

HR19a - Grievance Procedure

Procedure Reference:		HR19a	
Related Policy:		HR19 – Grievance Policy	
Effective date:	September 2024	Review date:	September 2029
Approved by P&PRG:		October 2024	
Owner:	Michael Catlin	Job Title:	Head of People & OD
To be issued to: (check as needed)			
<input type="checkbox"/> Board of Management <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input type="checkbox"/> Housing <input type="checkbox"/> Asset <input type="checkbox"/> ICT		<input type="checkbox"/> OD <input type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input type="checkbox"/> C&S Managers (RM,OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input checked="" type="checkbox"/> Agency Staff <input type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other: _____	
Method of Delivery (check as needed)			
<input type="checkbox"/> Learn Pro <input type="checkbox"/> Board Portal <input type="checkbox"/> Line Manager to Share (eg. Agencies)		<input type="checkbox"/> Policy Owner to Notify (eg. Contractors) <input type="checkbox"/> Other: _____	
Stakeholder Consultation Completed (check as needed)			
<input type="checkbox"/> Board of Management <input type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input type="checkbox"/> Housing <input type="checkbox"/> Asset <input type="checkbox"/> ICT		<input checked="" type="checkbox"/> OD <input checked="" type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input checked="" type="checkbox"/> C&S Managers (RM,OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input type="checkbox"/> Agency Staff <input type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Other: _____	

Version Control

Date	Owner	Version	Reason for Change
October 2024	Michael Catlin	1	Cyclical review due & transfer to new template.

Summary of Changes

Section	Change
6	Process for audio recording as an aid for minute taken added.
Appendix 2	Audio recording agreement added.

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1.0 Introduction

The purpose of the Grievance procedure is to describe the steps that will be taken to raise and subsequently manage a grievance. Grievances may be raised by any member of Ark staff to seek action where they consider themselves to have grounds for complaint in any matter associated with their employment, this could be relating to their work or working environment.

This procedure should be read in conjunction with the HR19 - Grievance Policy.

2.0 Learning & Development Requirements

No learning & development requirements have been identified in relation to this procedure.

3.0 Stage One – Informal Grievance

Almost all grievances can and should be resolved by regular informal dialogue between staff and where possible, their line managers. Every effort should be made for the matter to be resolved amicably and as quickly as possible. A grievance can be raised informally in a number of ways, such as through regular supervisions; team meetings or appraisal meetings. Moreover, you can raise it with your line manager as and when an issue arises. If the grievance is about your line manager you can contact Human Resources.

Where the line manager is able to respond to the grievance immediately, they will do so. Where some investigation or review is required the line manager will respond within 5 working days where possible. A flow chart of the grievance process can be found in Appendix 1.

If the staff member is dissatisfied with the outcome of the informal discussion they may proceed to the formal stage.

4.0 Stage Two – Formal Grievance

This stage should be used to resolve serious issues or queries, or in cases where the informal approach has not resolved the issue. The member of staff should submit their grievance in writing to their 'line manager' without unreasonable delay. The member of staff should give as much detail as possible to enable the line manager to consider the matter. The written grievance should stick to the facts and avoid using language which may be considered abusive or offensive.

Where the complaint is about the line manager and is being submitted to another appropriate manager a copy of the grievance will be shared with the line manager to enable them to respond.

At all stages of this procedure, where the member of staff has difficulty in expressing themselves in writing, and/or where English is not their first language, they will be encouraged to seek help (from a colleague or trade union representative for example).

The manager will provide assistance for a member of staff if they are unable to produce a written grievance themselves because of a disability. Where an employee is unable to produce a grievance in writing they should alert their line manager as soon as is possible. The Human Resources (HR) team will arrange for the staff member to be given help to produce their grievance in writing.

A meeting will be arranged, and the employee will be informed in writing. The meeting will normally be held within 5 working days of the date the grievance is received by the line manager. At this meeting, the staff member has the right to be accompanied by a trade union representative or a colleague. The member of staff and their companion will be given reasonable time off from their normal duties to attend. The meeting will include the staff member, their companion and the line manager who may also choose to invite any other relevant parties as part of the investigation.

Employers, employees and their companions should make every effort to attend the meeting. Where the companion is unable to attend at the proposed date and time, the staff member may suggest an alternative date and/or time so long as this is not more than 5 working days after the date originally proposed. However, this 5-day time limit may be extended by mutual agreement.

The staff member will explain the nature of their grievance and may offer suggestions as to how it might be resolved. Thereafter the matter will be discussed, the aim being to reach a mutually acceptable outcome, or, where this is not possible, that the member of staff is clear why a particular decision has been taken or course of action is being followed etc.

If necessary, the meeting may be adjourned but this should be for as short a time as possible and where possible the time and/or date for resuming the meeting should be agreed before it is adjourned.

The line manager may give their response to the staff member verbally at the end of the meeting (or at the reconvened meeting following any adjournment), however they may require further investigation and thought hence their response and timeline will be communicated accordingly. The line manager will confirm the response in writing within 5 working days of the meeting. If it is not possible to reply within 5 days, the manager will give the staff member an interim reply giving an explanation for the delay and an estimate of when a reply will be sent.

The letter will outline the decision and any action to be taken, the right of appeal, who the appeal should be submitted to and the date by which an appeal should be submitted.

5.0 Stage Three – Appeal

Where an employee feels that their grievance has not been satisfactorily resolved they should appeal. The employee should inform the appropriate manager (within 5 working days of receipt of the outcome, detailing the grounds of their appeal, who has been involved in the previous stages, and the dates and outcomes of previous meetings. As in the previous stages, the HR team will arrange for the staff member to be given help in producing the written statement, if required.

The appeal should be dealt with impartially and wherever possible by a manager who has not previously been involved in the case.

The appropriate manager will respond in writing as soon as possible inviting the staff member to a meeting at a specified date and time to discuss the matter as follows:

- Where the appeal is to be heard by a senior manager, the meeting will normally be held within 2 weeks of the date the staff member's letter was received; however, in exceptional circumstances this may be extended.
- Where the appeal is to be heard by a panel of Board of Management members, the meeting will normally be held within 4 weeks of the date the letter was received, however, in exceptional circumstances this may be extended.
- At this meeting, the staff member has the right to be accompanied by a trade union representative or a colleague.

The appeal meeting will include the staff member and their companion. The senior manager or panel may ask other individuals to attend for information and both parties may bring witnesses and/or documents in support of their position. These documents will be shared with all relevant parties. The format of the meeting will be the same as in the stage two meeting with the employee being given opportunity to state their grievance and offer possible solutions.

The decision at the appeal stage will not be limited to accepting the staff member's or manager's views. It will take into account the need to maintain consistent, fair practices throughout Ark and maintain effective working relationships at all levels.

The decision may be given verbally at the meeting where possible and will be confirmed in writing within 5 working days. If it is not possible to reply within 5 days, the manager will give the staff member an interim reply giving an explanation for the delay and an estimate of when a reply will be sent. The decision at the appeal stage will be final.

6.0 Mediation

In certain circumstances it may be more effective to use an independent third party or mediator to resolve an issue. This may be considered at any stage of the grievance procedure by mutual agreement. In such circumstances advice should be sought from the Human Resources Department.

7.0 Grievances from ex-employees

The ex-employee should set out their grievance and the reasons for it in writing and send this to the appropriate line manager or the Head of People & Organisational Development preferably within 14 days of their leaving Ark.

The receipt of the grievance will be acknowledged, in writing, within 5 working days of its submission. Following this, grievances from Ex Employees will follow the same procedure as grievances from current employees.

8.0 Recording

Ark may use audio/video recording as part of its minute taking responsibility. The aim of recording is to ensure the rights of individuals are respected and that recordings are used solely for the purpose of capturing accurate minutes of grievance meetings held. All audio recordings will be used to transcribe a written minute of the meeting. Written minutes must be signed and agreed by the employee.

Employees will be informed about the intention to record a meeting including, the purpose, duration and how the recording will be stored.

Ark must obtain written consent from the employee to record the grievance meeting. All recordings will be securely stored in compliance with GDPR. Access to recordings will be restricted to authorised personnel only. Recordings will be retained for one month after the employee's grievance process has concluded, after which they will be securely deleted.

Covert or unauthorised recording is strictly prohibited and will result in disciplinary action.

9.0 Implementation and Review

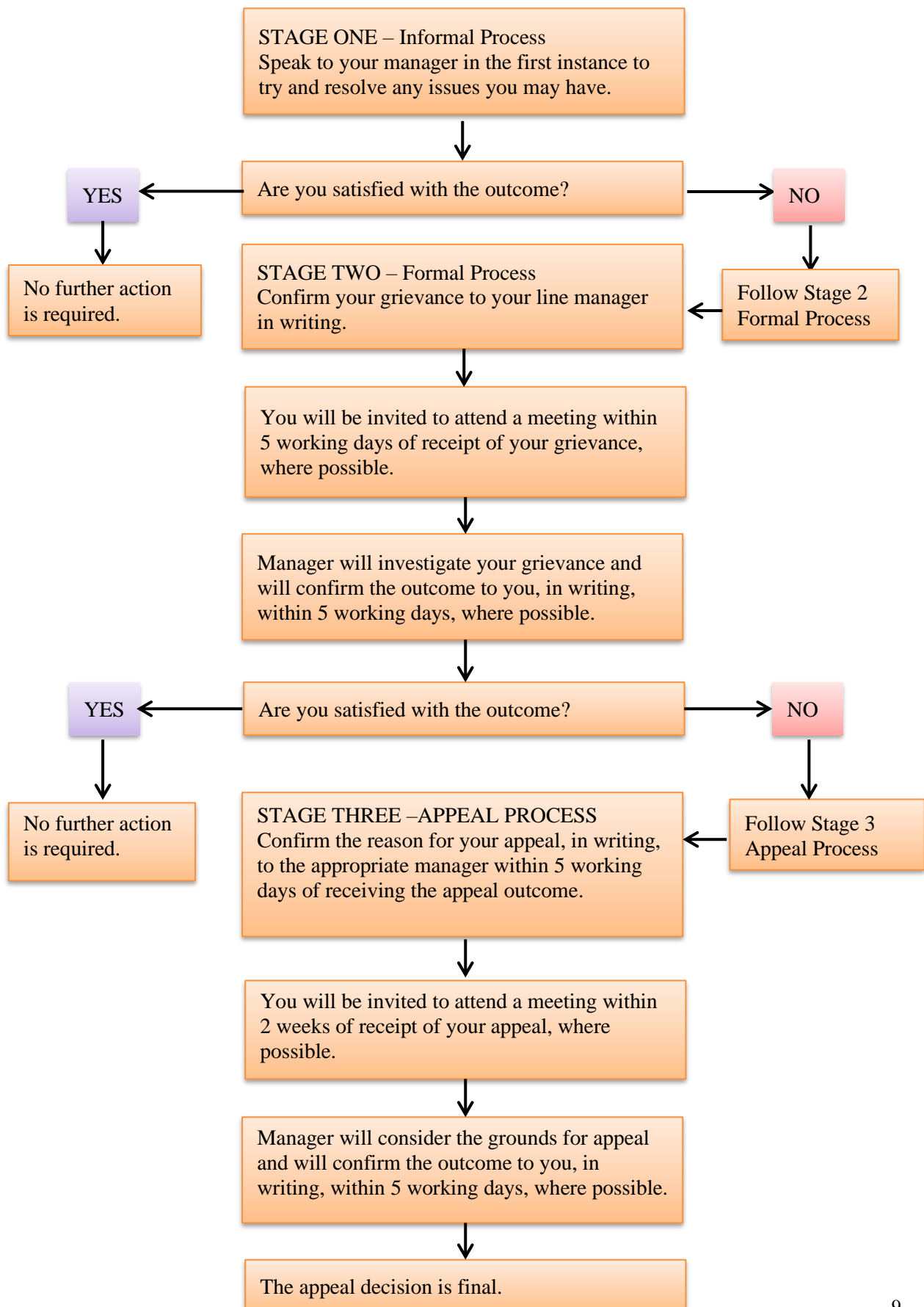
9.1 Implementation

The Head of People & Organisational Development is responsible for ensuring that the grievance policy and procedure is implemented when required.

9.2 Review

This procedure will be reviewed within 5 years from the date of approval by our Board of Management, in accordance with Ark's policy review framework.

Appendix 1 – Grievance Process Flowchart



Appendix 2 – Recording Permission

I, **[insert employee name]**, give permission for the Grievance meetings to be recorded for the purpose of being transcribed.

I understand that the recording of these meetings will be securely held for a period of one month after the grievance process is concluded to allow for full transcription to organisational paperwork/format, at which point it will be deleted.

Signed Employee

Signed Manager.....

Date