



Policy Review

The owners of this Policy will review this document should the legislation change or there is a further need to develop the Policy further. However, our Policy review group will annually review this policy to ensure it remains compliant with key changes nationally.

POLICY NAME	Grievance Policy	VERSION NO.	1
Date Written	March 2025	Date Signed Off	21/03/2025
Owner (s)	HR	Next Review Date	March 2028

Revision History.

Version	Date	Page Number	Details of Change	Author

Contact Information.

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1. Policy Purpose and Aim

Milewood acknowledges that there may be circumstances where employees experience dissatisfaction related to their employment. Milewood is committed to giving all staff the opportunity to express their concerns and have them heard and dealt with, with respect, impartiality and fairness.

Milewood encourages communication, so that questions and difficulties arising during employment can be brought into the open and resolved quickly and as close to the level of origin as possible. Milewood recognises the role the effective handling of grievances plays in supporting Milewood operations and staff satisfaction.

This policy sets out the approach Milewood takes in responding to staff grievances related to their employment with Milewood.

It may sometimes be necessary to deviate from the procedure captured in this policy in order to give the grievance fair consideration. Where this is proposed, the reasons will be made clear to all parties.

This policy does not form part of any employee's contract of employment and may be amended at any time.

2. Objectives

The objectives of this policy are to:

- Ensure a single, consistent and transparent approach to raising and resolving grievances across every aspect of Milewood's employment related activity.
- Ensure that every Manager is aware of how a grievance should be raised and handled
- Ensure that every employee is aware of how to raise a grievance, and clearly understands how their grievance will be handled.
- Ensure that Milewood acts in line with accepted human resource standards, and meets all obligations under the ACAS Code of Practice on Disciplinary and Grievance Procedures.
- Ensure that Milewood meets all legislative and regulatory requirements.

3. Scope of Policy

This policy applies to all Milewood paid employees and covers all premises owned or occupied by Milewood.

This policy covers all grievances raised by staff, relating to their employment with Milewood. These may regard terms and conditions, working practices, perceived discrimination and health and safety matters. This list is not exhaustive but merely an example of possible concerns.

Issues relating to bullying and harassment will be dealt with under the Milewood Bullying, Harassment and Victimisation and Violence at work policy which sets out how complaints of bullying, harassment, Victimisation or other matters in relation to dignity and respect will be handled at both informal and formal stages.

Concerns about possible malpractice by Milewood should be raised in accordance with the Freedom to Speak Up Policy. Freedom to Speak Up is the reporting of any suspected wrongdoing, illegal acts or malpractice that an employee feels would be in the public interest to be reported. Employees can raise concerns with their line manager if appropriate or email speakup@milewood.co.uk

If the grievance relates to a disciplinary decision that has been taken against the employee, the Disciplinary appeals procedure applies.

Collective grievances are not covered by this policy. If a similar grievance is raised by more than one employee, each grievance will be treated individually.

4. Responsibilities

Managers are responsible for ensuring that any grievances raised with them are dealt with in accordance with this policy.

Managers are responsible for implementing the policy and procedure in a consistent, transparent and fair manner.

Managers should seek advice and assistance from the HR team in order to avoid possible cases of unfair treatment or discrimination, and to ensure this policy and procedure is adhered to.

Managers are responsible for recording any steps taken in the implementation of the policy and procedure, including where this involves informal steps only

Managers and employees are responsible for resolving issues of conduct informally wherever this is appropriate.

The HR team are responsible for supporting managers and employees in the correct implementation of this policy and procedure by providing advice and guidance as required.

Employees are responsible for understanding how to raise a grievance and for seeking guidance from the HR team if needed.

5. Policy Statement

Milewood is committed to giving all staff the opportunity to have their concerns heard and handled with respect, fairness and impartiality.

Milewood will ensure that it deals with any grievances in line with accepted best human resource standards and meets the benchmark of fair and consistent treatment of employees set out in the ACAS Code of Practice on Disciplinary and Grievance Procedures.

Milewood will ensure that this policy is implemented in a transparent, collaborative, and compassionate way that empowers employees.

6. The Grievance Policy

6.1 Informal Grievance procedure

The sooner a grievance is raised, the better for everyone involved, to prevent the situation escalating. Employees have the right to raise any grievances as quickly as reasonably possible with their Manager in an informal setting. If the grievance concerns the Manager, employees can raise it with their Manager's superior, or with a member of the Human Resources (HR) team instead.

The purpose of the initial informal grievance discussion is to enable the employee and Manager to explore and resolve informally the reasons behind the grievance. As such it is not considered necessary for the employee to be accompanied by a workplace colleague or an official trade union representative.

It is anticipated that in the majority of instances any grievances an employee has can and will be resolved informally.

The Manager should make notes of the informal grievance discussion and its outcome. These notes will be shared with HR, and will be in line with the Confidentiality, Data Protection and Record keeping section below.

Where it is not possible or appropriate to resolve the grievance informally, the formal grievance procedure should be followed.

6.2 Formal Grievance Procedure

The nature of the grievance may be such that a formal grievance procedure needs to be followed.

Raising the grievance

A formal grievance needs to be raised in writing with the Manager. If the grievance involves the Manager the letter or email should be addressed to the Manager's superior, or a member of the HR team. The letter should explain the nature of the grievance, and the remedy sought.

Grievance investigation

On receipt of the formal grievance, the receiving Manager or a manager designated by the Head of People & Culture or HRBP will review the grievance and commission any further documentation or investigation. The investigation may seek to clarify the nature of the grievance, ask for information to be provided or conduct interviews with relevant parties.

Investigation meeting

The employee will be invited to a meeting to explain their grievance and to discuss any suggestions they have for how it may be resolved. This meeting will be held as promptly as reasonably possible. Such a meeting can take place face to face, or via digital means.

Outcome hearing

Once the designated manager has heard and considered the employee's grievance, and findings of the investigation, they will need to decide whether the grievance is justified or whether it should be dismissed. If the grievance is found to be justified, they may make recommendations or determine actions for redress of the grievance. The designated manager will invite the employee to an Outcome meeting to inform the employee of the outcome of the grievance.

Grievance outcome

Following the Outcome meeting, the designated Manager will send a letter to the employee setting out the outcome of the grievance and advising of the right to appeal and who they may raise their appeal with. This is normally the Head of People & Culture.

Appeal

If the employee is not satisfied by the handling or outcome of the grievance, they may raise an appeal in writing within five working days after receiving the outcome letter. The employee should set out the grounds for the grievance, and the reasons why they are dissatisfied with the response. Appeals should be sent to the Head of People & Culture, who will refer to an appropriate senior manager.

The employee will be invited to an appeal hearing to consider the appeal and to discuss any suggestions they have for how it may be resolved. The meeting will be held within ten working days of the appeal letter being received unless circumstances mean that this is not reasonably possible.

Wherever possible, the appeal will be heard by someone more senior than the person who decided on the grievance outcome. If this is not practicable, the appeal will be heard by another manager who has not previously been involved in the matter. Milewood will inform the employee promptly of the outcome of the appeal, wherever possible within three working days of the hearing and confirm it in writing within ten days of the hearing unless circumstances mean that this is not reasonably possible.

Following the appeal hearing, Milewood may confirm the original decision, revoke the original decision, or substitute a different action.

This decision at appeal is final and there is no further appeal.

Considerations regarding steps in the procedure

It is important to the proper working of this procedure that, whenever possible, the employee continues to work normally whilst the procedure is being followed. Each stage of this procedure will be carried out without unreasonable delay.

If the employee has difficulty at any stage of the grievance procedure because of a disability, this should be discussed with their Manager or the HR team as soon as possible.

All grievance meetings, including appeals, will be held at a reasonable time and place. The employee must take all reasonable steps to attend. We reserve the right to hold meetings by the use of technology such as Conference Call, Zoom, Microsoft Teams. If, without good cause, the employee is persistently unable or unwilling to attend, Milewood will hear the matter in their absence and make a decision based on the evidence available.

An appropriate level of management, or if deemed appropriate a suitable qualified external professional, will conduct hearings and meetings, and where possible will be accompanied by a representative of HR and/or a note taker as appropriate.

Meetings may be recorded with agreement via an audio/video recorder, or an appointed note taker. A copy of the recording can be made available to the employee on request.

Right to be accompanied

In any formal grievance procedure meeting the employee has a statutory right to be accompanied by a companion who could be a workplace colleague, or an official trade union representative, of their choice. A companion who is employed by Milewood is allowed reasonable time off from their duties without loss of pay to attend.

If the companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, a request may be made that an alternative companion is appointed.

The companion may address the meeting to make or sum up the employee's case, or to respond on their behalf to any view expressed at the meeting. The companion may confer with the employee, but does not have the right to answer questions on behalf of the employee, or prevent anyone from contributing to the meeting.

7. Confidentiality, data protection and record keeping

Milewood is committed to deal with grievances sensitively and with due respect for the privacy of the individuals involved. All employees must treat as confidential any information communicated to them in connection with a grievance.

Conducting grievance investigations and hearings under this procedure involves Milewood processing the personal data of the employees concerned. This personal data is required in order to investigate and deal with grievances. The legal grounds for doing so are that it is necessary:

- to comply with legal obligations and for the performance of the employment contract (i.e. to investigate and deal with grievances in accordance with the duty of trust and confidence to

employees)

- in legitimate interest to deal effectively with grievances, whether an employee is the subject of them or are otherwise connected to the issues raised

Special category data (see below) and data relating to criminal convictions or offences may occasionally need to be processed under this grievance procedure – for example, where an employee brings a grievance asserting that they have been treated poorly because of their race or sexual orientation, or where an employee requires a reasonable adjustment to the procedure to accommodate a disability.

- Milewood’s additional legal grounds for using such data are that this is necessary:
- to exercise legal rights/comply with legal obligations in relation to employment
- to establish, exercise or defend legal claims.

Special category data: personal data about an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sex life or sexual orientation, biometrics (if used for identification purposes) or genetics.

Where Milewood takes witness statements from employees with information about the grievance being investigated under this procedure, such statements will be treated confidentially and will only be shared with individuals who need to be involved in the grievance process. This will ordinarily be:

- HR
- The person/people conducting investigations
- The Managers conducting any formal grievance hearing or appeal.

In addition, if in the course of the grievance procedure it becomes apparent that misconduct has taken place which requires investigation under the Milewood disciplinary policy, witness statements taken under this grievance procedure may be used in any subsequent disciplinary procedure and may therefore be shared with the person/people conducting investigations and hearings, as well as the employee whose conduct is the subject of disciplinary proceedings, to enable them to prepare for the hearing and respond to the allegations against them.

Milewood will retain records of grievances in accordance with the criteria set out in the Employee Privacy Notice and Record Management Policy.

8. Other Relevant Policies and Documents

- Staff Handbook
- Employee Privacy Notice
- Equality and Diversity Policy
- Code of Conduct
- Bullying, Harassment, Victimisation and Violence at Work Policy
- Disciplinary Policy
- Freedom to Speak Up Policy

- Health and Safety Policy
- Record Management Policy

9. Relevant Legislative and Regulatory requirements

- Equality Act 2010
- Employment Rights Act 1996
- Employment Relations Act 1999
- ACAS Code of Practice 2015

Authorisation and Signature

This Policy is the authorised version agreed by the Owners. The policy is also Authorised by the CEO of Milewood Health Care and their associated organisations. All employees are expected to follow this policy and failure to do so could result in disciplinary action.

Approved by Owner Head of HR - Signature:	Dan Blackith
Date:	21/03/2025
Approved by Owner, Head of Quality- Signature:	Jill Roberts
Date:	21/03/2025

