



MUIRHOUSE HOUSING ASSOCIATION

Title of Policy: Grievance Policy

Date of Adoption or Last Review: May 2019

Lead Officer: Stevie McAvoy, Chief Executive

Date of Next Review: May 2022

Policy: Grievance

What this policy covers

A grievance is any concern, problem or complaint that you have in relation to your employment. Where possible, you should try to settle any grievance informally with your manager at the earliest opportunity. Where any grievance is unable to be resolved informally, this policy sets out the MHA's Grievance Procedure.

Throughout this policy there are references to letters and emails. Any written correspondence in relation to a grievance, whether a meeting invitation or notification of outcome will be done either as a recorded delivery letter to your home address or via email from a Muirhouseha domain email to ensure safe data handling and IT security. All email correspondence will take place within our opening hours.

Your responsibilities

You have a responsibility to raise any grievances promptly and reasonably, assist MHA, if required, in any investigation of the matters raised in your grievance, follow the grievance procedure and attend all meetings arranged under it.

You may raise grievances either informally or formally. If you raise a grievance informally first, you may still raise the grievance formally subsequently if it is not resolved to your satisfaction.

MHA aims to deal with all grievances promptly and impartially, and to make all reasonable efforts to achieve a satisfactory outcome.

You have the right to appeal against a decision we make in respect of a grievance raised by you provided you appeal in writing stating the grounds for the appeal. We will make every effort for the grievance to be dealt with by another individual or where relevant a Subcommittee different to the person or Subcommittee who dealt with the grievance initially to ensure no one person is involved in more than one stage of the process.

Procedure

Dealing with grievances informally

If you have any grievance, you should discuss this with your Line Manager in the first instance, who will then attempt to resolve the situation on an informal basis.

If you feel unable to approach your Line Manager directly, you should approach the Chief Executive or another manager of MHA, who will discuss with you ways of dealing with the matter. If your grievance is about the Chief Executive you can also approach the Chair of MHA.

If you are the Chief Executive of MHA and wish to raise a grievance informally you should approach the Chair of the Board to discuss ways of dealing with the matter.

If attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under the following formal procedure.

Your right to be accompanied at Grievance Meetings

At all formal stages of this procedure, you are entitled to be accompanied by a fellow worker or by a trade union official. If you are under 18, your parent or guardian will be allowed to accompany you.

Should you wish to be accompanied, you must notify us of the name and position of your chosen companion as soon as possible.

Your companion will be allowed to address the meeting to put and sum up your case, respond on your behalf to any views expressed at the meeting and confer with you during the meeting. Your companion does not have the right to ask or answer questions on your behalf, address the meeting if you do not wish it or prevent you from explaining your case.

Formal procedure

We will make all reasonable efforts to deal with formal grievances in a fair and consistent manner. While we will make every effort to settle any grievance within the time limits detailed in this procedure, this may not be possible on some occasions.

A member of staff may be appointed to, under strict confidentiality, support a grievance process with either investigation or administrative tasks. The Chair of the Staffing Subcommittee may agree with the other Office Bearers to appoint external expertise to support a grievance process should this be necessary, however this will only be in exceptional circumstances and Value for Money should be a key consideration.

Formal Procedure – for Staff

You must set out the nature of the grievance, and the full particulars of it, in writing. The written grievance should be submitted to the Chief Executive of MHA. If your grievance is against the Chief Executive, you should submit it to the Vice Chair of MHA.

Formal procedure - for Chief Executive

You must set out the nature of the grievance, and the full particulars of it, in writing. The written grievance should be submitted to the Vice Chair of the Board.

Attending the Grievance Meeting

You will be invited to a meeting to discuss the grievance, normally within five working days of us receiving your grievance. You must take all reasonable steps to attend this meeting.

Prior to the meeting, you should ensure that you are fully prepared to present your grievance, share any supporting evidence and answer any questions relating to the incident/circumstances in question.

Notification of the outcome

After the Grievance Meeting, an appropriate period of time may be taken to allow for any further investigation and/or the consideration of all the facts before a decision is reached. We will then, normally, inform you in writing of its decision regarding the raised grievance without unreasonable delay. The letter and/or email will also explain your right to appeal against any decision taken.

Formal Procedure - Appeals against grievance outcomes

If you are dissatisfied with a decision made regarding a grievance you have raised, you have the right of appeal. The appeal should be submitted to the Chair of the MHA Staffing Subcommittee who will appoint a panel of members from the Staffing Subcommittee to deal with the appeal.

If you are dissatisfied with a decision made regarding a grievance you have raised against the Chief Executive, you have the right of appeal. The appeal should be submitted to the Chair of the MHA Staffing Subcommittee who will appoint a panel of members from the Staffing Subcommittee to deal with the appeal. The panel may not consist of anyone who has been involved at an earlier stage for the process.

In either of the above cases, your appeal must be made in writing and should state the grounds for the appeal. This should be submitted no later than the end of the fifth working day after you received written notification of the grievance outcome.

Formal Procedure - Appeals against grievance outcomes for Chief Executive

If you are dissatisfied with a decision made regarding a grievance you have raised, you have the right of appeal. The appeal should be submitted to the Chair of the MHA Staffing Subcommittee who will appoint a panel of members from the Staffing Subcommittee to deal with the appeal. The panel may not consist of anyone who has been involved at an earlier stage for the process.

Your appeal must be made in writing. This should be submitted no later than the end of the fifth working day after you received written notification of your grievance outcome.

The Appeal Meeting

We will arrange and hold an Appeal Meeting as quickly as possible, normally within five days. You will be entitled to attend the Appeal Meeting and will be given an opportunity to state your case.

You must take all reasonable steps to attend this meeting. If you feel that you have a legitimate reason as to why you cannot attend the meeting on the proposed date, you must contact the person named on the invitation letter or email to inform them of this fact immediately. The meeting may then be delayed to facilitate your attendance, if this is considered reasonable.

Formal Procedure – Final Appeals for Staff and Chief Executive

Appeals from the decision of the representatives of the committee will be to the JNC Appeal Chair. You should appeal in writing within 5 days of receiving notice of the decision, stating the reasons for your appeal.

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 within 5 working days of the date of the hearing.

The JNC Appeal Chair 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. This is the final stage of internal appeal process.

General Data Protection Regulations

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own data protection policy. Information regarding how your data will be used and the basis for processing your data is provided in Muirhouse Housing Association's employee fair processing notice.

Review

This Policy will be reviewed every three years or earlier if changes to employment law or our HR advisors require it.