



SHA Grievance Policy

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Contents

1. Introduction	Page 03
2. Policy Aims	Page 03
3. Processes and Procedures	Page 04
4. Grievances Raised after Employment has Ended	Page 06
5. Collective Grievances	Page 06

Appendix 1 – SHA Grievance Form

1.0 INTRODUCTION

- 1.1 A grievance is a concern or complaint raised by an employee in relation to their employment with the Association. Things raised could cover just about any aspect of the employment relationship from pay to working environment or concerns about colleagues.
- 1.2 Having a grievance process ensures that matters are properly channelled through a fair system that permits the issues raised to be looked at objectively and solutions proposed wherever possible.
- 1.3 While a member of staff is employed by the association, it is important that they feel comfortable to raise any issues or disputes and staff are encouraged to do so immediately at the lowest possible level. Managers will try and resolve the majority of issues or concerns quickly, using our informal process. However, 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.

This policy applies to all staff within Southside Housing Association.

2.0 POLICY AIMS

- 2.1 The policy aims to:
 - Provide a mechanism for addressing staff concerns in a fair and consistent manner.
 - To make sure Southside Housing Association complies with its responsibilities within employment law and best practice.

Why have a local grievance procedure?

- 2.2 Having a local procedure offers the opportunity to better reflect the individual standards of the Association.
- 2.3 It is not always the case that someone having a concern about something or not being happy about something is instantly a “grievance” in the formal sense. The best way of resolving concerns, dissatisfaction or indeed, grievances, is for the employee to make an informal approach to their line manager. The formal procedure would only be used if this approach failed or was an unrealistic starting point for a particular concern due to its severity.
- 2.4 It is not compulsory for an employee to attempt an informal resolution first and they may choose instead to use the formal route to raise any concerns.

3.0 PROCESSES & PROCEDURES

Informal Process

- 3.1 Staff are encouraged, in the first instance, to raise any concerns informally with their line manager. All issues will be discussed together with any reasonable solutions. Although a resolution is the aim, sometimes this will not be possible. If you are unhappy with the outcome using this method, you will have the option of raising your concerns formally.

Formal Process

- 3.2 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 the form is not completed and given to the appropriate manager, the complaint will then not be treated 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.
- 3.3 It is important to note that no details or actions taken against a complaint regarding a colleague will be passed on to the complainant. This same principle will apply where a manager is looking into a complaint from an external person – again the complainant will not be given any details of action taken against the employee concerned.

Stage 1 - Employee raises a formal grievance

- 3.4 Once the informal process has been exhausted (where appropriate) you should first raise your grievance with your relevant Director, who will try to resolve the matter as soon as possible. Normally it will be your Director who will manage the grievance process and be the grievance handler, however the flexibility is there to allow any member of the Leadership Team to manage the grievance process. It is the employers responsibility to check with the employee that the concern is being raised as a formal grievance. A record of your grievance and any proposed solution will be kept in your personal file.

Invite employee to attend a meeting

From this starting point the employer will then invite the employee to a formal grievance hearing, confirming that this meeting is to hear a grievance and that the employee has the right to be accompanied by a trade union representative or a workplace colleague. The meeting should be held within 5 working days of receiving the grievance. Following this meeting a decision should be issued within 3 working days, however if matters are complex, it may be necessary to extend by mutual agreement the period of time permitted for the employer to respond. A written record of your grievance and any proposed solution will be recorded in your personal file.

Grievance meeting

The attendees at the grievance meeting will be the employee and whoever accompanies them along with the person hearing the matter and a witness. It is important that the employee feels comfortable to speak freely to their concerns. At this point the employee may wish to offer witness statements or suggest witnesses that could be interviewed by the person hearing the meeting.

Responding to the grievance

It may be that an overall solution is not proposed or agreed and further enquiries or discussions with others may be required. A timescale should be agreed with the employee where additional time is required to conclude the response.

All responses will be given in writing detailing actions or other proposed ways forward. The response will set out the employee's right to appeal and detail how the employee may access this right. Where a grievance is not being upheld the reasons for this will be explained in the formal response.

Right of Appeal

Everyone has the right of appeal against any formal decision taken in a grievance issue. Notice of your right to appeal will include details of the timeline within which you must make the appeal.

Stage 2

- 3.5 If you are unhappy with the response received, you should submit an appeal outlining the reasons for your dissatisfaction and nature of your grievance to the Chair of the Finance & Corporate Services Sub Committee, or equivalent. This should be exercised within 5 working days of your decision letter, and the Chair will convene a Grievance Panel within a further 10 working days.

The Chair will notify you of the date and time of the hearing.

After hearing the grievance, the Chair will then give their decision in writing to you within 5 working days of the meeting.

Stage 3

- 3.7 Appeals from the decision of the committee will be to the JNC Appeal Chair. You should notify the secretary to 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 then 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.

JNC appeal

- 3.8 The JNC Appeal 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.

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

4.0 GRIEVANCES RAISED AFTER YOUR EMPLOYMENT HAS ENDED

- 4.1 If you raise a grievance after your employment has ended, this will be considered and a response issued to you in writing (without holding a meeting).

5.0 COLLECTIVE GRIEVANCES

- 5.1 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 done as a formal process.

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

6.0 Grievances against the Chief Executive Officer

- 6.1 Grievances against the Chief Executive Officer should be dealt with in accordance with the separate Southside HA procedure – titled "Procedure for Handling a Serious Complaint or Grievance against the Senior Officer."

Appendix 1 Grievance Form

If you wish to raise a formal grievance you must complete the following form and submit as per the attached procedure.

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

Signature	
Date	



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