
Grievance Policy

Newcastle Community Policy

Approval date: 1/2/2018

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Revised 14/1/23

Next Revision due 14/1/26

1. Responsibility for approval of policy	<i>Board</i>
2. Responsibility for implementation	<i>CEO / Secretary</i>
3. Responsibility for ensuring review	<i>Policy Committee</i>

1. Policy Statement

- 1.1. SharingPoint aims to resolve problems and grievances promptly and fairly. It aims for this to happen as close to the source as possible with graduated steps for further discussions and resolution at higher levels of management as necessary.

2. Purpose

- 2.1. The grievance procedure describes the process by which a member of staff may formally forward a grievance regarding any condition of their employment to be heard by management within the organisation.

3. Scope

- 3.1. This policy covers all staff and volunteers within the organisation. There are also provisions for people from other agencies conducting in-reach services in SharingPoint for the time they are on the premises.

4. Glossary of Terms and Definitions

- 4.1. A grievance is defined as a complaint by an employee about action which his/her employer or colleague has taken or is contemplating taking in relation to him/her.

5. Principles

- 5.1. All grievances should aim to be resolved in an informal basis with the person involved, if possible.
- 5.2. Any proceedings should be conducted honestly, fairly and without bias.
- 5.3. Proceedings should not be unduly delayed.
- 5.4. The person(s) against whom the grievance/complaint is made should have the opportunity, and be given a reasonable time, to put forward their side of the event/s before resolution is attempted.

6. Process

6.1. Informal Grievance

- 6.1.1. The employee should attempt to resolve the complaint as close to the source as possible.
- 6.1.2. If the employee does not want to deal directly with the individual with whom they have the grievance, they should discuss this issue with their line manager.

6.2. Formal Grievances

- 6.2.1. It is understood however that informal resolution is not always possible and that a formal procedure may be required to ensure the swift and fair resolution of matters. An employee, whom has a grievance or complaint to do with work that cannot be resolved through informal channels, should raise the matter with their manager immediately in writing. If the matter itself concerns the employee's immediate manager, then the grievance should be taken to their superior. Notification should include: the substance of the grievance; the remedy sought and the fact that this is a formal grievance notification.
- 6.2.2. A mediation process may be an appropriate intervention at this stage. Mediation can be suggested and arranged by the Clinical Director, where this is agreed to by all parties. In the case of mediation the outcomes and process will be confidential between the parties involved in the process. The mediator will be required to establish a mediation agreement at the onset of the session; this will need to be agreed by all involved parties.
- 6.2.3. If the Clinical Director, supervisor, or mediation is unable to resolve the matter to the staff member's satisfaction at the time; then a formal written grievance hearing should be initiated.

6.3. Grievance Hearing

- 6.3.1. The CEO or supervisor will call a meeting as necessary.
- 6.3.2. The employee taking the grievance has a right to be accompanied by a colleague or a representative.

- 6.3.3. After the meeting the clinical director or supervisor will give a decision on the outcome of the grievance, in writing, within 21 days. The response will provide a full written explanation of the clinical directors decision and who to appeal to if still aggrieved.
- 6.3.4. Where a grievance involves another member of staff. The staff member conducting the grievance hearing will meet with both staff members separately. If the staff member has specific questions for another member of staff these should be put in writing and managed by through the grievance meeting process. If both staff agrees a combined meeting with all parties can also be undertaken. The decision as to what method is most appropriate for resolution of the grievance will be that of the CEO Padraig Langan.
- 6.3.5. If the grievance involves another member of staff they will be requested to attend a meeting to discuss the issues and will be given reasonable notification, which facilitates them to bring a colleague.
- 6.3.6. The meeting will be conducted to ensure that all parties have the right to explain their views and to respond to the other parties' comments and views.
- 6.3.7. If no communally agreed resolution is reached throughout the meeting process then the manager will make a decision on the outcome of the grievance.
- 6.3.8. If the grievance lies between a staff member and the senior officer, the party with the grievance should take this up with the Chairperson of the Board.
- 6.3.9. If the outcome of the process leads to a disciplinary action, this will be conducted according to the disciplinary procedure. This will be undertaken by a different senior staff member / management committee member than the person involved in the investigation or grievance hearing. Appeals to this will be managed through the disciplinary appeals process.

7. Appeal

- 7.1. In most instances the organisation would expect the clinical directors decision to be final and for the matter to come to a close. However the employee has the right to appeal the decision if he / she still feels aggrieved.
- 7.2. An employee who wishes to appeal against a grievance decision must do so within 21 working days from receipt of official correspondence. The appeal should contain the original formal grievance notification.
- 7.3. The staff member sending, in writing, a request for an appeal, will initiate the appeal. This should be addressed to the clinical director who undertook the grievance hearing. The clinical director must then contact the chairperson of the board to instigate the establishment of an appeal committee and process.
- 7.4. At the request of a staff member a grievance appeal committee will be established. This committee can include members of the board and senior staff members other than the staff member who was responsible for issuing the grievance outcome in question. The committee will have two or more members and no more than three members. The process undertaken by the appeal committee, will be:
 - 7.4.1. A meeting will be called; this may either involve both parties together or may be better arranged as separate meetings to encourage full and frank discussion. Both parties will be informed of the date and time of the hearing, as well as the membership of the committee. Reasonable efforts will be made to ensure that both parties can attend on the date/s. The two parties are 1) the staff member who has requested the appeal, and 2) the clinical director responsible for issuing the grievance decision.
 - 7.4.2. The staff member will be made aware that they are entitled to representation, a professional organisation, or a colleague;
 - 7.4.3. Both parties will be asked to provide a verbal and/or written account of the situation and the reasons for their decision or appeal of the decision;
 - 7.4.4. The committee will discuss the matter in private and has the right to seek further information from either party;
 - 7.4.5. The staff member taking the appeal will be informed of the decision in writing. This letter will also inform them of the further and final right to appeal.

7.5. Final right of appeal

- 7.5.1. The final right of appeal will follow the same process as that in 7.4.1 – 7.4.5, although the panel will consist of members of the board or senior management who have not been involved in the first appeal process.
- 7.5.2. The decision of this committee is final.