

Grievance Policy

(following EVH model)

Date Approved by Assurance Committee:

May 2025

Latest Review Date:

May 2028

1. Introduction

- 1.1 Grievances are concerns, problems or complaints which employees may have about their employment e.g. concerning the job, working environment or relationships with colleagues.
- 1.2 Cernach wants to ensure that all employees are comfortable that any issues or disputes raised will be looked at and resolved wherever possible.
- 1.3 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 the informal process.
- 1.4 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.
- 1.5 This policy provides the details of both the informal and formal processes and applies to all employees at Cernach Housing Association.

2. 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.

3. Expectations

- 3.1 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.
- 3.2 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.

4. Informal Process

- 4.1 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.

5. Formal Process

- 5.1 The following rules apply for the formal grievance process:

- If an employee wishes to raise a formal grievance, they must complete the grievance form (appendix 1 at the end of this policy).
- 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 give you 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 Assurance sub-Committee.

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 Assurance sub-Committee will give 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 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 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 (if you have one) within five working days of the date of the hearing.

This is the final stage of internal appeal process.

6. Right of Appeal

- 6.1 You have the right of 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.
- 6.2 Please note that if your original grievance is heard by the Assurance sub-Committee or equivalent at stage 3 of the process, there will only be one appeal to the JNC appeal making the process two stages only.

7. Collective grievances

- 7.1 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.

- 7.2 A collective grievance should be raised using the grievance form which should be clearly marked that it is a collective grievance. This form should be signed by all employees who are raising the concern and indicate if there is a formal representative for the group of employees.
- 7.3 You should first raise these at stage 2 of the formal procedure.
- 7.4 If the issues are not sorted out after going through the internal procedure, either you or we may refer the matter to ACAS conciliation.
- 7.5 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.

8. Outcome

- 8.1 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.
- 8.2 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.
- 8.3 Cernach 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.

9. Grievances raised after employment has ended

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

10. Record Keeping

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

11. General Data Protection Regulations

- 11.1 The organisation will treat personal data in line with its obligations under the current data protection regulations and Cernach's data protection policy. Information regarding how personal data will be used and the basis for processing this is provided in the employee privacy notice.

12. Equality and human rights

- 12.1 The Association's Equality and Human Rights policy, outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of persons, particularly on the basis of any of the protected characteristics. This includes ensuring that everyone has equal access to information and services, and, to this end, the Association will make available a copy of this document in a range of alternative formats including large print, translated into another language or by data transferred to voice.
- 12.2 We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see section 6 of the Equality and Human Rights policy for more information).
- 12.3 In line with section 6 of the Equality and Human Rights Policy, the Association carried out an Equality Impact Assessment on this policy and no remedial action was identified as necessary. The full assessment is appended at the end of this policy.

Appendix 1 - Grievance Form

If an employee wishes to raise a formal grievance, they must complete the following form and give this to their line manager (unless the complaint concerns their line manager, in which case it should be given to a manager a level above their line manager where possible).

Section 1 – About the employee/ Employees if this is a collective grievance

Name	
Job Title	
Department/Section	
Manager	

Section 2 – Please provide details of the complaint.

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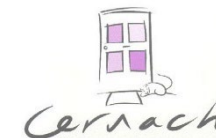
Section 3 – Please provide details of the outcome you would like considered.

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Signature	
Date	

*****Must be signed by all parties named above.***

Cernach Housing Association Equality Impact Assessment



Name of the policy / proposal to be assessed	Grievance Policy	Is this a new policy / proposal or a revision?	Revision
Person(s) responsible for the assessment	L Crawford		
1. Briefly describe the aims, objectives and purpose of the policy / proposal	To set out our approach for addressing employee concerns in a fair and consistent manner and to ensure Cernach complies with responsibilities in relation employment law and best practice.		
2. Who is intended to benefit from the policy / proposal? (<i>e.g., applicants, tenants, staff, contractors</i>)	Staff and the organisation.		
3. What outcomes are wanted from this policy / proposal? (<i>e.g. the benefits to customers</i>)	To ensure a consistent and clear approach is given to employee concerns (grievances)		

4. Which **protected characteristics** could be **affected** by the proposal? (*tick all that apply*)

- ☐ Age ☐ Disability ☐ Marriage & Civil Partnership ☐ Pregnancy/Maternity ☐ Race
- ☐ Religion or Belief ☐ Gender ☐ Gender Reassignment ☐ Sexual Orientation

5. If the policy / proposal is not relevant to any of the **protected characteristics** listed in part 4, state why and end the process here.

This is a model EVH policy and after careful consideration, there is no known elements of this policy that would impact any of the 9 protected characteristics.

	Positive impact(s)	Negative impact(s)
After careful consideration, there is no known elements of this policy that would impact any of the 9 protected characteristics.		
7. What actions are required to address the impacts arising from this assessment? (<i>This might include collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts</i>).		

Signed: *L Crawford* Job title: Corporate Services Officer Date: February 2025