

Grievance Policy

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| Purpose: | To establish DPHA's policy and set out our position on handling staff grievances. |
| Review Date: | 1 year from approval date |
| Guidance: | EVH model policy |
| Regulatory Standards: | <p>5.1 The RSL conducts its affairs with honest and integrity and, through the actions of the governing body and staff, upholds the good reputation of the RSL and the sector.</p> <p>5.2 The RSL upholds and promotes the standards of behaviour and conduct it expects of governing body members and staff through an appropriate code of conduct. It manages governing body members' performance, ensures compliance and has a robust system to deal with any breach of the code</p> |
| Date reviewed by Policy Review Working Group (PRWG): | 21 November 2018 |
| Date approved by PRWG (under delegated authority): | 21 November 2018 |
| Amendments | As per PRWG minutes of 21 November 2018 |

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1.0 INTRODUCTION

1.1 Grievances are concerns, problems or complaints you may have with regard to your employment with Dalmuir Park Housing Association (DPHA), e.g. concerning the job, working environment or any of your colleagues.

1.2 While 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 with your line manager 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 DPHA.

2.0 POLICY AIMS

2.1 To provide a mechanism for addressing staff concerns in a fair and consistent manner.

2.2 To make sure DPHA complies with its responsibilities within employment law and best practice.

2.3 You can expect DPHA to:

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

2.4.1 We expect that you will:

- Raise any concerns you have 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 your concerns are and how you would like to see them resolved.
- Complete DPHA's grievance form and pass this to the appropriate manager.
- Co-operate and participate as required in any investigations we see fit.
- Start the process with the view of achieving an acceptable outcome for all concerned.

3.0 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.

4.0 FORMAL PROCESS

4.1 The following rules apply for the formal grievance process:

- 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.
- At all stages of the formal process you will have the right to be accompanied by a trade union representative or a workplace colleague. Your chosen companion is allowed to summarise your case and confer with you*. However, they do not have the right to answer questions on your behalf.
- 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.
- If your concerns relate to or involve a manager, your complaint will be dealt with at the level above the manager involved.

**Extract from ACAS code of practice regarding companion:*

The companion should be allowed to address the hearing to put and sum up the worker's case, respond on behalf of the worker to any views expressed at the meeting and confer with the worker during the hearing. The companion does not, however, have the right to answer questions on the worker's behalf, address the hearing if the worker does not wish it or prevent the employer from explaining their case.

4.2 Stage 1

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

We will keep a written record of your grievance and any proposed solution in your personal file.

4.3 Stage 2

In the first instance, you should ask for a meeting with a more senior manager. They will hold a meeting within 3 working days of your request and carry out an investigation to give you a decision within 5 working days of the meeting. A written record of your grievance and any proposed solution will be recorded in your personal file.

4.4 Stage 3

If you are still not satisfied, you should present the grievance in writing to the chair of the Staffing Sub-Committee or equivalent. 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 Staffing Sub-Committee or equivalent will give their decision in writing to you within 3 working days of date of meeting. If there is considered to be a reason that the Staffing Sub Committee cannot hear the grievance, the Management Committee may decide another way for the grievance to be heard. This could be to another part of the governance structure or to an external independent party instructed by the Association.

4.5 Stage 4

If the matter is not resolved to your satisfaction, you can raise up to two appeals, including the JNC appeal.

Appeals from the decision of the Staffing Sub Committee will be to the JNC Appeal Chair.

You should appeal in writing within 7 days of receiving notice of the decision, stating the reasons for your appeal.

This is the final stage of internal appeal process.

5.0 JNC APPEAL

5.1 The JNC Appeal Chair is the final stage of the internal disciplinary and grievance procedure available. 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.

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

5.2 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.

6.0 OUTCOME

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.

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.

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.

DPHA 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.

7.0 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).

8.0 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 this 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.

9.0 EQUALITY AND DIVERSITY

9.1 We are committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. This is reflected in our Equality and Diversity Policy.

10.0 GDPR

10.1 We will treat personal data in line with our obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing your data is provided in our Customer Fair Processing Notice.

Appendix A

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

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|--------------------|--|
| Name | |
| Job Title | |
| Department/Section | |
| Manager | |

Section 2 – What is your complaint?

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Section 3 – Please provide brief details of the outcome you would like to be considered.

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Signed

| | |
|-----------|--|
| Signature | |
| Date | |