Click or tap here to enter text.

 Click or tap here to enter text.

 Click or tap here to enter text.

 Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

**REQUEST FOR FORMAL GRIEVANCE MEETING**

Dear Click or tap here to enter text.

This letter is to exercise my statutory right to request a formal grievance meeting. At the meeting I will be exercising my statutory right to be accompanied by a union representative. I suggest that we adopt the ACAS Code of Practice on disciplinary and grievance procedures which can be found at: <https://www.acas.org.uk/acas-code-of-practice-for-disciplinary-and-grievance-procedures/html>

There are five grounds of grievance:

**Ground 1: The regulation 12 requirement to vaccinate is invalid**

It is beyond the powers of parliament to amend regulation 12 of The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 with the requirement for care workers to be vaccinated because section 45E of the Public Health (Control of Disease) Act 1984 expressly states that such regulations requiring a person to undergo vaccination cannot be made.

**Ground 2: The registered person may be liable for the criminal offence of intimidation in the workplace**

Section 241 of the Trade Union and Labour Relations (Consolidation) Act 1992 states that a person who without legal authority, intimidates another person to do any act which that person has a legal right to abstain from doing, is guilty of an offence liable on summary conviction to imprisonment for a term not exceeding six months or a fine or both.

**Ground 3: The registered person is in breach of the duty to ensure the health, safety and welfare at work of all his employees by not performing a risk assessment**

The (invalid) direction of the CQC requiring workers to be vaccinated does not abrogate the employer’s section 2 duty under the Health and Safety at Work etc Act 1974 together with regulations 3 and 10 of The Management of Health and Safety at Work Regulations 1999 which require the employer to provide the information necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees; because obviously an employer cannot follow a CQC order that may harm employees.

**Ground 4: The registered person is in breach of the duty to ensure the health and safety of persons other than employees by not performing a risk assessment**

The (invalid) direction of the CQC requiring workers to be vaccinated does not abrogate the employer’s section 3 duty under the Health and Safety at Work etc Act 1974 together with regulations 3 of The Management of Health and Safety at Work Regulations 1999 which require the employer to make a suitable and sufficient assessment of the risks to health and safety of persons not in his employment; because obviously an employer cannot follow CQC orders that may harm residents.

**Ground 5: The registered person must include in the vaccine risk assessment evidence that the virus has been isolated**

Fundamental to the issue of vaccines is that they exist to counter a virus that has been identified by isolating it; because without an identifiable virus there can be no bona fide vaccine worthy of being the subject of statutory health and safety risk assessments.

**Next steps**

In accordance with the ACAS Code of Practice I suggest we schedule a provisional meeting date within the next calendar week and that we conduct the meeting online, for example by Zoom. This will allow me time to liaise with my union representative and confirm that they are able to attend the proposed meeting date and time.

I understand that my union representative will provide you with a more detailed outline of the grounds for grievance to be discussed at the meeting, no later than 24-hours before the meeting.

I wish to make clear that I intend to adopt an objective and professional approach towards resolution.

Yours sincerely,

Click or tap here to enter text.

Supported by



And

