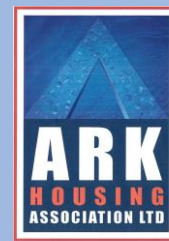




# Grievance Policy



<b>Policy Reference:</b>		HR19	
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<b>Approved by SLT:</b>	Jan 22020	<b>Approved by BoM:</b>	Feb 2020
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<b>Owner:</b>	Walter Kane	<b>Job Title:</b>	Head of People and Organisational Development
<b>To be issued to:</b>		Board of Management ARK Management All Staff	
<b>Method of Delivery:</b>		Policy briefing sheet	

## Version Control

Date	Owner	Version	Reason for Change
20.01.2020	Walter Kane	3	Cyclical review

## Summary of Changes

Section	Change
1	In line with guidance, section 1.2 <i>"All ARK policies and procedures are underpinned by our values and we will ensure that our employees are treated fairly, consistently and in line with our values."</i> has been deleted.
2	No Change
3	Section has been created and all content is original to this version of the

	policy. The section did not exist in in the current form previous iterations of the policy template.
4	All content in this section is new.
5	Content in the section is copied from sections 4.1 and 4.2 of previous version of the policy
6	Section has been created in line with guidance for the new policy structure. Some content is original to this version of the policy and some has been copied from the previous versions of policy. The section did not exist in in the current form previous iterations of the policy template.
7.1	Content in the section is copied from section 3.1 of previous version of the policy
7.2	Content in the section is a summary derived from section 6 of previous version of the policy. A majority of section 6 of the previous policy has been moved to the new Grievance Procedure
7.3	Content in the section is a summary derived from section 7 of previous version of the policy. A majority of section 7 of the previous policy has been moved to the new Grievance Procedure
7.4	Content in the section is a summary derived from section 8 of previous version of the policy. A majority of section 8 of the previous policy has been moved to the new Grievance Procedure
7.5	Content in the section is copied from section 5 of previous version of the policy
7.6	Content in the section is copied from section 11 of previous version of the policy. Changes have been made in line with ACAS guidance that grievances from ex-employees should follow the same procedure as grievances from current employees.
8	Content in this section is partly new and also contains a copy of the material in section 10 of the previous policy.
9	Section has been created and all content is original to this version of the policy. The section did not exist in in the current form previous iterations of the policy template.
10	Section has been created and all content is original to this version of the policy. The section did not exist in in the current form previous iterations of the policy template.
11	Section has been created and all content is original to this version of the policy. The section did not exist in in the current form previous iterations of the policy template. Content is copied from guidance materials.
12	All text in 12.1 and 12.2 is a direct copy of text in section 12 of previous policy.



# Grievance Policy



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## 1.0 ARKs Values

Our organisational values are the basis for everything that we do from providing housing, care and support to tenants and service users to ensuring staff have channels in which they can raise issues. ARK believes that everyone should have the opportunity to lead a happy, healthy and safe life. We value:

- The worth of each person
- Trusting relationships
- Understanding difference
- Challenging oppression
- Personal and organisational accountability
- Caring for our physical environment
- Enjoyment

## 2.0 Purpose

The purpose of the grievance policy is to provide an appropriate channel through which members of staff may 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.

## 3.0 Policy Statement

The main objective of the Grievance Policy is to prevent and resolve conflict in the workplace, to protect the interest of management and employees alike and to recognise the rights of an employee or employees to appeal and to be given a fair hearing against any measure which they may consider to be unjust.

## 4.0 Scope

The grievance policy will apply to all permanent, temporary staff, relief workers, agency and the Board of Management.

## 5.0 Legal/Regulatory Framework

The policy follows the Advisory, Conciliation and Arbitration Service (ACAS) code of practice.

Under the Equalities Act 2010 the manager will provide assistance for a member of staff if they are unable to produce a written grievance themselves because of a disability.

## 6.0 Responsibilities

### 6.1 Board of Management

ARK's Board of Management is responsible for consideration and approval of this policy.

### 6.2 Executive Team

ARK's Executive Team is responsible for ensuring that this policy is reviewed in accordance with ARK's schedule for review of policies.

### 6.3 Senior Leadership Team

ARK's Senior Leadership Team is responsible for review of the policy, and for ensuring that relevant measures are put in place in order to implement its requirements.

### 6.4 Managers

ARK Managers will be responsible for the effective implementation of this policy. They must also ensure that each member of their staff, through induction and e-learning, is made aware of this policy.

### 6.5 All Staff

All ARK employees are required to familiarise themselves with this policy.

In general, the informal and formal stage of the procedure will take place between the staff member and his or her immediate line manager. A table outlining to whom employees should raise their grievance is provided in Appendix 1.

There are three sets of circumstances, however, in which the normal pattern may be modified:-

- Where it is not possible to resolve a grievance informally employees should raise the matter formally and without unreasonable delay with a manager who is not the subject of the grievance.

- Where the matter in question concerns the actions or decisions of a staff member's line manager, the staff member may go directly, either at the informal or formal stage, if they wish to another appropriate manager at the same level.
- Where the matter in question is of an intimate personal nature, for instance an allegation of discrimination or sexual harassment, a staff member may, if he or she prefers, approach the Head of People & Organisational Development. The Head of People and Organisational Development will seek to agree with the staff member an appropriate course of action to resolve the matter in accordance with the principles laid down in this policy.

## 7.0 Principles of the Grievance Process

### 7.1 General Principles

The grievance process must operate in a fair and consistent manner and be carried out without unreasonable delay. The following principles apply in all cases:-

- All parties will abide by the policy, and by the outcome of the procedure.
- No member of staff who raises a genuine grievance and follows the procedure will be subject to any pressure to withdraw or discontinue pursuing that grievance; neither will they be penalised for having raised a grievance.
- No alteration of customary arrangements or agreed practices should be made until an agreed solution has been reached or the procedure exhausted. The parties must, where necessary, for the welfare of service users or the effective running of the ARK, agree interim arrangements to allow work to continue whilst the procedure is being followed. Acceptance of particular arrangements on an interim basis will not imply that either party agrees those arrangements as a permanent solution to the issue in question.
- At all formal stages of the procedure, the staff member may request to be accompanied by a companion. The companion may be a fellow worker (who is not connected to the complaint), a trade union companion or an official employed by a trade union.
- All grievances will be dealt with in confidence, subject to the need to gather appropriate information.
- No member of staff will abuse the grievances procedure to pursue personal animosities or obtain gain.
- Every effort will be made to deal with grievances as quickly as possible, at the appropriate level.

## 7.2 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. The specific actions that should be used to raise a grievance informally, and a flow chart of the grievance process can be found in the Grievance Procedure HR18.

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

## 7.3 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. Again, the specific actions that should be used to raise a grievance formally, and a flow chart of the grievance process can be found in the Grievance Procedure.

If the staff member is not satisfied with the outcome of grievance meeting, they have the right to appeal the decision to the appropriate level of management (according to the list in Appendix 1).

## 7.4 Stage Three – Grievance Appeal

Where an employee feels that their grievance has not been satisfactorily resolved they should appeal. Again, the specific actions that should be used to raise an appeal, and a flow chart of where the appeal process fits within the grievance process can be found in the Grievance Procedure HR??. The decision at the appeal stage will be final.

## 7.5 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.

## 7.6 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 Related Policies & Procedures

This policy should be read in conjunction with the

- HR 15 Whistleblowing policy
- HR 05 Performance Management policy
- HR 18 Disciplinary policy
- HR 19 Grievance procedure

Specifically, where a staff member raises a grievance that overlaps with disciplinary action (which may or may not be related) the grievance will be dealt with either by suspending the disciplinary proceedings temporarily or running both processes concurrently.

## 9.0 Equality Impact Assessment (EIA)

Will be completed after the discussion at SLT.

## 10.0 Data Protection Impact Assessment (DPIA)

A DPIA has been completed in relation to the development of this policy.

## 11.0 Stakeholder Consultation

This policy was circulated for comment and feedback to the following groups, prior to approval.

- ARK Board of Management;
- ARK Executive Team; ARK Senior Leadership Team;
- Unite the Union.

## 12.0 Monitoring and Review

### 12.1 Monitoring

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



## 12.2 Review

This policy will be reviewed within 3 years from the date of approval by our Board of Management, in accordance with ARK's policy review framework.

## Appendix 1 Responsibility for Formal Grievance Procedures

Person Raising Grievance	Person responsible for dealing with the formal grievance	
	Formal Grievance	Grievance Appeal
Care and Support Staff	Care & Support Manager Registered Operations Manager	Area Manager Assistant Director
Priority Staff	Line Manager	Member of the SLT
Area Manager	Assistant Director	Director of Care and Support
Priority Manager	Member of the SLT	Director Level
SLT	Director Level	Chief Executive
Executive Team	Member of the Board of Management (Sub Committee)	Agreed External Body (for example ACAS)