STAFFLEX

GRIEVANCE POLICY & PROCEDURE

This policy was prepared in August 2023.

This policy was reviewed and amended as follows:

Review Date	Amendment
August 2024	N/A
July 25	Nemi Alexis removed from the policy
August 2026	Yvonne Reilly replaced Nemi Alexis

GRIEVANCE POLICY & PROCEDURE

1. POLICY STATEMENT

STAFFLEX (the "company") is committed to dealing with agency worker grievances fairly, consistently and without unreasonable delay. This policy sets out the way in which a worker should make any complaints they have about work related matters and the way in which the company will deal with these complaints.

2. SCOPE

This policy and procedure applies to all employees and workers within the organisation.

3. RESPONSIBILITY

The staff in the following roles are responsible for implementing this policy:

- **Brian Stahelin** has overall responsibility for delivering on the organisational commitment to dealing with worker grievances fairly, consistently and without unreasonable delay
- **Peter Joseph** has responsibility for development and implementation of policy and procedure
- **Peter Joseph and Yvonne Reilly** are responsible for training the policy throughout the organisation and communicating internally and externally
- **All employees** are responsible for day-to-day duties including cooperation with clients and recruitment intermediaries, handling complaints and co-ordinating improvements.
- **All employees and workers** are responsible for co-operating with management in the implementation of this policy.

POLICY COMMITMENTS

- Grievances are dealt with confidentially so far as is reasonably possible, and workers must keep information learned during this process confidential.

- The purpose of a grievance or appeal meeting is for the worker to explain their grievance and how they think that it should be resolved so that the company can come to a fair decision.
- Workers will not be subjected to a detriment for raising a grievance in good faith, even if the grievance is not upheld. However, if a worker deliberately gives false information, is dishonest or makes a false complaint during the grievance process, this may lead to disciplinary action, or action under the conduct and capability procedure.
- Workers will not normally be suspended during the grievance process, but the company reserves the right to suspend if in the company's opinion it is fair and reasonable to do so.
- Workers have the right to appeal any decision made about a grievance as set out in the appeals section of this policy and procedure.
- All workers, jobseekers and staff understand how to, and can raise grievances, complaints, concerns, suggestions or ideas related to this policy and procedure.
- Breaches of the policy are treated as retraining or misconduct matters as appropriate and such cases are dealt with according to our disciplinary/conduct and capability policy and procedure.
- The company will monitor, review and improve this policy as and when required due to changes in business or legislation and whenever any issues related to its implementation are identified.
- All information relating to an individual's grievance will be handled in line with Data Protection principles and will be used purely to carry out the management of their employment.

4. PROCEDURE

4.1. Informal discussion

Wherever possible workers should try to resolve a grievance at work/ placement by firstly talking about it informally with their line manager to try to agree a solution. If the grievance is too serious, if the company or the worker think it is not appropriate in the circumstances to deal with the grievance informally, or if discussing the grievance informally does not work, the worker's grievance will be dealt with formally.

If the company thinks that an investigation would be helpful at any stage during the grievance process before a formal meeting is held or continued, the company may take statements from the worker or witnesses, conduct interviews or review documents at its discretion. No decision will be taken until after a grievance hearing has been held.

4.2. Formal procedure

Stage 1 – Statement of grievance

To raise the matter formally, the worker should write to their Recruiting Department Team Leader setting out the facts of the grievance, including specific examples, copies of documents, names of witnesses and dates where possible.

Where a worker's grievance is against their Recruiting Department Team Leader, the worker should write to **Yvonne Reilly** or an alternative member of the Senior Leadership Team who is not the subject of the grievance.

Stage 2 – Grievance meeting

Within 5 days Recruiting Department Team Leader will respond in writing to the worker's written grievance inviting the worker to attend a grievance meeting. The worker will be given at least 5 days' notice of the meeting.

The Recruiting Department Team Leader will usually hold the meeting unless they are the subject of the grievance, or it is not reasonably practical for the line manager to hold the meeting. The line manager will usually be accompanied by another person who may ask supplementary questions, advise on procedure and who will take notes to ensure an accurate record.

Worker's will be invited to bring a companion if they wish. The companion may be a work colleague or trade union representative. It is within the company's discretion whether to allow a companion who do not fall within one of these categories. The worker should advise the company of the identity of the companion and whether they will require any special adjustments to be made for their or their companion's attendance, at least 24 hours before the start of the meeting.

The role of the companion is to make notes, confer with the worker and, if the worker requests it, to address the meeting to state the worker's case and respond to any views expressed at the meeting. The companion does not have the right to answer questions or address the hearing if the worker does not request this and must not prevent the company from explaining its case.

Workers must make every effort to attend any scheduled meeting under this procedure. If a worker or their companion is unable to attend the meeting at the time, date and place specified, they must notify the company as soon as possible in writing. Except in the case of an emergency, this should be at least 24 hours before the start of the meeting. The worker should advise of when they and their choice of companion will be available. This availability should be within 5 working days of the original proposed meeting. Provided this is reasonable, the new meeting time will be agreed.

If the worker is unable to attend more than two scheduled meetings without, in the company's opinion reasonable reason, the company reserves the right to make a decision about the grievance using available evidence in the absence of the worker.

If the company or the worker will be referring to any documentation during the formal meeting, this should be sent to the other party at least 24 hours before the start of the meeting so that the other party has a reasonable chance to prepare.

The company may at its discretion adjourn a meeting to carry out further investigations, after which the meeting will usually reconvene.

After the conclusion of the investigation and all necessary meetings, the company will give the worker a decision in writing, normally within 5 days.

Where the grievance is upheld, the written decision will include details of the remedy offered by the company. This may include changes to policy or procedure, training or re-training, communication of requirements, conduct/capability action, an apology and/or compensation.

The company's aim is to provide a fair outcome for the worker and to ensure the issue does not reoccur.

Stage 3 – Appeal

If the worker disagrees with the decision and they wish to appeal the company's decision, they should write to the Appeals Manager (as identified on the decision letter) giving their reasons for disagreeing with the decision and providing any new evidence they may have.

The worker will be invited to an appeal hearing, normally within 10 working days of receipt of the letter of appeal.

The appeal will be heard by a member of the Senior Leadership Team, who has not been part of the process up to the appeal stage or if necessary an independent HR advisor. The worker's appeal hearing will, at the discretion of the company, be either a review of the grievance decision made, or a complete re-hearing. The worker may bring a companion subject to the same process as laid out in Stage 2 above.

After conclusion of the Appeals Stage, the company will give the worker a decision in writing, normally within 5 days. The company's decision at this stage is final and there is no further right to appeal.