

## Grievance Policy

### 1. Introduction

- 1.1. Grievances are concerns, problems or complaints you may have with regard to your employment with the Association. It is not possible to specify every issue which may amount to a grievance, but they typically can include concerns relating to:
- Terms and conditions of employment;
  - Health and safety;
  - Work relations;
  - The working environment;
  - Organisational change;
  - New working practices; and
  - Discrimination
- 1.2. It does not apply to complaints relating to dismissal or disciplinary action, which should be dealt with under the relevant policy e.g. Disciplinary Policy.
- 1.3. The Association has a separate Dignity at Work Policy which should be used if you have been the victim of bullying or harassment, or if you want to report an incident of bullying or harassment involving other people.
- 1.4. It is the Association's policy to ensure that any issues or disputes you raise will be looked at fairly and without unreasonable delay. We encourage you to raise your concerns immediately at the lowest possible level and we will do our best to resolve the majority of these quickly, using our informal process. However, we know that sometimes a formal procedure is also needed when the informal process does not reach a satisfactory conclusion, or where it is not appropriate to use. This policy provides the details of both the informal and formal processes.
- 1.5. This policy applies to all staff within the Association regardless of length of service. It does not apply to agency workers or self-employed contractors. It does not form part of any employee's contract of employment and the Association may amend it at any time. The Association may also vary or depart from this policy, including any time limits, if appropriate in any given case.
- 1.6. If you have difficulty at any stage of the Grievance Procedure because of a disability or because English is not your first language, you should discuss the situation with your line manager **or** the Corporate Services Officer as soon as possible.
- 1.7. Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Protection Policy.

### 2. Policy Statement

- 2.1. The aim of this policy is to provide a mechanism for addressing staff concerns in a fair and consistent manner.
- 2.2. To make sure the Association complies with its responsibilities within employment law and best practice.

### 3. You can expect the Association to:

- 3.1. Listen to any concerns you raise either informally or formally and in line with the procedures set out below.

- 3.2. Investigate your concerns, as we deem appropriate.
- 3.3. Provide you with the opportunity to appeal any formal grievance outcome as part of the formal process.

#### **4. We expect that you will:**

- 4.1. Raise any concerns you have promptly, while following the correct procedure.
- 4.2. Use the informal process in the first instance, where appropriate, and only use the formal process where it is necessary.
- 4.3. Let us know what your concerns are and how you would like to see them resolved.
- 4.4. Assist the Association by using the optional and preferred form to convey your formal grievance – see Appendix 1.
- 4.5. Co-operate and participate as required in any pertinent investigations.
- 4.6. Start the process with the view of achieving an acceptable outcome for all concerned.

#### **5. Informal Process**

- 5.1. Most issues which arise within the workplace can be resolved informally. We encourage all staff to raise any concerns informally with their line manager. We expect all staff to raise issues informally in an appropriate and non-confrontational manner. Your line manager will discuss the issues and any reasonable solutions with you. If you are not satisfied with the outcome using this method, you will have the option of raising your concerns formally.
- 5.2. If you feel unable to speak to your line manager, for example, because the complaint concerns him or her, then you should speak informally to the Corporate Services Officer.

#### **6. Formal Process**

- 6.1. The following rules apply to the formal grievance process:
- 6.2. If you wish to raise a formal grievance, it would be helpful if you would convey your grievance using the optional and preferred form which is appended to this policy at Appendix 1. The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations, we may ask you to provide further information. This allows us to accurately record the nature of the grievance and ensure it is dealt with appropriately. Once completed you should give this to your line manager, or if it concerns your line manager, to the Corporate Services Officer.
- 6.3. We will not make any changes connected to your grievance, until it is resolved, the procedure has been exhausted or you do not wish to pursue the matter further.
- 6.4. Once your grievance has been received, we shall decide who is the most appropriate person to hear your grievance and, if required, undertake any necessary investigations. If your concerns relate to or involve a manager, your complaint will normally be dealt with at the level above the manager involved.

#### **7. Right to be Accompanied**

- 7.1. At all stages of the formal process you will have the right to be accompanied by a trade union representative or a workplace colleague. You must notify the person holding your grievance

meeting who your chosen companion is, at least 2 working days prior to the date of the meeting.

- 7.2. Your chosen companion is allowed to make representations, summarise your case, ask questions and confer with you. However they do not have the right to answer questions on your behalf.
- 7.3. Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- 7.4. If your chosen companion is unavailable at the time a meeting is scheduled, then we will arrange another date within 10 working days of the original meeting date. If they are not available within this period, we may ask you to choose someone who is available within the time period to be your companion.
- 7.5. We may, at our discretion, allow you to bring a companion who is not a colleague or union representative if this will assist with a protected characteristic as defined by the Equality Act 2010. For example, if you have a disability or if you have difficulty understanding the English language.
- 7.6. You are not permitted to be accompanied by a solicitor, whether or not a family member or friend, or other legal representative.

## **8. Investigation**

- 8.1. It may be necessary for us to carry out an investigation into your grievance. The extent 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 you and any witnesses, and / or reviewing relevant documents. The investigation may be carried out by a staff member of a higher grade or an external person appointed by the Association.
- 8.2. You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- 8.3. We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation, if any, to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

## **9. Formal process**

- 9.1. We have two stages in our formal process.

### **9.2. Stage 1**

- 9.2.1. If you have not been able to resolve the matter informally, you should raise the matter formally. Appendix 1 to this Policy sets out an optional and preferred format to convey your formal grievance. Your grievance, whether it is set out in the optional and preferred format or other, should be sent to your line manager. If you do not feel that it is appropriate to send it to your line manager it should be sent to the Corporate Services Officer.
- 9.2.2. We will invite you to a grievance meeting within a reasonable period of time following receipt of your grievance form. We will usually try to hold the meeting within 10 working days where possible. Where it is not possible to hold the meeting within this time period we will notify you

explaining the reasons why. At the meeting, we will hear your concerns and ask what your proposed solution is.

9.2.3. We will usually write to you within 5 working days following the grievance meeting to inform you of the outcome of your grievance and any further action that we intend to take to resolve matters. If investigations are required following the grievance hearing, we will normally reconvene the hearing once the investigation has been concluded. In some cases where the investigation is straightforward, there may be no need to reconvene the hearing, and we will write out to you with the outcome. We will also remind you how to appeal the decision if you are unhappy with it. Where appropriate, we may hold a meeting to give you this information in person.

### **9.3. Stage 2 – Appeal**

9.3.1. Where you feel that your grievance has not been satisfactorily resolved during Stage 1, you can appeal the outcome by proceeding to Stage 2 of the process. You should submit your appeal in writing to the Corporate Services Director or the Chief Executive outlining the reason for your appeal within 10 working days of the date on which the Stage 1 decision was sent to you.

9.3.2. We will invite you to an appeal meeting usually within 10 working days following receipt of your written appeal. The appeal will be heard by the next level above the manager that made the original decision or a manager who was not previously involved in the case. Your concerns will be heard at this meeting and you will be asked what your proposed solution is.

9.3.3. The outcome of the appeal will be communicated to you in writing, usually within 5 working days from when the meeting was held. A decision made at this level will be final and there will be no further appeal.

## **10. Outcome**

10.1. We will write to you with our findings once we complete our investigation.

10.2. The outcome of your grievance will be one of the following:

- Your concerns have been upheld.
- Some of your concerns have been upheld, and others have not.
- Your concerns have not been upheld.

10.3. Where it is possible, we will give you the reason/s why any decisions have been made. This does not mean you will automatically have access to the investigation or witness statements that we have taken. The Association takes confidentiality of all its staff very seriously and must ensure that it complies with data protection requirements. As a result, only information concerning yourself that does not breach the confidentiality of others may be made available to you. If we take action against one of your colleagues because of your complaint, we will not inform you of this under any circumstances.

## **11. Grievances raised after your employment has ended**

11.1. If you raise a grievance after your employment has ended, we will consider it and respond to you in writing, without holding a meeting.

## **12. Collective grievances**

12.1. A collective grievance is a complaint against an issue, which affects all staff in the same way, e.g. a change to a working practice, or working hours. If you wish to raise a collective grievance this should be raised at Stage 2 of the formal process.

12.2. If the issue is not resolved after going through the internal procedure, either you or the Association may refer the matter to ACAS conciliation.

**13. Data Protection**

13.1. The Association will treat your personal data in line with our obligations under the current data protection legislation and our own Privacy and Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in the Association's Fair Processing Notice for employees.

**14. Risk Management Statement**

14.1. The risks associated with employee grievances are comprehensively incorporated within Association's Risk Management Framework.

**15. Equality and Diversity Statement**

15.1. The protected characteristics enshrined in the Equality Act 2010 will be respected when ensuring compliance with the Association's Grievance Policy.

**16. Policy Monitoring and Review**

16.1. The Chief Executive and Corporate Services Director will monitor the implementation and operational effectiveness of the Grievance Policy.

16.2. The Association will regularly monitor employment law and good practice advice and adopt such advice when formulating the review of the Grievance Policy.

16.3. The Grievance Policy will be reviewed every three years or as and when deemed necessary.

**Appendix 1: Grievance Optional and Preferred Form**

If you wish to raise a formal grievance it would assist the Association if you completed the following form and give it to your line manager, unless the grievance concerns your line manager, in which case you should give the completed form to the Corporate Services Officer.

**Section 1 – About you**

Name	
Job Title	
Department/Section	
Manager	

**Section 2 – What is your grievance?**

**Section 3 – Please provide brief details of the outcome you would regard as a satisfactory outcome in respect of your grievance.**

Signed

Signature	
Date	