



**Stiúrtóra Náisiúnta
Acmhainní Daonna**

Feidhmeannacht na Seirbhísí,
Sláinte Ospidéal Dr. Steevens',
Baile Átha Cliath 8, D08 W2A8.

**National Director
Human Resources**

Health Service Executive,
Dr Steevens' Hospital,
Dublin 8, 08 W2A8

www.hse.ie
[@hselive](https://twitter.com/hselive)

t 01 6352319
e nationalhr@hse.ie

Neasa Hourigan T.D.

2nd August, 2023

1. **PQ 24533/23** To ask the Minister for Health the total cost of legal fees spent by the HSE in each of the years 2019, 2020, 2021 and 2022 involving the defence of Grievance and or Dignity At Work cases or advice on such cases taken by HSE employees against HSE managers; and if he will make a statement on the matter. – Neasa Hourigan
2. **PQ 35908/23** To ask the Minister for Health the legal costs incurred by the HSE in 2021, 2022 and 2023 involving grievance or dignity at work cases taken by employees against other HSE employees; the percentage of cases where the HSE covered the costs of the plaintiff in each year; the percentage of cases where it covered the costs of the defendant; and if he will make a statement on the matter. – Neasa Hourigan
3. **PQ 35904/23** To ask the Minister for Health if he will provide a breakdown, by CHO for 2021, 2022 and to date in 2023, the legal costs incurred by the HSE for legal advice and/or representation on grievance and dignity at work cases submitted by employees; and if he will make a statement on the matter. -Neasa Hourigan
4. **PQ 35907/23** To ask the Minister for Health how the HSE decides whether it will cover legal costs for an employee involved in a grievance or dignity at work case, either as a plaintiff or a defendant; and if he will make a statement on the matter. - Neasa Hourigan
5. **PQ 35906/23** To ask the Minister for Health the position of the HSE regarding covering legal costs for either party, in cases where HSE staff members of different rank are involved in a grievance or dignity at work case; and if he will make a statement on the matter. -Neasa Hourigan
6. **PQ 35905/23** To ask the Minister for Health the position of the HSE regarding covering legal costs for either, in cases where HSE staff members of equal rank are involved in a grievance or dignity at work case; and if he will make a statement on the matter. -Neasa Hourigan

Dear Deputy,

I refer to the following Parliamentary Questions which have referred by the Minister for Health to the HSE for response.

The HSE has a Dignity at Work policy in place and it outlines the process in relation to dealing with Grievance and or Dignity at Work issues. Where a grievance or dignity at work issue arises it is generally dealt with at local level by local management and in line with the HSE policy. Details of Grievance and or Dignity at Work issues are recorded at local level as are any that are subject to legal advice etc and are not collated or recorded centrally. Therefore with regard to the request for cost of legal fees spent by the HSE, the defence of Grievance and or Dignity At Work cases or advice on such cases taken by HSE employees against HSE managers, we regret we do not currently record or collate this information centrally and are therefore not able to provide a breakdown, by CHO for 2021, 2022 and to date in 2023, of the legal costs incurred by the HSE for legal advice and/or representation on grievance and dignity at work cases submitted by employees.

I can confirm however that the HSE does not cover the legal costs incurred by an employee who chooses to retain a solicitor or barrister to represent them in a grievance or dignity at work case, unless the HSE is directed by a Court to pay those legal costs or is advised to do so as a condition of resolving actual or threatened litigation arising from the investigation.

Any HSE employee involved in an investigation under the HSE Grievance or Dignity at Work procedures is entitled to avail of supports provided under the HSE Employee assistance programme. The supports available do not extend to the HSE covering legal costs should an employee decide they wish to engage a solicitor or barrister to represent them in an investigation. The HSE does not cover those legal costs in cases where the staff members involved are of either of equal rank or of different rank, unless directed by a Court to pay those legal costs or is advised to do so as a condition of resolving actual or threatened litigation arising from an investigation.



I trust this clarifies the position.

Yours sincerely,

Marie O' Sullivan

Marie O Sullivan
National HR