) APPEALS

- 12.1 Where on receipt of the written decision, an employee/employees is/are not satisfied with the decision, then he/she/they have the right to appeal to a more senior level of manager within 14 calendar days of the date of the letter confirming the manager's decision.
- 12.2 The manager will acknowledge receipt of the letter of appeal within 7 calendar days and arrange an appeal meeting as soon as practicable.
- 12.3 The process for conducting the appeal will be as set out for the grievance meeting outlined above.
- 12.4 The manager hearing the appeal will write to the employee(s) with a decision concerning his/her/their appeal within 7 calendar days of the appeal meeting. If it is not possible to respond within that time period, the employee will be given an explanation for the delay and told when a response can be expected.
- 12.5 The outcome of the appeal concludes the Trust grievance procedure.

13. RECORD KEEPING

- 1.1 Records will be kept detailing the nature of the grievance raised, the manager's response, any action taken and the reasons for the action, whether there was an appeal and if so, the outcome.
- 1.2 Records will be treated as strictly confidential and kept in accordance with the Data Protection Act 1998, which gives employees the right to request and have access to certain data.
- 1.3 Copies of meeting records will under normal circumstances be given to employee/s and their representative(s). However, in certain circumstances (e.g. to protect a witness) some information may be withheld or anonymised.

14. MONITORING COMPLIANCE

Key Performance Indicator	Target	Method of Assessment	Frequency	Responsibility	Body/Individual to whom outcome reported to for action
Number of formal grievances and the outcomes	To reduce the number of formal grievances	Report	Quarterly	Director of Human Resources	Executive Committee Board of Directors
Results of Annual Staff Survey	Improvement in response rates to the Your Job and Organisation section of the Annual Staff Survey.	Staff Survey results	Annual	Director of Human Resources	Executive Committee Board of Directors

15. CONSULTATION/REVIEW, APPROVAL AND RATIFICATION

Consultation/Review

- Human Resources Strategy Group
- Joint Consultative Group, who will ensure that a fair and proper equality screening and impact assessment has been carried out.

Approval

- Executive Committee

Ratification

- Policy Committee

16. DISSEMINATION AND IMPLEMENTATION

The Trust will provide information via Corporate Induction to all new employees and others engaged to work at the NHS Trust to help them understand their rights and duties under this policy.

The Trust will provide additional training to managers to enable them to deal more effectively with grievances via the ILM Level 3 programme for managers and via:

- Emails to Senior Manager Forum ;
- The Intranet;
- Team Brief;
- HR briefings at Directorate meetings;
- HR Workshops/Roadshows

17. REFERENCES

Employment Act 2008
ACAS Code of Practice
Data Protection Act

18. ASSOCIATED DOCUMENTS

Bullying and Harassment Policy
Disciplinary Procedure
Job Evaluation Banding Policy and Procedure
Pay Protection Policy
Flexible Working Policy
Special Leave Policy
Annual Leave Policy

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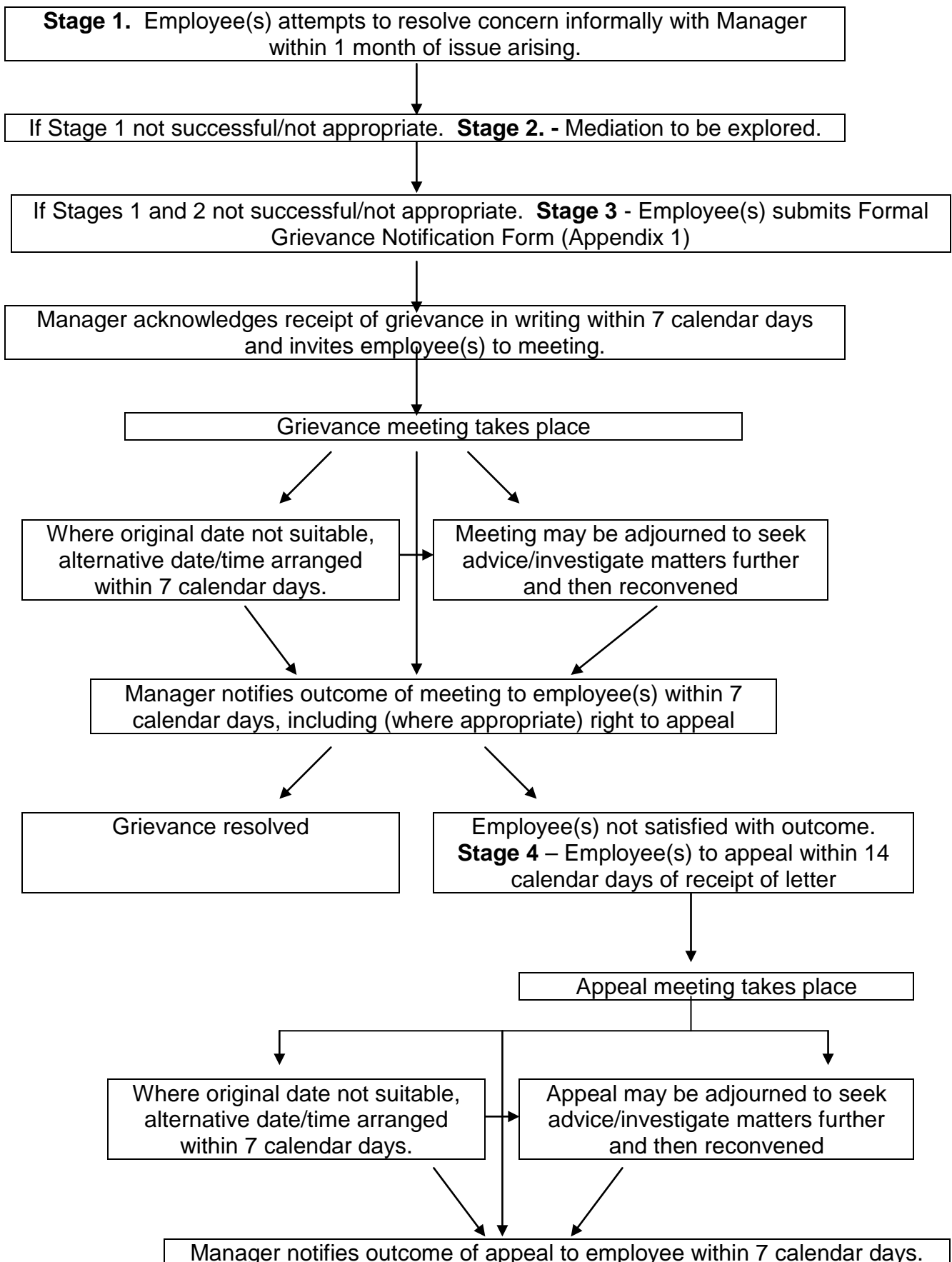
FORMAL GRIEVANCE NOTIFICATION FORM	
<i>Please tick as appropriate</i>	
Individual <input type="checkbox"/>	
Collective <input type="checkbox"/> <i>Please attach a list of employee names and job titles</i>	
Your Name:	
Job Title:	
Ward/ Department:	
Directorate:	
Your contact details:	☎ Tel No: 💻 E-mail address:
Name of trade union(s)/professional body/ies	
Name of representative(s)	
Representative(s) contact details	☎ Tel No: 💻 E-mail address
Date of Occurrence(s):	
Briefly outline what action(s) you have taken to try to resolve your grievance informally (Stages 1 & 2) and why you remain dissatisfied. Please attach any relevant correspondence or documents.	
Briefly outline the nature of your grievance below. <i>(please attach additional pages if necessary):</i>	
Please indicate what you would consider a satisfactory outcome	
Signature(s): <i>Use a separate sheet if necessary</i>	Date:

GRIEVANCE PROCEDURE**SCHEDULE OF MANAGERIAL AUTHORITY**

Staff Group	Management Level to Hear Grievance	Management Level To Hear Grievance Appeal
Chief Executive	Trust Chair	Trust Appeals Panel
Executive Directors	Chief Executive	Trust Appeals Panel
Executive Committee Members	Chief Executive	Trust Appeals Panel
Divisional General Managers	Chief Operating Officer	Chief Executive
Clinical Directors	Divisional General Manager	Chief Operating Officer
Directorate Manager, Trust HQ Heads of Service, Assistant Directors of Finance/HR, Divisional HR/Finance Managers	Executive Team Line Manager	Chief Executive
Heads of Service, Matrons, Heads of Departments, Ward Managers, Administration Managers	Directorate Manager	Divisional General Manager
Consultants and SAS Doctors	Clinical Director	Divisional General Manager
Junior Doctors	Educational or Clinical Supervisor	Clinical Director
Other Directorate Staff	Matron/Department/Ward Manager	Directorate Manager
Trust HQ and Site Support Staff	Department Manager	Directorate Manager/Head of Department

Note: If the grievance raised is against the immediate line manager, then the matter should be raised with a more senior manager, if possible in the same directorate or department or with the Director of Human Resources.

GRIEVANCE PROCEDURE FLOW CHART



MEDIATION FREQUENTLY ASKED QUESTIONS

Q. What is mediation?

Mediation is a process where a neutral person works with staff who have a disagreement to help them to find their own solution and reach an agreement that will sort out their problem or improve the situation. Mediation

- is voluntary (you only take part if you want to)
- is confidential (nothing you discuss will be passed on to anyone else unless you want it to be)
- is impartial (the mediator won't take sides or judge who is right or wrong)
- works towards an agreed solution which is “owned” by the parties to the disagreement
- is most effective at the early stages of conflict
- aims to maintain the employment relationship.

Q. How does mediation fit in with other Trust policies?

It is the expectation of the Trust that staff will be able to resolve disputes informally, through dialogue and communication with their managers and their colleagues. The staff procedure and the Bullying and Harassment Policy, encourage staff to resolve disputes informally before resorting to the application of formal procedures.

Mediation offers an alternative to pursuing complaints and disagreements between colleagues through the grievance procedure or the Bullying and Harassment Policy. It can be a more effective way to resolve disagreements informally before a more formal procedure is invoked. If you agree to take part in mediation, this does not prevent you from pursuing your grievance or complaint through the formal procedure in the event that mediation does not resolve the issue.

Mediation relies on the cooperation of all parties – i.e. both the person making the complaint (or the one who feels aggrieved) and the person whose behaviour or conduct concerns them. If the person who is the subject of the complaint refuses to take part in mediation then mediation cannot take place. In such circumstances, the person making the complaint can choose to pursue their concerns through the formal grievance procedure.

The grievance procedure will be suspended pending the outcome of the mediation and may be withdrawn if the mediation is successful.

Q. Why should I choose mediation?

- Conflict with your colleagues can undermine your effectiveness at work and lead to stress: mediation can help you resolve your disagreement so you can get on with 'normal' life again.
- When you are involved in a conflict, talking to the person you are in disagreement with can seem impossible: mediation can re-establish those channels of communication.
- Any agreement is on terms agreed by you, not dictated by someone else; it leaves you in control of what is finally agreed.
- Mediation is less stressful than procedures that are more formal - although we appreciate that taking part in mediation will still place demands upon you.

Q. Who is the mediator and what do they do?

If you agree to take part in mediation, Human Resources will nominate a mediator. The mediator will usually be a trained HR professional within Human Resources who does not normally support your Directorate and will have had no previous involvement with the issues, which are concerning you. The parties to the mediation will not be able to choose a mediator or challenge the nominated mediator.

The mediator will decide the best way to carry out the mediation. They will usually start by talking to each of the people involved in the dispute or disagreement separately and then, later on, talk with you all together. If you find it helpful, the mediator may make suggestions or give you information about how other people have sorted out similar situations but they cannot tell you what you should do.

Both sides can talk to the mediator openly because the mediator will not pass on anything said without the agreement of the person who said it. Those involved in the mediation will be given a written copy of anything that is agreed.

What kinds of disagreement are suitable for mediation?

Most kinds of dispute can be mediated if those involved want to find a way forward.

Mediation is especially suitable when the aim is to maintain the employment relationship. It can be used at any stage in a dispute but is often most effective if used early on.

Mediation will not be appropriate in every situation – e.g. where there is a disagreement about whether an employee is entitled to a particular benefit under the terms and conditions of employment or where your complaint is an allegation of serious bullying or harassment, which could lead to serious disciplinary action. Mediation may not be suitable if you want to enforce a legal right or want someone to decide the 'rights and wrongs' of an issue for you.

Q. Do I have to agree to mediation?

No. Mediation is voluntary. You can ask to consider mediation before committing yourself to taking part in a mediation process. Similarly, you may be asked to consider mediation after you have made a formal complaint or grievance as an alternative to following the formal procedure. You will have the opportunity to meet the mediator and ask questions about the mediation process without any obligation on your part to take part in mediation. If, following this discussion, you decide not to take part in mediation; you will still be able to pursue your concerns through the formal grievance procedure.

Q. What if I don't want to be in the same room as the person with whom I have the disagreement or dispute?

The mediator will take this into account and will not make you meet with the person if you do not agree. The mediator will agree some rules with both sides about how everyone will behave in any joint meeting. You can ask that a joint meeting be suspended at any time.

Q. Can I bring a representative to the mediation?

Mediation is often most successful when those actually in conflict work directly with the mediator to resolve it – particularly when you need to work together in the future. Experience of mediation in other organisations shows that you are the best person to explain how you feel. An open and frank discussion of the issues, which is controlled by the mediator to ensure fairness and appropriate behaviour, can be key to sorting out conflict. Consequently, we believe that in most cases mediation will be most effective if only the parties to the disagreement are involved with the mediator. There may however,

be good reasons why you feel you need to bring a representative to the mediation and you should discuss this with the mediator when you first meet. It is important that all those involved in the mediation know in advance who will be attending and what their role will be.

Q. Can I be made to keep to an agreement reached in mediation?

You will not be forced into making an agreement against your wishes so you must be committed to sticking to what is finally agreed. You and the person you are in dispute with will both be asked to agree to stick to what is finally agreed otherwise there is no point in going ahead.

Agreements reached in mediation are not normally legally binding. In some circumstances, e.g. where a change in working arrangements is proposed, the outcome agreed by the parties to the disagreement may need to be approved by your Directorate Manager or Divisional General Manager/Executive Committee lead. It is important that any suggestions made by the parties are “realistic” and acceptable to managers and colleagues in your work area.

Q. What happens if we can't reach agreement?

If agreement cannot be reached, you can still use the Trust's grievance procedure, but you cannot bring up what has been said in mediation.

Q. Where will the mediation be held?

Mediation meetings will be held on Trust premises, but away from your normal work area.

Q. What do I need to do before the mediation?

You will be given more information about this when the mediation is arranged. Sometimes you and the person you have the disagreement with will each be asked to write down:

- what the problem is that you want the mediator to help with and
- a short list of the main things that have happened.

This is to help the mediator understand what the issue is and to save time during the mediation discussions.

Q. What if anyone involved has any particular requirements/needs?

If anyone has particular requirements e.g. wheelchair access or an interpreter, they should tell the mediator as soon as possible so that arrangements can be made. If you feel that you need a short break during the mediation discussions (e.g. to calm down or collect yourself), just ask the mediator.

Q. What exactly happens in mediation?

The mediation process will be flexible to the circumstances. No one mediation will be identical to any other. Each mediation will, however, contain the following key elements:

- the mediator will hold separate meetings with the parties to introduce him/herself, explain the process and key principles, to listen to their concerns to identify the core issues, to begin to explore possible outcomes and to explain the next steps.
- face-to-face mediation (identifying areas of agreement and disagreement and moving towards building a practical and workable agreement, focusing on future working relationships).
- recording the agreement in clear, balanced and positive language. Both parties will be asked to sign this and will be able to retain a copy.

EASY READ VERSION OF GRIEVANCE POLICY AND PROCEDURE

In this summary, we will call accredited staff representatives, trade union reps and Human Resources, HR.

What is a grievance?

A grievance is a complaint about employment matters.

What can I do if I have a grievance?

You should talk to someone in the first instance. You could:

- Talk to your line manger;
- Or if your line manager is the source of the problem, to HR or your trade union rep;
- Or talk to someone at FirstAssist, which is available 24 hours a day. The telephone number is 0800 716 017 and the Scheme Number is 33916.

What if I don't want to raise a formal grievance/put something in writing?

Don't worry. Lots of people don't want to make a formal complaint. The policy allows for informal resolution in the first instance. Please speak to your line manager, trade union rep or a member of the HR team who can help explain the choices available to you. They may be able to arrange to hear your grievance verbally in the first instance.

What is mediation?

Mediation is a way of resolving disputes between 2 or more people. It usually involves an independent person as the mediator who will help you to find your own solution and reach an agreement that will sort out their problem or improve the situation.

What if want to raise a formal grievance?

You will have had to try and resolve your issue informally first. If it has not been resolved informally and you wish to make your complaint formal, you will need to put it in writing using the form attached to the policy in Appendix 1. If you need any help to do this you can contact your trade union rep, a friend, a colleague, HR, or your line manager.

What will happen when I have raised my grievance?

Once the grievance has been received, you will be asked to attend a meeting with the investigating manger and HR. You can bring along a colleague or trade union rep. You will be asked to explain your grievance and what you would like to happen to resolve the problem.

When a formal grievance is raised, it is very important that we look at all aspects of it. The manager hearing the grievance will need to investigate the issues you raise. They will respond back to you with a solution in writing, or they may wish to meet again to discuss the findings with you in person. This will normally be within 7 days of the meeting. Sometimes if the situation is very serious or more difficult to resolve, it may take longer than 7 days to reply to you. However, you will be advised if there is likely to be a delay.

What happens when the process is complete and I am not happy with the outcome?

If you think the outcome is wrong or unfair you can appeal. This means you will need to attend another meeting with a different person who will go over the information and make a recommendation. This can be different to the original findings but it might be the same.