

Grievance Policy & Procedure

Prepared by	Corporate Services Manager
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Corporate Fit	Internal Management Plan	✓
	Risk Register	✓
	Business Plan	✓
	Equalities Strategy	✓
	Legislation	✓

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乐意翻译

Our policies provide a framework to underpin our vision and values, to help us achieve our strategic objectives.

Our Vision

Local people, local control.

By providing quality homes and services, we will create stronger communities and a better quality of life for our customers.

Our Values

- Focused on the needs of our customers and communities.
- Supportive of our staff and Committee members.
- Responsible, efficient, and innovative.
- Open and accountable.
- Inclusive and respectful.
- Fair and trustworthy.

Strategic Direction

Consolidation and improvement: Applicable to our core business as a landlord & property manager.

Growth: Through the new build opportunities, we are taking forward.

Partnerships: Where this can help to address shared goals and increase capacity and value.

Resilience: A key priority across all parts of our business.

Strategic Objectives

Services: Deliver quality, value for money services that meet customers' needs

Homes & neighbourhoods: Provide quality homes and neighbourhoods.

Assets: Manage our assets well, by spending wisely.

Communities: Work with local partners to provide or enable services and activities that benefit local people and our communities as a whole

Our people: Offer a great workplace environment that produces a positive staff culture and highly engaged staff.

Leadership & Financial: Maintain good governance and a strong financial business plan, to ensure we have the capacity to achieve our goals.

Our Equalities and Human Rights Commitment

We understand that people perform better when they can be themselves and we are committed to making the Association an environment where employees, customers, and stakeholders can be open and supported. We promote equality, diversity, and inclusion in all our policies and procedures to ensure that everyone is treated equally and that they are treated fairly on in relation to the protected characteristics as outlined in the Equality Act 2010.

Privacy Statement

As data controller we will collect and process personal data relating to you. We will only collect personal information when we need this. The type of information we need from you will vary depending on our relationship with you. When we ask you for information, we will make it clear why we need it. We will also make it clear when you do not have to provide us with information and any consequences of not providing this. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you. Further information about this commitment can be found within our full Privacy Statements.

Policy Scope & Review

For the purpose of this policy the term Association will include all members of the Tollcross Housing Association Limited. Therefore, all employees, governing body members, volunteers, customers and other relevant stakeholders will be expected to adhere to this policy and/or procedure. All policies and procedures are reviewed every 3 years in line with best practice and current legislation. The Association reserves the right to make additions or alterations to this policy and procedure from time to time. Any timescales set out in this policy may be extended where required.

Contents

Section		Pages
1.	Introduction	2
2.	Purpose & scope	2-3
3.	Status quo	3
4.	Confidentiality	3
5.	Informal process	3-4
6.	Formal process	4-5
7.	Appeal process	6
8.	Collective grievances	6
9.	Authority levels and timescales	6
10.	Right to be accompanied	7

Appendices		Pages
1.	Equality & Human Rights Impact Assessment	8
2.	Grievance Submission Form	9
3.	Model procedure for grievance & appeal hearings	10

1. Introduction

- 1.1. Grievances are concerns, problems or complaints you may have in relation to your employment with us (e.g. concerning the job, working environment or any of your colleagues).
- 1.2. Within the Association we have a culture of open and honest communication, and we actively encourage employees to seek to resolve issues informally in the first instance. Addressing problems informally as part of our everyday working relationships allows for disputes to be dealt with quickly, close to the point of origin, helping to maintain positive working relationships.
- 1.3. We recognise that there may be situations where a formal process is required when dealing with disputes. This policy identifies a process in which we, working with employees and managers, aim to find a resolution for such matters.
- 1.4. The principles of the policy are that any conflict matters will be managed:
 - fairly, reasonably and in a consistent manner
 - promptly (without unreasonable delays)
 - sensitively (understanding that all parties involved may find conflict stressful)
 - in line with relevant employment legislation and best practice principles

2. Purpose & scope

- 2.1. We will take reasonable steps to inform employees of the standards of conduct expected from them and in turn what they can expect from the Association as their employer. Employees should familiarise themselves with information available to them and seek out information when they are unsure of anything.
- 2.2. This policy covers all matters of workplace conflict and provides a framework to support resolution seeking practices. We do not view conflict as inherently bad, as it can be the agent of constructive change. Through conflict, problems are exposed, and misunderstandings are brought into the open. The resolution of a conflict brings with it the potential for greater understanding and growth for all participants in in the conflict.
- 2.3. The key to realising this potential lies in how we deal with conflict, in both the process we use for resolving the conflict and the spirit in which we work through the process. Having a clear process for dealing with conflict is very helpful at resolving conflict but unfortunately no process can guarantee that people will work in good faith to resolve a conflict.
- 2.4. An employee can raise any matters formally, where an informal process has either been exhausted or deemed not suitable. Issues may be concerned with a wide range of issues, including but not limited to:
 - Terms & conditions of employment
 - Health and safety
 - Work relations
 - Bullying and harassment (further details can be found within our Dignity at Work Policy)
 - New working practices
 - Working environment
 - Organisational change
 - Discrimination / equal opportunities

2.5. The policy does not cover matters of disciplinary action, for which a right of appeal is provided in the Disciplinary Policy. Any complaints directly related to the CEO will be dealt with in line with the Serious Complaints Against the CEO Policy.

2.6. Where an employee raises a grievance during a disciplinary process, the disciplinary process will run concurrently with the resolution process.

3. Status quo

3.1. We aim to use a status quo arrangement to allow work to continue while attempts are made to resolve the grievance. This means the working arrangements or practices in place immediately before the grievance submission will continue until the matter is resolved.

3.2. Wherever possible, the status quo should remain in place until the grievance process has concluded. The status quo may be set aside where:

- a continuation of the status quo will result in a breach of statutory or other mandatory regulations (e.g. health and safety impact).
- an agreement is reached by all parties to do so.
- the grievance is about a change or action already agreed by management and trade union.
- the status quo will negatively impact the grievance process or those involved.

4. Confidentiality

4.1. We understand that any grievance process can be difficult for all parties involved. To respect and acknowledge this we ask for all parties to remain confidential throughout the process.

4.2. Employees, managers and representatives must ensure this confidentiality throughout the process (both informal and formal stages) and thereafter when the resolution has been reached.

4.3. We do not as standard allow for any recording devices throughout the grievance process (both informal and formal process). We may consider this as a reasonable adjustment and should be discussed with the relevant manager.

5. Informal process

5.1. It is accepted that normally in the first instance, the employee should raise concerns with their line manager and attempt to seek resolution by informal discussion. If the employee feels unable to approach their line manager, they should seek advice and guidance from a member of the corporate team.

5.2. The line manager should attempt to identify the nature and cause of the problem, possible courses of action or responses and their implications. Following these discussions, the line manager should inform the employee as soon as possible of outcomes to the concerns raised and subsequent discussions.

5.3. There are options to help support the informal stage:

- 4.3.1 **Mediation** may be used for parties within a conflict situation to help them identify a solution prior to escalation through a formal process. The basic principles of mediation are:

- it is a voluntary process, where a mediator helps 2 or more people attempt to reach an agreement. The agreement comes from those within the conflict and the mediator plays a purely facilitator role.
- it may be used throughout a conflict situation and be particularly appropriate when a conflict involves working relationship which are required to be sustained or rebuilt.
- it is a confidential process and any agreements made will not be shared (without the consent of both parties)
- matters discussed will not be taken into consideration in any formal process (where the mediation fails to find an agreed outcome)
- mediation may also be used at the end of a process to help re-build relationships.

4.3.2 **Conciliation** may be used for parties within a conflict situation to help them identify a solution prior to escalation through a formal process. The basic principles of conciliation are:

- it is a voluntary process, where a neutral third party, helps 2 or more people attempt to reach an agreement. The agreement comes from those within the conflict and the third party provides assistances in an advisory role in reaching an agreement.
- individuals can be supported by a fellow worker or trade union representative with them to conciliation process (they hold a purely supportive role)
- it is a confidential process and any agreements made will not be shared (without the consent of both parties)
- matters discussed will not be taken into consideration in any formal process (where the mediation fails to find an agreed outcome)

5.4. Where an employee feels that the informal process has not adequately dealt with the matter, they may choose to escalate to the formal process (as detailed below).

6. Formal process

6.1. Throughout the grievance process we want to reinforce our commitment to seeking a resolution, through 2-way discussion of the issues. A member of the corporate team will support the formal process and provide note taking support.

6.2. Grievance submission

An employee must submit a written statement of the grievance, setting out as fully as possible the nature of the conflict, with supporting documentation if appropriate. Appendix 2 provides a template for employees to ensure all key information is shared. Alternative submissions (such as a letter or email) will be accepted provided the alternative submission includes all the necessary information to progress the matter. In the first instance a grievance should be submitted to your line manager. Where it relates specifically to the line manager, it should be submitted to the relevant Director.

6.3. Grievance hearing

The relevant Manager / Director will convene a hearing, with the employee raising the matter, to consider the issues raised. Appendix 3 provides a guide on how to conduct a hearing. Where an employee fails to attend a hearing, where reasonable and repeated effort has been made to accommodate the employee, the Manager / Director will be required to hold the hearing in the employee's absence and make their decision based on the evidence supplied.

6.4. Consideration of submission

Following the hearing, the relevant Manager / Director will consider the submission made by the employee and investigate the matter (where required) prior to making any decision. Where additional time is required to ensure a full investigation can take place, the employee will be notified in writing of the status of the investigation and the next steps in the process.

6.5. Hearing outcome

Once a decision has been made by the relevant Manager / Director, a written response will be provided to the employee, detailing the decisions made, any action(s) to be taken, who is responsible for taking the action(s), timescales for completion and details of any follow up meetings required.

7. **Appeal process**

7.1. You have the right to raise an appeal if you feel the outcome does not resolve the problem or any stage of the grievance procedure was wrong or unfair. You can raise up to two appeals. The first stage appeal will be held by Director or CEO and the second stage appeal will be held by the Staffing Sub-Committee Panel. Both appeal stages will follow the process below.

7.2. Appeal submission

Where an employee wishes to appeal a decision, they must submit their appeal in writing (details of who the appeal should be submitted to will be provided on the outcome letter), with any supporting evidence by the timescales outlined in Section 9. Appendix 2 provides a template for employees to ensure all key information is shared.

7.3. Appeal hearing

An appeal hearing will be arranged with the employee raising the matter, to consider the issues raised. Appendix 3 provides a guide on how to conduct an appeal hearing. Where an employee fails to attend an appeal hearing, where reasonable and repeated effort has been made to accommodate the employee, the appeal hearing will be held in the employee's absence and make their decision based on the evidence supplied.

7.4. Appeal consideration

Following the appeal hearing, the relevant Director or Panel will consider the submission made by the employee and where required seek further information (e.g. confirmation from original decision maker), prior to making any decision. Where additional time is required to ensure full consideration can take place, the employee will be notified in writing of the status of the investigation and the next steps in the process.

7.5. Appeal outcome

Once a decision has been made, a written response will be provided to the employee, detailing the decisions made, any action(s) to be taken, who is responsible for taking the action(s), timescales for completion and details of any follow up meetings required. Where this is the final stage in the process (i.e. second appeal), this will be confirmed to the employee along with the outcome.

8. Collective grievances

8.1. A collective grievance are complaints submitted by two or more employees, who are faced with the same issue / dispute. The process will mirror the standard grievance process detailed in section 6 and 7, with the following changes / clarifications:

7.1.1 Only one statement must be submitted on behalf of the group with confirmation of the names of employees who wish to form part of the collective grievance. The submission can be made on behalf of the employees by a Trade Union representative or other suitable workplace representative. However, anonymised submissions will not be accepted.

7.1.2 It is unreasonable to invite all employees impacted to attend either a hearing or appeal hearing. Therefore, where the grievance has been raised by a group of employees, up to two spokespersons, with representation, may attend the hearing.

7.1.3 Hearings will be held by Directors in the first instance. Therefore, the first appeal will be to the Staff Sub-Committee with the second appeal being made to the JNC Appeal Panel.

9. Authority levels and timescales

9.1. The timescales which have been agreed are intended to ensure that, while the issues raised are given proper consideration and are progressed without undue delay. At each stage therefore every effort should be made to respond as quickly as possible. These timescales may, however, be varied in certain circumstances. Any changes to timescale will be confirmed to the relevant employee/s in writing.

9.2. Timescales and authority level for an individual grievance submission:

Level	Hearing deadline	Outcome deadline	Appeal deadline
Grievance Submission Manager (stage 1)	2-working days from submission	2-working days from hearing	5-working days from outcome confirmation
Appeal 1 Submission Director (stage 2)	3-working days from submission	5-working days from hearing	5-working days from outcome confirmation
Appeal 2 Submission Staff Sub-Committee Panel (stage 3)	10-working days from submission	3-working days from hearing	No further right of appeal

9.3. Timescales and authority level for a collective grievance submission:

Level	Hearing deadline	Outcome deadline	Appeal deadline
Grievance Submission Director (stage 2)	3-working days from submission	5-working days from hearing	5-working days from outcome confirmation
Appeal 1 Submission Staff Sub-Committee Panel (stage 3)	10-working days from submission	3-working days from hearing	5-working days from outcome confirmation
Appeal 2 Submission JNC Appeal (stage 4)	20-working days from submission	5-working days from hearing	No further right of appeal

10. Right to be accompanied

- 10.1. Employees have a statutory right to be accompanied by a fellow worker, trade union representative or an official employed by a trade union, where any meeting relating to a formal grievance situation relates to a 'duty owed to them' (i.e. contractual right). This includes meetings relating to fact finding, formal hearings, and any meeting to discuss resolutions.
- 10.2. Where a representative is in attendance at a meeting, they are allowed to address the meeting to put the employee's case forward, sum up, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the meeting. The representative does not have the right to answer questions on behalf of the employee.
- 10.3. The choice of representative is a matter for the employee, it is their responsibility to contact their chosen representative, provide them with relevant information and ensure that they are willing to act in that capacity. However, the Association reserves the right to refuse to accept a representative at meetings if they believe the representative would purposely undermine the resolution process.

Appendix 1 – Equality & Human Rights Impact Assessment

Policy	Grievance Policy		
EIA Completed by	Corporate Services Manager	EIA Date	June 2024
1. Aims, objectives, and purpose of the policy / proposal			
To provide a clear and robust framework for our grievance process. Including what steps and timescales an employee can expect during the process.			
2. Who is intended to benefit from the policy / proposal?			
Employees			
3. What outcomes are wanted from this policy / proposal?			
Employees to understand the process.			
4. Which protected characteristics could be affected by proposal?	<input type="checkbox"/> Age	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Religion or belief
	<input type="checkbox"/> Disability	<input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Sex
	<input type="checkbox"/> Race	<input type="checkbox"/> Pregnancy and maternity	<input type="checkbox"/> Sexual orientation
5. If the policy / proposal is not relevant to any of the protected characteristics listed in part 4, state why and end the process here.			
The policy provides a framework for how to conduct a grievance process. The process does not negatively impact on the protected characteristics. However, we understand that when an employee is faced with a grievance process this may negatively impact on their mental health (and worsen those already with a mental health condition). We will take advice from our occupational health provider, where a situation like this may arise and ensure that any reasonable adjustments are made to ensure the process can continue.			
6. Describe the likely impact(s) the policy / proposal could have on the groups identified in part 4			
7. What actions are required to address the impacts arising from this assessment? (This might include; collecting data, putting monitoring in place, specific actions to mitigate negative impacts).			

Appendix 2 – Grievance Submission Form

Name/s*						
Level	First submission	<input type="checkbox"/>	Appeal 1	<input type="checkbox"/>	Appeal 2	<input type="checkbox"/>
Type	Individual	<input type="checkbox"/>	Collective	<input type="checkbox"/>		

NOTE: All names are required to be included at time of submission to be considered part of a collective grievance.

Nature of submission: Please detail fully the concern you wish to raise.

Resolution: Please detail what resolution you are seeking.

Evidence: Please detail the evidence do you wish to be considered as part of your submission.

Appendix 3 – Model procedure for grievance & appeal hearings

When an employee, or group of employees, raises a grievance the main aim of process is to identify an acceptable resolution. It is important for all parties involved to remember that through these hearings, an amicable solution for all parties involved may be found.

Prior to conducting a formal hearing, it may be necessary to hold meetings to gather facts with the employee. When these are required, it must be expressed clearly to the employee (invited to attend the meeting) that they are investigation meeting and they have the right to be accompanied.

Those conducting a hearing should remain impartial and objective at all times, and should:

1. Make relevant introductions
2. Explain the purpose of the hearing
3. Invite the employee to re-state their reason for submission and how they would like it resolved
4. Ask relevant probing questions
5. Focus on finding an amicable solution
6. Consider adjourning to investigate if any new facts arise
7. Sum up the main points
8. Be calm, fair and transparent in decision making process
9. Confirm any decision in writing (and where appropriate their right of appeal).
10. Confirm any monitoring or review requirements

While confidentiality is of prime importance, where an outcome impacts on another employee/s (A) a discussion will take place with the employee (B) who has raised the matter to confirm what will be shared with the employee/s (A).

A member of the corporate team will be in attendance to support the hearing process and take a summary note.