

# Grievance Policy

*We will provide this policy on request at no cost, in large print, in Braille, on tape or in another non written format.*

# Grievance Policy

## POLICY PURPOSE & APPLICABILITY

The purpose of this policy is to provide employees with access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay.

## PROCEDURE APPLICABILITY

Should an employee wish to raise a grievance during their employment against or in relation to Cube Housing Association Limited ('Cube'), they should use this grievance process. If it is a grievance against another organisation in the Wheatley Group, then they should use that organisation's grievance process.

This policy applies to all employees of Cube. It does not apply to agency workers or self-employed contractors. This policy does not form part of any employee's contract of employment. This policy may be amended at any time in consultation with our recognised Trade Unions.

This policy should not be used to complain about termination or disciplinary action. Employees dissatisfied with any disciplinary action should submit an appeal under the Disciplinary Policy.

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## SECTION A - RAISING GRIEVANCES INFORMALLY

Most grievances can be resolved quickly through constructive informal discussions with an employee's manager or, if this would be inappropriate, a more senior manager. The following procedure should be used where it has not been possible to resolve an issue informally.

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## SECTION B - RIGHT TO BE ACCOMPANIED

At all stages of this procedure employees have the right to be accompanied by a certified trade union representative or any person currently employed by one of the Wheatley Group companies. The employee and their companion should make every effort to attend grievance meetings. If your chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else.

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## SECTION C - STATUS QUO

Should this policy be invoked, both parties agree to maintain the status quo-ante (the previous state of affairs) until the issue that is the subject of the grievance is resolved.

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## SECTION D - FORMAL PROCEDURE FOR GRIEVANCES

### **Stage 1**

If it is not possible to resolve a grievance informally, any employee who has a grievance should raise the matter formally and without unreasonable delay, in writing, with their manager. If the grievance relates to a local managerial decision, the employee should raise the matter with an appropriate senior officer or with Employee Relations. The written grievance should include a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some circumstances we may ask you to provide further information.

The designated officer will convene a meeting, to be held without unreasonable delay, to discuss the grievance with the employee, advising the employee of the right to be accompanied at the meeting.

Support from Cube's occupational health provider and/or internal support may be offered to the complainant and the alleged perpetrator pending an investigation into the complaint.

The purpose of a grievance meeting is to enable an employee to explain their grievance and how they think it should be resolved, and to assist the organisation in reaching a decision based on the available evidence and the representations made by the employee.

After the grievance meeting, the designated officer will write to the employee, usually within 1 week, (unless an extended period of time is agreed upon by both parties) with their decision, and if appropriate detailing the final stages in the procedure.

### **Stage 2**

If an employee is not satisfied with the Stage 1 decision, the second stage of the grievance procedure is appeal to the appropriate Head of Service, or designated officer.

A request for a Stage 2 grievance appeal meeting detailing appeal grounds should be lodged in writing to Employee Relations within 2 weeks of receiving the written Stage 1 decision.

Employee Relations shall make the appropriate arrangements for the Stage 2 meeting to be held with the appropriate Head of Service/designated officer. This will be done without unreasonable delay and will normally take place within 1 week. An Employee Relations representative will be present at Stage 2 grievance meetings.

At the meeting the Head of Service/designated officer will try to resolve the matter, and advise all parties of the decision at the conclusion of the meeting, or if this is not practicable, in writing to the employee, without unreasonable delay and normally within 1 week.

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### **Stage 3**

If an employee is not satisfied with a Stage 2 decision, the final stage of the grievance procedure is appeal to the appropriate divisional Director, or designated officer.

A request for a Stage 3 grievance appeal meeting detailing appeal grounds should be lodged in writing to Employee Relations within 2 weeks of receiving the written Stage 2 decision.

Employee Relations shall make the appropriate arrangements for the Stage 3 meeting to be held without unreasonable delay and normally within 1 week. An Employee Relations representative will be present at Stage 3 grievance meetings.

At this meeting the Director/designated officer will try to resolve the matter, and advise all parties of the decision at the conclusion of the meeting or, if this is not practicable, in writing to the employee, without unreasonable delay and normally within 1 week. This is the end of the procedure and there is no further appeal.

At any stage of the Grievance Procedure, the meeting may be adjourned to further investigate the grievance.

Notes will be kept of all investigation meetings held and individuals being interviewed will be given the opportunity to review and sign the notes by way of confirmation of their agreement with the content.

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## **SECTION E - FORMAL PROCEDURE FOR COLLECTIVE GRIEVANCES**

There may be occasions when a group of individuals have a grievance. In such occasions, the following process will be adopted. There may be occasions where a trade union represents the interests of these employees or where they elect a spokesperson to act on their behalf.

### **Stage 1**

Any employees who have a grievance should raise the matter collectively, in writing, with the appropriate manager. If the grievance relates to a local managerial decision, the employees should raise the matter with a senior designated officer or Employee Relations without unreasonable delay.

The designated officer will convene a meeting to be held without unreasonable delay to discuss the nature of the grievance with the employees or their representative, advising the employees of the right to be accompanied at the meeting. At this meeting, the designated officer will try to resolve the matter, and reply to the aggrieved employees, normally within 1 week, in writing, detailing the decision, and if appropriate detailing the final stages of the procedure.

### **Stage 2**

If the employees are not satisfied with the decision, the second stage of the grievance procedure is escalated to the appropriate divisional Director, or designated officer.

A request for a Stage 2 grievance (appeal) meeting, detailing the grounds for appeal should be lodged without unreasonable delay in writing to Employee Relations, within

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2 weeks of receiving the written Stage 1 decision.

Employee Relations shall make the appropriate arrangements for the Stage 2 meeting to be held with the appropriate divisional Director/designated officer, normally to take place within 1 week. The employees will have the right to be accompanied by a certified trade union representative or any person currently employed by one of the Wheatley Group companies. An Employee Relations representative will be present at Stage 2 grievance meetings.

At this meeting the Director/designated officer will try to resolve the matter, and advise all parties of the decision at the conclusion of the meeting, or if this is not practicable, in writing to the employee, without unreasonable delay and usually within 1 week.

### **Stage 3**

If the employees are not satisfied with the Stage 2 decision, the final stage of the grievance procedure is escalated to the Wheatley Group Management Board – chaired by the Chief Executive, or designated officer.

A request for a Stage 3 grievance (appeal) meeting detailing the grounds for appeal should be lodged in writing to Employee Relations, without unreasonable delay and within 2 weeks, of receiving the written Stage 2 decision.

Employee Relations shall make the appropriate arrangements for the Stage 3 meeting to be held, without unreasonable delay, normally to take place within 1 week. An Employee Relations representative will be present at Stage 3 grievance meetings.

At this meeting the committee will try to resolve the matter, and advise all parties of the decision at the conclusion of the meeting where possible. In any event, the employees will be given a written decision, without unreasonable delay and usually within 1 week.

At any stage of the Collective Grievance Procedure, the meeting may be adjourned to gather further information. Notes will be kept of all investigation meetings held and individuals being interviewed will be given the opportunity to review and sign the notes by way of confirmation of their agreement with the content.

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## **SECTION F – RECORDS**

Cube will keep a record of complaints and grievances made, including the written statement setting out the complaint/grievance, all letters sent to or by us in relation to complaints/grievances, written statements and notes of meetings and hearings. These records will be maintained in accordance with our obligations in terms of data protection requirements. For further information on retention of documents, please refer to the relevant retention policy.

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### **SECTION G - MALICIOUS CLAIMS**

Cube has a responsibility to protect employees from spurious claims made by other employees from any organisations within Wheatley Group. If it is believed that any allegations made under this policy are unwarranted and/or made by an individual which they know is untrue (e.g. spite, malicious intent or personal gain), or that any employee involved has deliberately provided false information, the employee(s) in question may be liable to disciplinary action (up to and including dismissal by the employing organisation).

Further information is set out in Cube's Disciplinary Policy.

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### **SECTION H - WHISTLEBLOWING COMPLAINTS**

The law also protects employees who report a concern in the public interest from detrimental treatment or victimisation by work colleagues for raising a concern. Cube will take reasonable steps to protect an individual who raised the concern from any harassment, victimisation or bullying.

In the event where an individual has raised a concern in the public interest and has been subjected to detrimental treatment or victimisation, Cube will fully investigate the complaint and appropriate disciplinary action may be taken against the accused employee.

For further information, please refer to Wheatley Group's Whistleblowing Policy and Cube's Disciplinary Policy.

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