



TOLLCROSS  
housing association

## Grievance Policy & Procedure

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Policy Created	//
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Reviewed By	Management Committee

### CORPORATE FIT

Internal Management Plan	✓
Risk Register	✓
Business Plan	✓
Regulatory Standards	✓
Equalities Strategy	✓
Legislation	✓

On request, the Association can provide translations of all our documents, policies and procedures in various languages and other formats such as computer disc, tape, large print, Braille etc. and these can be obtained by contacting the Association's offices.

## 1. Introduction

- 1.1 Grievances are concerns, problems or complaints you may have with regard to your employment with Tollcross Housing Association, e.g. concerning the job, working environment or any of your colleagues.
- 1.2 Whilst you are employed with us, we want to make sure you feel comfortable that any issues or disputes you raise will be looked at and resolved wherever possible. We encourage you to raise your concerns immediately at the lowest level possible 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.
- 1.3 This policy applies to all staff within Tollcross Housing Association.

## 2. Policy Aims

- 2.1 To provide a mechanism for addressing staff concerns in a fair and consistent manner.
- 2.2 To make sure Tollcross Housing Association complies with its responsibilities within employment law and best practice.

## 3. General Data Protection Regulations

The Association will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy and Procedures. Information regarding how your data will be used and the basis for processing your data is provided in Tollcross Housing Association's Employee Transparency Statement.

## 4. Equalities

- 4.1 An Equality Impact Assessment (EIA) has been carried out when reviewing this policy. In line with good practice the completed EIA will be published alongside the Grievance Policy and Procedure.
- 4.2 Where there is a need for follow-up action, the tasks and timeframe for achieving them shall be noted in the Equality and Human Rights Action Plan to ensure they are addressed.
- 4.3 We do not see this policy as having any direct impact upon the protected characteristics contained within the Equality Act 2010.

## 5. What we will do

You can expect Tollcross Housing Association to:

- a) Listen to any concerns you raise either informally or formally and in line with the procedures set out below.
- b) Investigate your concerns, as we deem appropriate.
- c) Provide you with the opportunity for a maximum of two appeals as part of the formal process.

## 6. What you will do

We expect that you will:

- a) Raise any concerns you have promptly, while following the correct procedure.
- b) Use the informal process in the first instance (where appropriate) and only use the formal process where it is necessary.
- c) Let us know what your concerns are and how you would like to see them resolved.
- d) Complete Tollcross Housing Association's grievance form and pass this to the appropriate manager.
- e) Co-operate and participate as required in any investigations we see fit.
- f) Start the process with the view of achieving an acceptable outcome for all concerned.

## 7. Informal Process

We encourage all staff to raise any concerns with their line manager. They will discuss the issues and any reasonable solutions with you. If you are unhappy with the outcome using this method, you will have the option of raising your concerns formally.

## 8. Formal Process

8.1 The following rules apply for the formal grievance process:

- a) If you wish to raise a formal grievance, you must complete the grievance form (Appendix 1 at the end of this policy). If you do not complete the form and give it to the appropriate manager, we will not treat your complaint as a grievance.
- b) At all formal stages of the grievance procedure you will have the right to be accompanied by a trade union representative or a workplace colleague.
- c) We will not make any changes connected to your complaint, until it is resolved, the procedure is exhausted, or you do not wish to pursue the matter further.

- d) If your concerns relate to or involve a manager, your complaint will be dealt with at the level above the manager involved.

## 8.2 Stage 1

This stage applies if your grievance relates to a general concern about your employment, or relates to the actions of an individual below director level. If your grievance is about the actions of an individual at director level, you should start your grievance at stage 2, or if it concerns the CEO you should start at stage 3.

- a) You should first raise your grievance with your line manager, or, if your complaint is about a manager, it should be raised with a director. An appropriate person will be appointed to deal with your grievance (this may be the person you have raised your grievance with) and they will try to resolve the matter within 2 working days or such longer period as reasonably required. You will be asked to attend a meeting to discuss your grievance and what solution you seek.
- b) We will give you a decision within 2 working days of hearing your grievance.
- c) We will keep a written record of your grievance and any proposed solution in your personal file.
- d) You have the right to appeal against any formal decision taken on a grievance issue. If the matter is not resolved to your satisfaction at stage 1, you can raise up to two appeals, which will be stage 2 and stage 3.

## 8.3 Stage 2

If your grievance concerns the actions of a director you should intimate your grievance to the CEO. If you are appealing against a stage 1 outcome, you should write to the person identified in the outcome letter, who will be a more senior manager, and you should do so within 5 working days. In either case an appropriate person (not necessarily the CEO) will be appointed to deal with your grievance (or appeal).

- a) The appropriate person will hold a meeting within 3 working days of your notification (except where a longer period is reasonably required) and carry out such investigation as is required (whether before or after the meeting, or both) in order to give you a decision within 5 working days of the meeting (or such longer period as reasonably required).

- b) We will keep a written record of your grievance and any proposed solution in your personal file.
- c) You will have the right of appeal. If stage 2 is your first appeal stage you will have one further right of appeal – stage 3. If stage 2 is your grievance stage you will have 2 appeals – stage 3 and stage 4.

#### **8.4 Stage 3**

If your grievance is about the actions of the CEO you should intimate your grievance at stage 3 by writing to the Chair of the Staffing Sub Committee. If you are appealing against the outcome of a stage 2 grievance hearing, you should write to the Chair of the Staffing Sub-Committee (or such other person as indicated in the grievance outcome letter) and you should do so within 5 working days.

- a) In either case the Chair will then arrange a meeting of the representatives of the Committee within 10 working days or such longer period as reasonably necessary. The Chair will tell you the date and time of the hearing. The representatives of the Committee will carry out (or instruct the carrying out of) such inquiries as are appropriate, before or after the hearing, or both.
- b) After hearing the grievance, the Staffing Sub-Committee or equivalent will give their decision in writing to you within 3 working days of date of meeting or such longer time as reasonably required.
- c) If your grievance commenced at stage 1 there is no further right of appeal. If the grievance commenced at stage 2 or stage 3, you will have one further right of appeal, to the JNC Appeal Chair (stage 4). Details will be provided to you where applicable.

#### **8.5 Stage 4**

- a) Appeals from the decision of the representatives of the Committee will (where applicable) be to the JNC Appeal Chair.
- b) You should appeal in writing within 5 days of receiving notice of the decision, stating the reasons for your appeal. You will be given full details of how to submit your appeal
- c) The hearing will be arranged within 20 working days, where reasonably possible. After hearing the grievance, The JNC Appeal Chair will give their decision in writing to both you

and your trade union within 5 working days of the date of the hearing.

d) This is the final stage of internal appeal process.

## **9. JNC appeal**

9.1 The JNC Appeal Chair is the final stage of the internal disciplinary and grievance procedure available. You should make your appeal within 5 working days of you receiving notice of the decision. Appeal hearings to the JNC Appeal Chair should be held within 20 working days (where possible). The Secretary to the JNC Appeal will send you a copy of the guidance notes if you make a valid request for an appeal. The Chair's decision is followed by a written report to you and us.

## **10. Timescales**

We may amend the timescales at any stage of the procedure if you and we agree. For JNC hearings, each side may apply for an extension to the JNC Chair.

## **11. Outcome**

11.1 After we have heard your concerns at the grievance hearing, an appropriate investigation will take place based on the information you have provided. We will write to you with our findings once we complete our investigation.

11.2 The outcome of your complaint 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.

11.3 Whether or not your grievance is upheld we will advise you of any steps that we consider should be taken by the Association to address your concerns and try to resolve the issue

11.4 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 nor witness statements that we have taken. Tollcross Housing 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.

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

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

## **13. Collective grievances**

A collective grievance is a complaint against an issue, which affects all staff or a group of staff in the same way, e.g. a change to a working practice, or working hours. If you wish to raise a collective grievance it should be raised by a recognized trade union or other workplace representative, and should be at Stage 2 of the formal process.

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

## **14. Policy Review**

We will review and update this Grievance Policy and Procedure at least every 4 years or earlier, if required by changes in legislation.

## Appendix 1 Grievance Form

If you wish to raise a formal grievance you must complete the following form and give it to your line manager (unless the complaint concerns your line manager, in which case you should give the completed form to the manager at the next level).

### ***Section 1 – About you***

Name	
Job Title	
Department/Section	
Manager	

### ***Section 2 – What is your complaint?***

### ***Section 3 – Please provide brief details of the outcome you would like considered***

### **Signed**

Signature	
Date	