



## Review Sheet

Last Reviewed  
13 Sep '23Last Amended  
13 Sep '23Next Planned Review in 24 months, or  
sooner as required.

Business impact



Changes are important, but urgent implementation is not required, incorporate into your existing workflow.

Reason for this review

Scheduled review

Were changes made?

Yes

Summary:

This policy outlines the process an employee and employer should follow should the employee raise concerns that cannot be dealt with informally. The policy is in line with the ACAS guidance on dealing with grievances within the workplace. It has been reviewed and updated regarding the grievance outcome. An Invitation to a Grievance Meeting letter and an Invitation to an Appeal Hearing letter have been added in the forms section. The references and links have also been checked and updated. For some customers, the reference number on this policy will have changed.

Relevant legislation:

- Employment Rights Act 1996
- Equality Act 2010
- Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)
- Health and Social Care Act 2008 (Registration and Regulated Activities) (Amendment) Regulations 2015
- Data Protection Act 2018
- UK GDPR

Underpinning knowledge - What have we used to ensure that the policy is current:

- Author: ACAS, (2015), *Acas Code of Practice on disciplinary and grievance procedures*. [Online] Available from: [https://acas.org.uk/media/1047/Acas-Code-of-Practice-on-Discipline-and-Grievance/pdf/11287\\_CoP1\\_Disciplinary\\_Procedures\\_v1\\_Accessible.pdf](https://acas.org.uk/media/1047/Acas-Code-of-Practice-on-Discipline-and-Grievance/pdf/11287_CoP1_Disciplinary_Procedures_v1_Accessible.pdf) [Accessed: 13/9/2023]
- Author: Government, (2021), *Raise a grievance at work*. [Online] Available from: <https://www.gov.uk/raise-grievance-at-work> [Accessed: 13/9/2023]

Suggested action:

- Encourage sharing the policy through the use of the QCS App

Equality Impact Assessment:

QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.



## 1. Purpose

**1.1** This policy is a framework to provide a recognised channel through which a grievance can be brought to the attention of management by providing the right for an employee to have their grievance heard, investigated and resolved.

**1.2** To support Medcom Personnel Ltd in meeting the following Key Lines of Enquiry/Quality Statements (New):

Key Question	Key Lines of Enquiry	Quality Statements (New)
SAFE	S1: How do systems, processes and practices keep people safe and safeguarded from abuse?	QSS3: Safeguarding
SAFE	S6: Are lessons learned and improvements made when things go wrong?	QSS1: Learning culture
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?	QSW5: Governance, management and sustainability

**1.3** To meet the legal requirements of the regulated activities that Medcom Personnel Ltd is registered to provide:

- | Employment Rights Act 1996
- | Equality Act 2010
- | Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)
- | Health and Social Care Act 2008 (Registration and Regulated Activities) (Amendment) Regulations 2015
- | Data Protection Act 2018
- | UK GDPR



## 2. Scope

**2.1** The following roles may be affected by this policy:

- | All staff

**2.2** The following Service Users may be affected by this policy:

- | Service Users

**2.3** The following stakeholders may be affected by this policy:

- | Family
- | Representatives
- | Commissioners



## 3. Objectives

**3.1** Medcom Personnel Ltd recognises that, from time to time, issues may arise which may cause members of staff some distress.

**3.2** To ensure there are clear informal and formal processes for members of staff to raise grievances.



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### 4. Policy

**4.1** Medcom Personnel Ltd encourages free communication between employees and their managers. This is to ensure that questions and problems arising during the course of employment can be aired and, where possible, resolved quickly and to the satisfaction of all concerned.

**4.2** Medcom Personnel Ltd has a separate Harassment Policy and Procedure and Anti-Bullying Policy and Procedure that may be useful if an employee has been the victim of bullying or harassment or wishes to report an incident of bullying or harassment involving other people.

**4.3** Medcom Personnel Ltd operates a separate Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure to enable employees to report illegal activities, wrongdoing or malpractice. However, where an employee is directly affected by the matter in question, or where they feel they have been victimized for an act of whistleblowing, they may raise the matter under this grievance procedure.

**4.4** If an employee has difficulty at any stage of the grievance procedure because of a disability or language barriers, they must discuss the situation with the grievance officer as soon as possible.

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

**4.6** Any data collected as part of this policy will be processed in accordance with current Data Protection legislation, the Privacy Notice issued to staff and the Data Security and Data Retention Policy and Procedure.

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**5. Procedure****5.1 Informal Process**

Medcom Personnel Ltd expects that most grievances can be resolved informally through discussions between the individuals and their manager or, if the grievance relates to the individual's manager, with a more senior manager.

Through this process, Medcom Personnel Ltd would look to discuss all the issues with the individual, and work towards a satisfactory resolution without the need for a formal process. Where it is not possible to resolve the grievance informally, the formal procedure will be invoked.

**5.2 Formal Process**

If the grievance cannot be resolved informally the individual must detail their grievance in writing, including facts, times, dates, names and any other details. Again, if the grievance relates to the individual's manager, then the grievance must be addressed to a more senior manager.

**Investigation**

On receipt of the formal complaint and dependent on the content, it may be necessary for Medcom Personnel Ltd to carry out an investigation into the grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the individual and any witnesses, and/or reviewing relevant documents. The individual who raised the grievance will be expected to co-operate fully with this investigation.

Where considered appropriate, Medcom Personnel Ltd may initiate an investigation before holding a grievance meeting. In other cases, Medcom Personnel Ltd may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases Medcom Personnel Ltd will hold a further grievance meeting with the individual after the investigation and before Medcom Personnel Ltd reaches a decision.

In circumstances where a grievance is raised which relates to care and/or treatment of a Service Users, Medcom Personnel Ltd will follow all appropriate guidance in line with regulatory requirements in addition to following this process. Evidence may be sought from the Service Users and their families to assist in any investigation.

**Right to be Accompanied**

Medcom Personnel Ltd will arrange a grievance meeting to be held usually within 7 days of the formal grievance being received. The individual who raised the grievance is entitled to be accompanied to this grievance meeting by a colleague or Trade Union Representative. The individual must, within reasonable time prior to the grievance meeting taking place, notify the manager with conduct of the grievance meeting whom their intended companion is. If the individual or their companion are unable to attend the meeting, the individual must inform the manager who has conduct of the grievance meeting, and a suitable alternative date for the meeting will be arranged.

Acting as a companion is voluntary and colleagues are under no obligation to do so. If colleagues agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.

If the individual's chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, they may be asked to choose someone else.

At the meeting, the companion may make representations and ask questions, but should not answer questions on the individual's behalf. The individual and the companion may talk privately at any time during the meeting.

**Grievance Meeting**

The purpose of the grievance meeting is to allow the individual the opportunity to explain their grievance, along with their views on how they would like it to be resolved. The manager may then make a decision, taking into account what has been said and the outcome of any investigation that has taken place.

Dependent on the issues raised at the grievance meeting, it may be necessary to adjourn the meeting in order to undertake further investigation. The meeting will be re-convened once these investigations are complete.

**Grievance Outcome**

The grievance manager will write to the individual, usually within 7 days of the conclusion of the grievance meeting, with the outcome of the grievance and details of any action they intend to take.

**5.3 Appeal**

If the individual is not satisfied with the outcome, they have the right to appeal the decision. The appeal must be:



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- | in writing
- | detail the full grounds of appeal; and
- | be provided within 7 days of the grievance outcome being communicated to the individual

Medcom Personnel Ltd will then hold a grievance appeal meeting, usually within 7 days of receiving the notification of appeal and will appoint a manager who has not been previously involved in the grievance process to hear the appeal. Again, the individual has a right to be accompanied by a colleague or Trade Union Representative. The appeal outcome will be provided to the individual in writing, usually within 7 days of the appeal hearing. At this point there is no further right of appeal.

**5.4** Where an individual raises a grievance during a disciplinary process then, depending on the circumstances, the disciplinary process may be temporarily suspended in order to deal with the grievance, although Medcom Personnel Ltd is not required to do so. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

**5.5** In circumstances where a grievance is raised which relates to care and/or treatment of a Service Users, Medcom Personnel Ltd will follow all appropriate guidance in line with regulatory requirements in addition to following this process. Evidence may be sought from Service Users and their families to assist in any investigation.



## 6. Definitions

### 6.1 Grievance

- | Any problem, issue or concern that an employee or worker may have relating to their employment or engagement with Medcom Personnel Ltd

### 6.2 Grievance Manager

- | The manager appointed by Medcom Personnel Ltd to investigate and hear the grievance at the initial grievance meeting
- | The grievance manager will be independent from any of the issues raised in the grievance and will make a decision on the outcome of the grievance once the grievance meeting has taken place, taking into account all facts and representations

### 6.3 Grievance Appeal Manager

- | The Grievance Appeal Manager will hear any appeal following the outcome of the grievance provided by the Grievance Manager
- | The Grievance Appeal Manager will be impartial, and will have had no previous involvement in the grievance procedure up to that point



## Key Facts - Professionals

Professionals providing this service should be aware of the following:

- | The employer should ensure that, at each stage of the process, a manager with sufficient seniority, who is entirely independent of any of the facts arising out of the grievance and/or any of the process of the grievance, is appointed to hear the grievance or any appeal
- | Every effort should be made to resolve the grievance informally before proceeding with a formal grievance, as most grievances may be resolved without the need for a formal process
- | Managers who have been appointed to the roles of Grievance Manager or Grievance Appeals Manager should ensure that there is no unreasonable delay in scheduling grievance meetings and providing the outcomes following the meeting
- | An individual who wishes to raise a formal grievance should ensure they do so in writing, and set out all details of their grievance in a clear and precise way



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## Key Facts - People affected by the service

People affected by this service should be aware of the following:

- 1 Medcom Personnel Ltd may seek evidence from you and/or your family as part of a grievance investigation if it is necessary to do so. Where required this will be done in a sensitive way
- 1 Medcom Personnel Ltd takes its obligations towards you and other Service Users very seriously. These obligations are of the utmost importance



## Further Reading

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

**ACAS - Discipline and grievances at work: The ACAS Guide:**

<https://www.acas.org.uk/acas-guide-to-discipline-and-grievances-at-work>

**ACAS - Investigations for discipline and grievance: step by step:**

<https://www.acas.org.uk/investigations-for-discipline-and-grievance-step-by-step>

**CQC - Report a concern if you are a member of staff:**

<https://www.cqc.org.uk/contact-us/report-concern/report-concern-if-you-are-member-staff>

**CQC - Regulation 16: Receiving and acting on complaints:**

<https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-16-receiving-acting-complaints>

**Citizens Advice - Dealing with grievances at work:**

<https://www.citizensadvice.org.uk/work/problems-at-work/dealing-with-grievances-at-work/>

**GOV.UK - Handling an employee's grievance:**

<https://www.gov.uk/handling-employee-grievance>



## Outstanding Practice

To be 'outstanding' in this policy area you could provide evidence that:

- 1 The wide understanding of the policy is enabled by proactive use of the QCS App
- 1 Medcom Personnel Ltd deals with grievances and appeals swiftly within the 7-day guidelines
- 1 Medcom Personnel Ltd considers whether to allow the individual to be accompanied by someone other than a fellow colleague or Trade Union Representative if the circumstances mean it would be more appropriate
- 1 Medcom Personnel Ltd ensures that all grievances are treated sensitively and carefully with the understanding that, although sometimes an issue may appear minimal, it is sufficiently serious for the individual to have raised it under this process



## Forms

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
Grievance Form - PP04	For use by an employee to raise a formal grievance.	QCS
How to Conduct a Grievance - Human Resource Manager's Guidance Note - PP04	To inform and prepare to conduct a grievance.	QCS
Letter - Acknowledging Grievance - PP04	To acknowledge grievance and confirm investigation.	QCS
Letter - Confirming Outcome of Appeal - PP04	To confirm the outcome of an appeal.	QCS
Letter - Confirming Outcome of Grievance Meeting - PP04	To confirm the outcome of a grievance meeting.	QCS
Letter - To Employee Informing of a Grievance Raised Against Them by a Fellow Employee PP04	To inform the employee.	QCS
Letter - Invitation to Investigatory Meeting (Witness) - PP04	To invite a witness to an investigatory meeting in relation to a grievance.	QCS
Form - Employee Withdrawing Grievance - PP04	To detail the withdrawal of and reasons for a grievance being withdrawn.	QCS
Employer Investigation Report - PP04	To compose a detailed record of investigation.	QCS
Flowchart - How to Conduct a Grievance Process - PP04	To offer guidance on how to deal with an employee's grievance.	QCS
Grievance Record for Employer - PP04	To record grievances.	QCS
Grievance Hearing Agenda - PP04	To provide a structure to grievance hearings.	QCS
Letter - Invitation to a Grievance Meeting - PP04	To invite an employee to a grievance meeting.	QCS
Letter - Invitation to an Appeal Hearing - PP04	To invite an employee to an appeal hearing.	QCS

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<b>Name:</b>	
<b>Department/Job Role:</b>	
<b>Have you raised your grievance informally?</b>	Yes / No (please circle)
<b>If yes, who was this to?</b>	
<b>Date you raised the grievance:</b>	/ /
<b>If you have not raised this grievance informally, what is the reason?</b>	
<b>Please summarise your key complaints/concerns:</b>	
1.	
2.	
3.	
4.	
<b>Please provide a detailed background of the facts giving rise to your grievance (Include dates of the incident (s), names of any witnesses and where the incident took place):</b>	
Continue on a separate sheet	



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<b>What outcome are you expecting from instigating the formal grievance process?</b>	
<b>Please give brief details of the outcome of the informal discussion that took place:</b>	
<b>Why was this outcome unsatisfactory to you?</b>	
Signature:	
Date:	/ /
<b>FOR HR USE ONLY</b>	
Date received:	/ /
Name of manager assigned to deal with the formal grievance procedure:	
Name of manager who is assigned to deal with grievance appeal stage (if required):	

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Grievance procedures are put in place to ensure that employers deal with employees' complaints fairly. It is important for employers to take grievances seriously and to follow the correct procedure.

The appropriate procedure is contained in the ACAS Code. Grievance policies should be put in place to ensure that all employees can rely on a set procedure to help deal with any grievances fairly and without unreasonable delay.

### **What is a Grievance?**

A grievance is defined in the Advisory, Conciliation and Arbitration Service Code of Practice ("ACAS Code") as "concerns, problems or complaints that employees raise with their employer."

Issues that can lead to a grievance include:

- a. Terms and conditions of employment
- b. Health and safety
- c. Work relations
- d. Bullying and harassment
- e. New working practices
- f. Working environment
- g. Organisational change; and/or
- h. Discrimination

As soon as an employer receives a formal grievance, there is a legal obligation on them to follow a particular procedure. This obligation arises when a grievance is raised verbally or in writing. Any complaint raised by an employee should be treated as a grievance, even if the employee does not expressly state that it is a grievance.

If an employer fails to spot a grievance, it could result in claims in the Employment Tribunal, such as claims for unfair dismissal, constructive unfair dismissal, discrimination or whistleblowing, and enhance compensatory payments if those claims are successful.

Most grievances can be resolved through informal discussion. If an employee raises an informal grievance with their manager or senior manager make sure you deal with it efficiently to avoid a formal complaint being made.

If the grievance is of a very serious nature or if an employee specifically requests, the complaint should be dealt with formally.

### **Formal Written Grievances**

#### **The Procedure**

You should also make sure you follow your own grievance procedures in addition to the ACAS Code.

#### **The Employer Investigates the Grievance**

In some situations, you may need to ask the employee to provide further information if relevant facts, dates, names of individuals and the nature of the complaint is not provided.

In some cases, it may be necessary for you to carry out an investigation into the grievance. The level of investigation required will vary from case to case and will depend on the nature of the allegations.

An investigation may involve interviewing and taking statements from the employee and any witnesses, and/or reviewing relevant documents. The employee should be advised to co-operate fully and promptly in any investigation, including informing you of the names of any relevant witnesses, disclosing any relevant documents and attending interviews. The employee and any other affected employees should be informed that matters are strictly confidential.

You may conduct an investigation before holding a grievance meeting where you consider this appropriate. Otherwise, where you hold a grievance meeting before deciding what investigation (if any) to carry out, you should also hold a further grievance meeting with the employee after your investigation and before you reach a decision.

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### **The Investigating Officer**

Where possible and when there are contentious or complex issues involved, the employer should look to appoint an impartial investigating officer. Ideally, this should be someone who is not going to be involved in making the final decision as to whether or not the grievance is upheld.

If the matter is only a minor issue, you may not consider it necessary to appoint an investigating officer.

### **The Formal Grievance Hearing**

A grievance hearing should be arranged upon receipt of a written grievance and should usually be held within one week, subject to any prior investigation which may be required. If the employee or their companion cannot attend at the time specified, you should try, within reason, to agree an alternative time.

The purpose of a grievance meeting is to enable the employee to explain their grievance and how they think it should be resolved. You should ensure that a reasonable investigation into the facts has been undertaken and that there are no "gaps" in the investigation, to make a reasonable decision as to whether the grievance is upheld, and if the grievance is upheld, to decide on what reasonable action to take.

After an initial grievance meeting, you may carry out further investigations and hold further grievance meetings as you consider appropriate. Such meetings should be arranged without unreasonable delay.

You should write to the employee, usually within one week of the final grievance hearing, to inform them of the outcome of their grievance and any further action that you intend to take to resolve the grievance. You should also remind them of their right of appeal. Where appropriate, you may hold a meeting to give them this information in person.

### **Right to be Accompanied**

The employee has the right to be accompanied by a companion, who may be either a Trade Union Representative or a work colleague. An employee does not have the right to bring a companion who is not a Trade Union Representative or colleague, i.e. a friend or relative. However, you may permit this at your discretion.

If the employee's choice of companion is unreasonable, you may ask them to choose someone else, for example:

- If in your opinion the companion may have a conflict of interest or may prejudice the meeting
- If the companion works at another site and someone reasonably suitable is available at the site at which you work
- If the companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards

If the employee requests a colleague to act as a companion and they agree to do so, the companion should be allowed reasonable time off from duties without loss to participate in the meeting.

The employee should be advised of their right to bring a companion to any grievance meeting or appeal meeting, ideally in writing within the letter inviting them to the meeting. The employee should be advised that they must tell the person holding the grievance meeting who their chosen companion is, in good time before the meeting.

You should also, of course, consider your policy and consider whether the employee suffers from a disability and requires assistance and ask the employee to notify you of any adjustments that need to be made at/prior to the meeting.

At the meeting, the employee's companion may make representations and ask questions. The companion should NOT answer questions on the employee's behalf. You should allow the employee to confer privately with their companion at any time during the meeting.

### **Appeals**

The employee should be informed with the decision that they have the right to appeal and that they should put their appeal in writing, stating their full grounds of appeal usually within one week of the date on which the decision was sent or given to them.

Any appeal meeting should be held normally within one week of receiving the written appeal. The appeal should be dealt with by someone impartial, who has not previously been involved in the case (although the employee may ask anyone previously involved to be present).

Note: As previously mentioned, the employee has the right to bring a companion to the meeting.

The final decision should be in writing and provided to the employee usually within one week of the appeal hearing. There is no further right to appeal after the final decision, which marks the end of the procedure.

### **Why it is Important to Follow the ACAS Code?**

The ACAS Code is intended to help employers and employees resolve grievances without the need for tribunal litigation. Failure to follow the ACAS Code can affect the level of compensation awarded. If an employee's claim succeeds but the employer failed to follow the ACAS Code, the tribunal may increase the employee's compensation by up to 25%. Equally, if the employee's claim succeeds but the employee failed to follow the ACAS Code, the tribunal may reduce their compensation by up to 25%.

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**[Name and Address of Employee]**

**[Date]**

Dear **[name of employee]**,

**Grievance**

We can confirm that we are in receipt of your grievance letter dated **[insert date]**.

Please note that we will need to carry out an investigation into the allegations raised in your grievance. We may need to take statements from you and any witnesses as well as conducting a review of any relevant documentation.

You are advised to co-operate fully and promptly with the investigation. You may be asked to provide names of any relevant witnesses, disclose any relevant documents and may be required to attend interviews.

Following our investigations, we will invite you to a grievance meeting under the grievance procedure of Medcom Personnel Ltd.

If you have any queries regarding the above, please do not hesitate to contact me.

Yours sincerely,

**[Name]** on behalf of Medcom Personnel Ltd

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**[Name and Address of Employee]**

**[Date]**

Dear **[name of employee]**,

**Outcome of Appeal**

Further to the appeal hearing held on **[Date]**, we have decided to uphold our original decision that **[set out details of the original decision]**.

**OR**

Further to the appeal hearing held on **[Date]**, we have decided to change our original decision that **[set out details of the original decision]**. Our new decision is that **[details of the decision including action which the employer is intending to take to deal with the grievance]**.

Please note that our decision is now final. There is no further right of appeal.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

**[Insert Name]** on behalf of Medcom Personnel Ltd

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**[Name and Address of Employee]**

**[Date]**

Dear **[name of employee]**,

**Confirmation of Outcome of Grievance Meeting**

Further to the grievance meeting held on **[Date]**, we write to confirm that it was decided that **[Set out details of the decision made]**.

The reason for this decision is that **[Set out reasons and summarise findings]**.

Please note that you have the right to appeal this decision. Should you wish to appeal, please submit your appeal, in writing to **[Name]** by **[Date]** setting out the grounds for your appeal in full.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

**[Insert Name]** on behalf of Medcom Personnel Ltd

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**[Name and Address of Employee]**

**[Date]**

Dear **[name of employee]**,

### **Grievance Raised**

We write to inform you that a grievance has been raised against you in respect of the following allegation(s):

1. **[Insert allegation, include any relevant dates]**
2. **[Insert allegation, include any relevant dates]**
3. **[Insert allegation, include any relevant dates]**

An investigation into the allegation(s) will take place in accordance with the Grievances Procedure of Medcom Personnel Ltd. **[(We enclose a copy of the Grievances Policy and Procedure for ease of reference)]**. As per the Grievances Procedure, you will be required to attend a meeting as part of the investigation where you will be able provide us with any relevant information in relation to the allegation(s).

**Option 1** - The meeting will be held on **[insert date]** at **[insert time]** at **[insert location]** and will be conducted by **[insert name]**.

**-or-**

**Option 2** - I will contact you in due course to inform you of the details of the meeting.

Please note that this matter is confidential, and you are not permitted to discuss this with any of your colleagues. If you have any questions regarding the contents of this letter, please do not hesitate to contact me.

Yours sincerely,

**[Insert name]** on behalf of Medcom Personnel Ltd

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**[Name and Address of Employee]**

**[Date]**

Dear **[name of employee]**,

### **Grievance Investigation**

We write to you in relation to a grievance raised by **[insert employee's name]** on **[insert date]** regarding **[insert details of grievance]**.

We are in the process of investigating the grievance and we believe that you may be able to assist with the investigation. An investigation meeting will be held on **[insert date]** at **[insert time]** in **[insert place]** and we ask that you attend as a witness.

At the meeting you will be asked to recall any events, conversations, correspondences or other information you may have witnessed in connection with the grievance. We should be grateful if you would make all information relevant to the grievance available for inspection at the meeting.

**[Insert name]** will be conducting the meeting together with **[insert name]** who will be taking notes.

Please note that this grievance is confidential. You are not permitted to discuss any part of the investigation with your colleagues.

If you have any questions, please do not hesitate to contact me.

Yours sincerely,

**[Insert name]** on behalf of Medcom Personnel Ltd



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<b>Employee Name:</b>	
<b>Position:</b>	
<b>Location:</b>	
<b>Date of Grievance:</b>	
<b>Please provide a summary of your grievance:</b>	
<b>Please explain why you wish to withdraw your grievance:</b>	
<p>I confirm that I wish to withdraw my grievance and that I do not wish Medcom Personnel Ltd to take any further action on my behalf. However, I will assist Medcom Personnel Ltd with any investigations that are deemed appropriate by the Company in light of my grievance.</p>	
<b>Sign:</b>	
<b>Date:</b>	

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**1. Names of Parties:**

**Complainant(s):**

Name:

Job Title, Department:

**Alleged Harasser(s):**

Name:

Job Title, Department:

**2. Investigating Officers:**

Name:

Job Title, Department:

**3. Introduction**

**3.1 Purpose of The Report**

The report outlines the investigation into a complaint of: **[Insert brief details of complaint]**

**4. Allegation(s):**

**4.1 The letter submitted by the complainant on [insert date] outlined the following allegations:**

i. \_\_\_\_\_

ii. \_\_\_\_\_

iii. \_\_\_\_\_

iv. \_\_\_\_\_

v. \_\_\_\_\_

**4.2 During the meeting with the complainant undertaken as part of this investigation, further complaints were identified:**

vi. \_\_\_\_\_

vii. \_\_\_\_\_

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## 5. Background Information

5.1 The complainant has been employed as a **[insert job title]** in **[insert department]** since **[insert date]**.

5.2 **[Insert details of job role]**. A full job description is attached at Appendix B.

5.3 The complainant's working hours are **[insert details of working hours]**. **[Provide details of any shift system, out of hours work, weekend and bank holiday working]**.

5.4 **[Insert details of any past performance issues/sickness issues OR state that there are no past issues]**.

5.5 The complainant's line manager is: **[Insert name and job title]**. A copy of the organisation chart is attached at Appendix C.

5.6 A summary of the complainant's training history is attached at Appendix G.

## 6. Chronology (What happened when? When interviews undertaken and with whom?)

Date	Event	Appendix
	<b>Allegation Received</b> In what format? _____	
	<b>What happened next?</b>	
	<b>Meeting</b> Who attended? Include names, job titles, department and/or relationship to the parties:	
	<b>Taped Interview with (include name/s):</b>	
	<b>E-mail Response (include name/s):</b>	
	<b>Interview (include name/s):</b>	

All the above witnesses were interviewed individually and were given the opportunity to be accompanied by a work colleague or Trade Union Representative and the option of having their interviews taped and transcribed. All witnesses were provided with two copies of their statements and were able to review the notes and sign them as confirmation that they were a true and accurate record of the meeting. **[Some of the discussions were conducted by telephone]** Some staff were interviewed at the request of **[name]** and **[name]**.

## 7. Evidence

### 7.1 Specific Allegation (include additional allegations as 7.2, 7.3, etc.)

#### The Complainant's Statement:

1. Quote from statements, documents to give viewpoint/support/deny allegations - Include reference to appropriate appendix number
- 2.

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3.

**The Alleged Harasser’s Statement**

- 1.
- 2.
- 3.

**Third Party (Witness) Statements**

- 1.
- 2.
- 3.

**Other Supporting Information**

- 1.
- 2.
- 3.

**8. Mitigating Factors/Other Information**

**9. Conclusions:**

We have concluded that on the balance of probability, taking into account the relevant procedure, witness interviews and other documentary evidence, to

**[Proceed to a Grievance Meeting OR proceed to Informal Process]**

**10. Other Recommendations / Lessons Learned**

Include any changes that need to take place OR issues to be addressed in supervision (if any)

Investigating Officer		Investigating Officer	
<b>Name:</b>		<b>Name:</b>	
<b>Date:</b>	/ /	<b>Date:</b>	/ /

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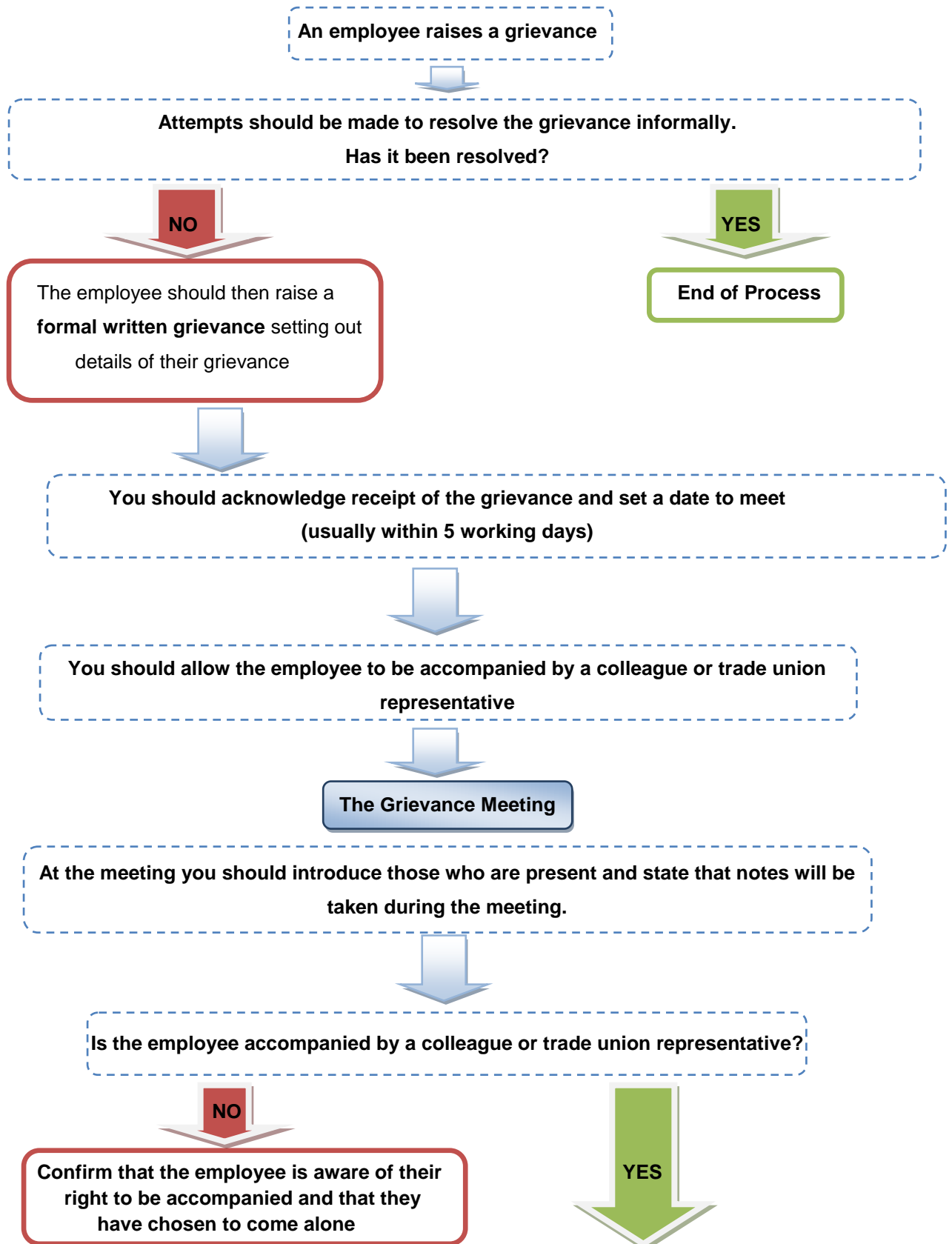
**Appendices [may include]**

Appendix	Document	Page Numbers
A	Allegation letter (s)	
B	Job description (s)	
C	Organisation Chart	
D	Statements	
E	Other documents submitted in evidence: including reports, photos, tapes, etc.	
F	Supervision Notes/IPA copies	
G	Training undertaken	

# FLOWCHART

## HOW TO DEAL WITH A GRIEVANCE

This flowchart is to offer guidance on how to deal with an employee's grievance.



*This is a precedent letter only and for general guidance only. You should ensure that you complete all the missing information where indicated within the square brackets or delete as appropriate. If you are unsure about any matters referred to within this letter, it is recommended that you seek legal advice.*

**At the meeting you should confirm the following:**

- The role of the person accompanying the employee;
- The purpose of the meeting;
- The format of the meeting;



**You should ask the employee to restate their grievance and ask how they would like it resolved**



**You should hear any witness evidence and consider any documentation provided by the employee**



**You should listen, question and seek clarification on the main issues. You should summarise your understanding of the issues throughout the meeting.**



**Have matters been raised in the meeting that need to be explored further?**

**YES**

**Adjourn the Meeting**

You should make further enquiries and agree a mutual time to reconvene the meeting

**NO**

**You should summarise the main points of the discussion overall and then adjourn the meeting**



**The Decision**

When reaching a decision you should:

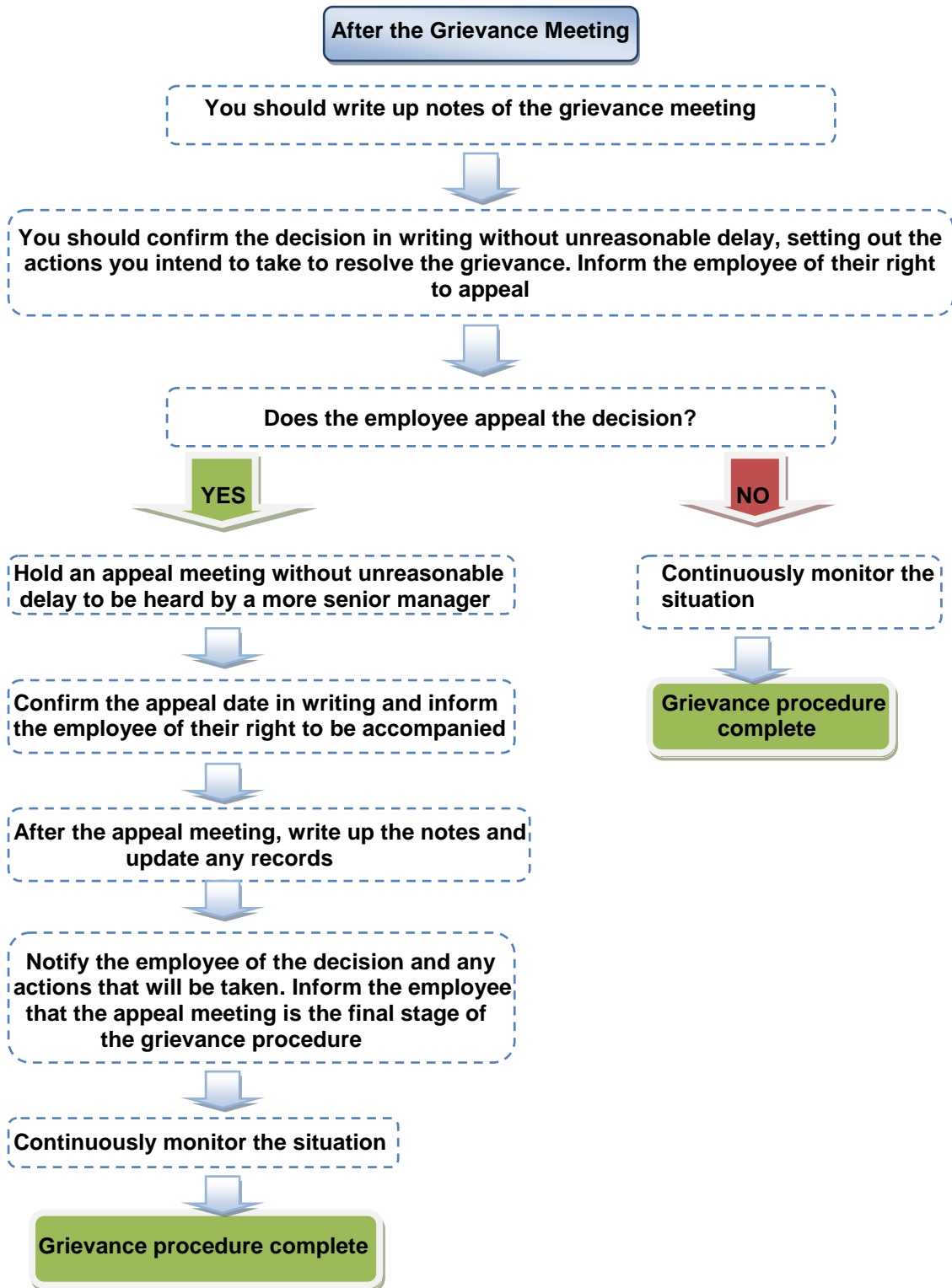
- Consider the points raised and consider what action might be appropriate
- Take account of any relevant procedures or company precedents



**You should reconvene the meeting and inform the employee of the decision and their right to appeal**



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**Grievance Hearing**

<b>Employee Name:</b>	
<b>Position:</b>	
<b>Date Grievance Submitted:</b>	/ /
<b>Date of Grievance Hearing:</b>	/ /
<b>Grievance Heard By:</b>	
<b>Accompanying individual's Name:</b>	
<b>Details of Grievance:</b>	
<b>Reconvened Hearing Date (if necessary):</b>	/ /
<b>Grievance Result:</b>	
<b>Written Result to Employee:</b>	/ /

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**Appeal Hearing**

<b>Employee Name:</b>	
<b>Position:</b>	
<b>Result Appealed?</b>	
<b>Date of Appeal Received:</b>	/ /
<b>Date of Appeal Hearing:</b>	/ /
<b>Appeal Heard By:</b>	
<b>Accompanying Individual's Name:</b>	
<b>Appeal Grounds:</b>	
<b>Reconvened Hearing Date (if necessary)</b>	/ /
<b>Appeal Result:</b>	
<b>Written Result to Employee:</b>	/ /

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Stage of Hearing	Completed (Please Tick or write N/A)
1. Introduce those in attendance, stating their role and purpose at the hearing.	
2. Explain that the hearing will be recorded and/or minuted.	
<p>3a. If the employee is accompanied by a companion - introduce the companion and confirm their purpose at the hearing. Confirm that the companion must not answer any questions on behalf of the employee.</p> <p>3b. If the employee is not accompanied by a companion - ensure that the employee is aware of their right to be accompanied. Ask the employee to confirm that they have chosen to come to the hearing alone.</p>	
4. Outline the purpose of the hearing.	
5. Explain how the hearing is to be structured.	
6. Ask the employee to explain the allegations raised in their grievance and set out how they would like it to be resolved.	
7. Ask the employee to set out their case by providing evidence (e.g. witness statements, documentation).	
8. Confirm the known facts, clarify the main issues and summarise your understanding of the issues.	
9. Adjourn the hearing in order to consider all the issues raised in the hearing.	
10. Inform the employee that they will be notified of the outcome of the hearing by letter within 7 days.	
11. Conduct any further investigations in light of the issues raised in the hearing.	
12. Ensure that the decision is made in line with the Company's Discipline Policy and Procedure and ACAS Code of Practice. Take into consideration any previous decisions made by the Company in comparable circumstances.	
13. Write to the employee to Inform them of the outcome of the hearing within 7 days. Include details of the employee's right to appeal the decision in the decision letter.	

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**[on headed notepaper of the employer]**

**[insert name]**

**[address]**

**[date]**

Dear **[insert name]**

**Re: Grievance Meeting**

I am writing to inform you that you are invited to attend a grievance meeting at **[Place]** on **[Date]** at **[Time]**. The purpose of the meeting is to enable you to explain your grievance and to assist us to reach a decision based on the evidence and representations made.

Your grievance as set out in your letter of **[Date]** is **[Set out details of the grievance point by point]**.

**[I enclose a summary of the findings of the investigation, which sets out details obtained], and [copies of relevant witness statements and other documents which may be used at the grievance meeting.] [We intend to call the following witnesses to the meeting: [Detail witness names] OR We do not intend to call any witnesses to the meeting.]** If you wish to call any relevant witnesses to the meeting please let us have their names as soon as possible and no later than **[Date]**. If there are any further documents you wish to be considered at the meeting, please provide copies as soon as possible. If you do not have those documents, please provide details so that they can be obtained.

The meeting will be held in accordance with the Grievance Procedure which is **[attached OR set out in the Staff Handbook]**.

The meeting will be conducted by **[Name]** and the following people will also be present: **[Insert name and details of individuals who will be in attendance]**. You are entitled to bring a fellow employee or a trade union representative to the meeting in accordance with our Grievance Procedure. If you wish to bring a companion, please let me know their name as soon as possible.

Please confirm that you have received this letter and that you will attend at the time stated above. If for any unavoidable reason you or your companion cannot attend at that time please contact me as soon as possible. If you have any specific needs at the meeting as a result of a disability, or if you have any other questions, please also contact me as soon as possible.

Yours sincerely,

**[Name]**

On behalf of **[Employer]**

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**[on headed notepaper of the employer]**

**[insert name]**

**[address]**

**[date]**

Dear **[insert name]**

**Re: Appeal Hearing**

I am writing to request your attendance at an appeal hearing to be held in **[Place]** on **[Date]** at **[Time]**.

The purpose of the hearing is to consider your appeal under the grievance procedure against **[Insert details of the decision being appealed]** as raised in your letter of **[Date]**.

The hearing will be **[a full rehearing OR limited to the grounds you raised in your letter of [Date]]**.

It will be conducted by **[Name]** and the following people will also attend: **[Give names of individuals who will be in attendance]**.

You are entitled to be accompanied at the hearing by another employee or a trade union representative. If you wish to bring a companion please inform me of their name as soon as possible.

**[I enclose copies of relevant documentation for use at the appeal.]** If there are any **[further]** documents you wish to be considered at the appeal, please provide copies as soon as possible. If you do not have those documents, please provide details so that they can be obtained.

Please confirm that you have received this letter and that you will attend at the time and place stated above. If for any unavoidable reason you or your companion will be unavailable [or you wish to suggest an alternative time or place] please contact me as soon as possible.

If you have any specific needs at the hearing as a result of a disability, or if you have any other questions, please speak to me as soon as possible.

Yours sincerely,

**[Name]**