

Grievance Policy

Introduction

Grievances are concerns, problems or complaints which employees may have about their employment e.g. concerning the job, working environment or relationships with colleagues.

Ore Valley Housing Association (OVHA) wants to ensure that all employees are comfortable that any issues or disputes raised will be looked at and resolved wherever possible.

The organisation encourages employees to raise concerns immediately at the lowest possible level. The organisation will try to resolve the majority of these quickly, using informal processes.

However, sometimes a formal procedure is necessary where the informal process does not reach a satisfactory conclusion, or where it is not appropriate to manage the concerns raised informally.

This policy provides details of both the informal and formal processes.

This policy applies to all employees within Ore Valley Housing Association.

Policy Aims

- To provide a mechanism for addressing employee concerns in a fair and consistent manner.
- To ensure the organisation complies with its responsibilities within employment law and best practice.

You can expect the organisation to

- Listen to the concerns raised in line with the procedures set out below.
- Investigate concerns, as we deem appropriate.
- Provide employees with the opportunity to appeal any formal decision made in line with the policy.

We expect that employees will

- Raise any concerns promptly, while following the correct procedure.
- Use the informal process in the first instance (where appropriate) and only use the formal process where it is necessary.
- Let us know what concerns they have and how these could be resolved.
- Complete the grievance form and pass this to the appropriate manager.
- Co-operate and participate as required in any investigations that take place.
- Start the process with the view of achieving an acceptable outcome for all concerned.

Informal Process

Most routine complaints and grievances are best resolved informally in discussion with the employee(s) concerned and the manager, or another appropriate manager. Dealing with grievances in this way can usually lead to a speedy resolution as it enables the manager to make decisions on those issues they manage. Both manager and employee(s) should keep an agreed written note of the informal meeting, including details of any action to be taken in resolving the grievance.

We encourage employees to raise any concerns with their line manager. The line manager will discuss the issues and any reasonable solutions with the employee who has raised these. If the employee is unhappy with the outcome of this informal intervention, then they have the option of raising their concerns formally.

Formal Process

The following rules apply for the formal grievance process:

- If an employee wishes to raise a formal grievance, they must complete the grievance form.
- At all stages of the formal process, an employee has the right to be accompanied by a trade union representative or a workplace colleague. The person accompanying the employee has the right to summarise the employee's case and confer with the employee. They do not have the right to answer questions on the employee's behalf.
- The organisation will not make any changes connected to your concerns until it is resolved, the procedure is exhausted, or you do not wish to pursue the matter further.
- If the concerns raised relate to or involve a manager, the concerns will be dealt with at the level above the manager involved.

Stage 1

You should first raise your grievance with your line manager, who will try to resolve the matter within 2 working days.

Stage 2

In the first instance, you should ask for a meeting with a more senior manager within 5 working days.

They will hold a meeting within 3 working days of your request and carry out an investigation, if required, to make a decision within 5 working days of the meeting.

Stage 3

If you are still not satisfied, you should present the grievance in writing within 5 working days to the chair of the Board.

The Chair will then arrange a meeting of the representatives of the committee within 10 working days. The chair should tell you the date and time of the hearing.

After hearing the grievance, the Chair or equivalent will make their decision in writing to you within 3 working days of date of meeting.

Stage 4

Appeals from the decision of the representatives of the Board will be to the JNC Appeal Chair.

You should notify the secretary of the JNC appeal of your intention to make an appeal in writing within 5 working days of receiving notice of the decision.

The hearing will be arranged within 20 working days, where possible. After hearing the grievance, the JNC appeal chair will give their decision in writing to you within five working days of the hearing date.

This is the final stage of internal appeal process.

Right of Appeal

You have the right to appeal against any formal decision taken in a grievance issue. If the matter is not resolved to your satisfaction, you can raise up to two appeals, including JNC appeal depending at which stage your grievance is heard at. Notice of your right of appeal will include details of the time limit within which you must make the appeal.

Please note that if your original grievance is heard by a Board Member at stage 3 of the process, there will only be one appeal to the JNC appeal making the process two stages only.

Collective grievances

Collective grievances are complaints raised on behalf of two or more employees by a representative of a recognised trade union or other appropriate workplace representative. These grievances should be handled in accordance with the procedures set out below.

A collective grievance should be raised using the grievance form which should be clearly marked as a collective grievance. This form should be signed by all employees who are raising their concern. At each formal stage of the procedure, the group of employees may nominate two of their group to represent them in the appropriate meeting.

You should first raise these at stage 2 of the formal procedure.

If the issues are not sorted out after going through the internal procedure, either you or we may refer the matter to ACAS conciliation.

Timescales may be amended at each stage of the procedure if both parties agree – and for the JNC hearings, each side may apply for an extension which may be granted by the Chair.

Stage 1 - Meeting

If an employee has not been able to resolve their concerns informally, they should raise these, in writing, using the grievance form and give this to their line manager. If their concerns are about their line manager the form should be given to a manager one level above the employee's own line manager.

On receipt of the form the employee will receive an invitation to a meeting within 7 calendar days where possible. At the meeting, the manager will hear the employees' concerns and ask what their proposed solution is. The employee will receive written notification of the outcome within 7 days of the meeting. This communication will include details of how the employee can appeal the decision if they are unhappy with it.

Stage 2 – Appeal

Where an employee feels that their grievance has not been satisfactorily resolved during Stage 1, they can appeal the outcome by proceeding to Stage 2 of the process.

The employees should submit their appeal in writing outlining the reason for their appeal without unreasonable delay. The employee will then be invited to a meeting within 7 days where possible. The appeal will be heard by a manager at the next level above the manager that made the original decision or, if this is not possible, a manager who was not previously involved in the case.

The employees' concerns will be heard at this meeting, and they will be asked what they see as a proposed solution. The outcome of the appeal will be communicated to the employee in writing within 7 days from when the meeting was held.

A decision made at this level will be final.

Outcome

Further to the grievance meeting, an appropriate investigation will take place based on the information provided at the meeting. On completion of investigations the employee will receive a written response providing an outcome along with, where possible, the rationale for reaching this decision.

Possible outcomes include the following:

- The employees' concerns have been upheld

- Some of the employees' concerns have been upheld, and others have not.
- The employees' concerns have not been upheld.

Where it is possible, the employee will be provided with the reason/s why any decisions have been made. This does not mean that an employee will automatically have access to the investigation nor witness statements that have been taken.

OVHA takes confidentiality of all its staff very seriously and must ensure that it complies with Data Protection requirements. As a result, only information concerning the employee that does not breach the confidentiality of others may be made available. If any disciplinary action is considered against colleague because of the complaint, the employee will not be informed of this under any circumstances.

Grievances raised after employment has ended

If an employee raises a grievance after their employment has ended, the organisation will consider this and respond in writing.

Record Keeping

A written record of formal grievances and any proposed solutions will be retained in the employee's personal file.

General Data Protection Regulations

The organisation will treat personal data in line with its obligations under the current data protection regulations and GDPR Policy

Information regarding how personal data will be used and the basis for processing this is provided in the employee privacy notice.

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