



GRIEVANCE and DISPUTE POLICY

1.0 INTRODUCTION

- 1.1 Any employee who considers that they have a grievance in relation to their conditions of appointment or their employment is entitled to raise the matter through this Grievance Policy and Procedure.
- 1.2 Almond Housing Association Limited (AHA Ltd) operates an 'open door' policy with an emphasis on personal contact, informal discussion and constructive consideration of issues. The aim is to encourage the settlement of any complaint or grievance as close as possible to the point of origin, to avoid wherever possible the need to initiate a formal process.
- 1.3 However, where it is necessary to initiate a formal grievance process, AHA Ltd will ensure through this policy and procedure that:
 - employees are clear about their rights and responsibilities
 - we respond promptly and deal with the matter consistently, fairly and effectively
 - employees are advised how they may pursue a grievance through the organisation if they fail to obtain a satisfactory response from their immediate manager.
- 1.4 The Grievance Procedure is not to be used when an employee wishes to appeal against disciplinary action. This is covered by our Disciplinary and Appeals policy.
- 1.5 This policy complies with the current Acas Code of Practice and the Acas Guide on Disciplinary and Grievance policy and procedure. The key principles are:
 - a) All grievances or complaints will be investigated and after full consideration of the facts, appropriate action will be taken.
 - b) Where the grievance has not been resolved to the satisfaction of the employee by their immediate manager, there will be a mechanism for referral to the next level of management, within defined limits.
 - c) At each stage of the procedure, every effort will be made by both parties to reach agreement amicably and as speedily as possible.
 - d) Employees have a responsibility to raise any given complaint promptly. Management is under no obligation to preserve the status quo pending resolution of the grievance but the objections of the employee will be duly noted.
 - e) At each stage, beyond informal referral and discussion, the employee will be required to put their complaint in writing, referring to the Grievance Procedure and setting out the details of their complaint.
 - f) At each stage of the procedure, the employee will be given every opportunity to state their case fully without fear of repercussions or recriminations from management,

save where complaints are submitted wholly without foundation or with malicious intent.

- g) At each stage of the procedure, the employee will have the right to be accompanied, if they wish, by a colleague, or by a staff association/trade union representative who has been certified in writing by their union as having experience of, or training in, acting as a worker's companion at disciplinary or grievance hearings, so long as the presence of the companion will not prejudice the hearing or result in a conflict of interest.
- h) The timing and location of meetings will be reasonable.
- i) Meetings will be conducted in a manner that enables both the employee and management to explain their cases.

1.6 In implementing this policy and the supporting procedures AHA Ltd will ensure that we comply with our Equality and Diversity policy, in particular where any special arrangements are required for an employee with a disability, and with our Openness & Confidentiality policy to ensure we comply with current data protection legislation.

1.7 The processes described in this policy and procedure will not apply during a new employee's probationary period.

2.0 RESPONSIBILITIES

2.1 Board of Management

- To ensure that there is in place a Grievance and Dispute policy which complies with the current law, statutory regulations, guidance and good practice.
- To take any action under the policy which requires the involvement of Board Members.

2.2 Management

- Chief Executive: To ensure that all employees are aware of the policy, and that it is applied consistently across the organisation.
- HR & OD Manager: To administer the policy on a day-to-day basis, and provide advice to the Board of Management, Senior Management Team and all employees as required.
- Directors: To ensure the policy and supporting procedures are implemented fairly and consistently within their Sections.

2.3 Employees

- To ensure that they have read, understood and comply with the policy and procedures as required.

3.0 GRIEVANCE PROCEDURE

Stage one

3.1 Before pursuing a complaint through the formal procedure, the employee should raise any matter of concern or dissatisfaction informally with their immediate line manager. Only where this informal discussion fails to bring about a satisfactory solution within a reasonable timescale should the formal route be followed.

- 3.2 To initiate the procedure the employee should submit their grievance in writing to be appropriate 'Stage 1' manager (*see Appendix 1*).
- 3.3 The manager will arrange a meeting with the employee. This will normally be held within 5 working days, unless the employee wishes to be accompanied and the date has to be put back to enable the companion to attend.

If the employee wishes to be accompanied it will be their responsibility to arrange this and to notify the manager of the name of their companion.
- 3.4 The manager hearing the grievance will arrange for a colleague not involved in the matter to accompany them and take notes of the meeting. Where a Board Member is involved at Stage 1 the Chief Executive will nominate a manager who is not involved in the grievance to support the Board Member.
- 3.5 The manager will write to the employee confirming the date, time and place of the meeting and the names of the management or Board Members who will be present, and their roles.
- 3.6 If required, the meeting may be adjourned to consider any matters raised that need further investigation, and/or to consider the management response.
- 3.7 After the meeting the manager or Board Member will advise the employee in writing of their decision. This will normally be within 5 working days of the meeting, or within a longer timescale by mutual agreement if the case is complex and/or more time is required to obtain information or consider the issue(s) raised. The letter will advise the employee of the action they may take if they are not satisfied with the reply.

Stage two

- 3.8 If the employee is dissatisfied with the decision made at Stage 1, or if they have not received a response within the agreed timescale, they may initiate a Stage 2 grievance by writing to the appropriate person (*see Appendix 1*) within 10 working days of receiving the Stage 1 decision (or the date it should have been received), stating the reasons for taking the grievance to the next level.
- 3.9 Stage 2 grievances will be heard by either the Chief Executive or by the appropriate Board Member(s). No Board Member involved at Stage 1 will be involved in a Stage 2 hearing.
- 3.10 The process for hearing a Stage 2 grievance will be similar to that at Stage 1 (see paras 3.3 – 3.6 above). Wherever possible a meeting will be arranged within 10 working days, except that where there is more than one Board Member involved a meeting will be arranged within 15 working days, to take account of their other commitments.
- 3.11 The Stage 2 meeting will consider the original grievance and the decision from Stage 1, with a statement of their case by the employee or their representative, a statement by the appropriate manager or Board Member as to why the original decision was made, followed by questions and discussion as required.
- 3.12 After the meeting the manager or Board Member will write to the employee with their decision. This will normally be within 5 working days of the meeting, or within a longer timescale by mutual agreement if the case is complex and/or more time is required to obtain information or consider the issue(s) raised.
- 3.13 The decision at Stage 2 will be final and there will be no further stages of referral or appeal in terms of this procedure.

4.0 'MISCHIEVOUS' GRIEVANCE

- 4.1 Where it is clear that a grievance raised by an employee is 'mischievous' and designed to cause difficulties, as opposed to being a genuine complaint, this will be regarded as a serious offence and the employee may be liable to disciplinary action.
- 4.2 Should a Board Member raise a 'mischievous' grievance against a fellow Board Member or an employee, this will be considered as a breach of the Board Members Code of Conduct an appropriate action will be considered by the Board as detailed in that Code. This may result in the Board Member having to resign.

5.0 REVIEW

- 5.1 The HR & OD Manager will ensure that this policy is reviewed by the Board of Management at least every 5 years.

FIRST APPROVED IN	NOVEMBER 1997
CURRENT VERSION 6.0 APPROVED IN	AUGUST 2022
NEXT REVIEW DUE BY	AUGUST 2027

GRIEVANCE PROCEDURE

Staff grade	Stage 1 heard by	Stage 2	
		Write to	Heard by
All staff up to Manager	Manager (or Director of Section if no Manager post)	Director of Section (or Chief Executive)	Director of Section (or Chief Executive)
Manager	Director of Section	Chief Executive	Chief Executive
Director	Chief Executive	Chief Executive	Staffing Sub-Committee Panel*
Chief Executive	Chair	Chair	Staffing Sub-Committee Panel*

Note: * Maximum of 3 members, excluding any Board Members involved in hearing the grievance at an earlier stage.