



## GRIEVANCE POLICY

<b>Policy Number</b>	HR 5.13 Version 2.0
<b>Prepared by</b>	Clare Ruxton, Director of Corporate Services
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Grievance Policy HR-5.13 Version 2.0

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## **OSPREY GRIEVANCE POLICY STATEMENT**

***Osprey believe that effective and efficient people management is vital to the success of maintaining good quality services for all our tenants and provide value for money.***

We embrace quality people management and this is encompassed in our Core Values:

- **Ambition and Achievement** – we are a high performing organisation delivering through innovation and challenge
- **Equality and Respect** – we recognise and celebrate the unique value in everyone
- **Quality and Professionalism** – we strive to deliver high standards
- **Agile and Responsive** – we are flexible and quick to deal with change without diminishing our delivery

## **1. Introduction**

Grievances are concerns, problems or complaints you may have with regard to your employment with Osprey Housing e.g. concerning the job, working environment or any of your colleagues.

While you are employed with us, we want to make sure you feel comfortable that any issues or disputes you raise will be looked at and resolved wherever possible. We encourage you to raise your concerns immediately with your manager initially, and we will do our best to resolve the majority of these quickly, using an informal process. However, we know that sometimes a formal procedure may be needed when the informal process does not reach a satisfactory conclusion, or where, due to the nature of the grievance, an informal approach is not appropriate. This policy provides the details of both the informal and formal processes.

This policy applies to all Osprey team members.

## **2. Policy Aims**

The aims of this policy are:

- To provide a mechanism for addressing team member concerns in a fair and consistent manner.
- To make sure Osprey complies with our responsibilities within employment law and best practice.

## **3. Policy Principles**

### **3.1 You can expect Osprey to:**

- Listen to any concerns you raise either informally or formally and in line with the procedures set out below.
- Investigate your concerns, as we deem appropriate.
- Provide you with the opportunity for an appeal as part of the formal process.
- Ensure that no member of staff is penalised or victimised in any way for raising a genuine grievance.

### **3.2 We expect that you will:**

- Raise any concerns you have 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 your concerns are and how you would like to see them resolved.
- If you wish to raise a grievance formally, complete Osprey's grievance form and pass this to the appropriate manager.
- Co-operate and participate as required in any investigations we see fit.

- Start the process with the view of achieving an acceptable outcome for all concerned.

## 4. Procedure

### 4.1 Informal Process

We encourage all staff to raise any concerns with their line manager at as early a stage as possible. The manager will discuss the issues and any reasonable solutions with you. If you are unhappy with the outcome using this method, you will have the option of raising your concerns formally.

The informal process will be documented by the line manager dealing with the grievance. The line manager will notify the Director of Corporate Services of any informal grievances raised by staff members, detailing the issues and the resolution and a file note will be kept on their personal file.

### 4.2 Formal Process

The following rules apply for the formal grievance process:

- If you wish to raise a formal grievance, you must complete the grievance form (Appendix 1 at the end of this policy). If you do not complete the form and give it to your manager, we will not treat your complaint as a grievance.
- If your grievance is about your manager, you should present your grievance form to the Chief Executive.
- At all stages of the formal process you will have the right to be accompanied by a trade union representative or a workplace colleague of your choice. Your chosen companion may, if you wish, present and summarise your case, and confer with you during any grievance hearing. However, your companion does not have the right to answer questions on your behalf.
- We will not make any changes connected to your complaint until it is resolved, the procedure is exhausted, or you do not wish to pursue the matter further.
- If your concerns relate to or involve a manager, your complaint will be dealt with at the level above the manager involved.

### 4.3 Stage 1

If you have not been able to resolve the matter informally, you should raise the matter in writing. All Stage 1 Formal Grievances should be submitted using the grievance form (Appendix 1) and this should be given to your manager.

The only exception to this is if your complaint is about your line manager, in which case, your complaint should be presented to the Director of Corporate Services or the Chief Executive.

We will write and invite you to a meeting within 7 calendar days (where possible) to discuss your concerns. Any extended date will be agreed with you in advance. The meeting will be held by the appropriate manager, with a representative of Corporate

Services team present. At the meeting, we will hear your concerns and ask what your proposed solution is.

Following the grievance hearing, we will write to you within 7 calendar days with the outcome, and details of how to appeal the decision if you are unhappy with it. If further investigation is required as a result of your grievance, this will be promptly instigated (see below).

#### **4.4 Investigation**

After we have heard your concerns at the grievance hearing, an appropriate investigation will, if necessary, take place based on the information you have provided.

Following the grievance hearing, the manager should - if necessary - instigate an investigation promptly and objectively. The investigation should be carried out by an appropriate manager, a member of the Corporate Services team or an external consultant. The outcomes of any investigation should be written into a structured report format and submitted to the manager hearing the grievance.

Once the investigation has been concluded, there could be a variety of outcomes including:

- There is no evidence to uphold the grievance
- The evidence suggests that an informal discussion should take place with another member of staff whose behaviour or actions have contributed to the problem
- There is evidence that provides grounds to instigate disciplinary or other formal action against another member of staff
- Action is required on an organisational basis to resolve the grievance.

The manager hearing the grievance will take into account the new information along with that previously presented to come to a decision regarding the outcome of your grievance.

#### **4.5 Outcome**

The outcome of your grievance will be one of the following:

- Your concerns have been upheld
- Some of your concerns have been upheld, and others have not.
- Your concerns have not been upheld.

Where it is possible, we will give you the reason/s why any decisions have been made. This does not mean you will automatically have access to the investigation nor any witness statements that we have taken. Osprey takes confidentiality of all our team members very seriously and must ensure that we comply with Data Protection requirements.

As a result, only information concerning you which does not breach the confidentiality of others will be made available to you. If we take action against one of your colleagues as a result of your complaint, you will not have any right to be informed about this.

#### **4.6 Stage 2 – Appeal**

Where you feel that your grievance has not been satisfactorily resolved during Stage 1, you can appeal the outcome by proceeding to Stage 2 of the process. You should submit your appeal in writing, including the grounds for your appeal, within 7 calendar days of receiving the outcome of the Stage 1 process.

We will write to you and invite you to a meeting within 7 calendar days where possible). Any extended timescale will be agreed with you in advance.

The appeal will be heard by the chief executive or by another manager who was not previously involved in the case. Your grounds for appeal will be heard at this meeting and you will be asked what your proposed solution is.

Note that the purpose of an appeal is not to rehear all the facts of the case, but rather to consider why you believe that your grievance has not been dealt with in an appropriate or fair manner at stage 1, or that the outcome is inappropriate or unfair.

The outcome of the appeal will be communicated to you in writing within 7 calendar days of the date the meeting was held. A decision made at this level will be final, there will be no further right of appeal.

#### **4.7 Support and Counselling**

All team members have access to a free counselling service through Westfield Health. Any staff members involved in raising concerns or who have allegations made against them should be recommended to use this service to support them through the process.

#### **4.8 Mediation**

The use of a mediation process to assist with the resolution of grievance issues, particularly those that may involve disciplinary action should be considered. Mediation is a voluntary process where the mediator helps two (or more) people in dispute to find a solution to the issue they can both agree to. Mediation is most likely to be successful where both parties understand what mediation involves, where they enter into the process voluntarily and where they are actively seeking to improve or repair a working relationship.

#### **4.9 Grievances raised after Employment has Ended**

If you raise a grievance after your employment has ended, we will consider it and respond to you in writing (without holding a meeting) within 14 calendar days. This written response will be final and we will not enter into any further correspondence with you about the matters raised.

#### **4.10 Collective Grievances**

A collective grievance is a complaint about an issue which affects all staff or a group of staff in the same way, e.g. a change to a working practice, or working hours. If you wish to raise a collective grievance this should be at Stage 2 of the formal process using the same form and procedure and each person should complete a form.

#### **4.11 Malicious Allegations**

If the outcome of a grievance investigation is that malicious or false allegations have been made, this will be regarded as a breach of our Code Of Conduct. Any person found to be making false or malicious allegations will be dealt with through Osprey's disciplinary procedure, which may result in dismissal.

### **5. Equality & Diversity**

Osprey shall strive to ensure equality of opportunity, and by definition, that all individuals are treated fairly regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Osprey opposes, and shall adopt a zero tolerance stance towards, all forms of unlawful discrimination, harassment and victimisation.

In this regard, Osprey acknowledges the protected characteristics and types of unlawful behaviour defined within the Equality Act 2010. As a minimum all practices shall aim to ensure compliance with the legislative provisions therein.

### **6. Monitoring & Reporting**

We will monitor this policy in conjunction with our other policies and procedures to ensure that it is being adhered to.

### **7. Review**

This policy will be reviewed every 3 years unless the following criteria dictate that it would be best practise to review sooner:

1. applicable legislation, rules, regulations and guidance, both those which affect Osprey directly and those which affect the resources available to significant numbers of our customers to enable them to sustain tenancies
2. changes in the organisation
3. continued best practice

**Appendix 1**  
**Osprey Housing Group Grievance Form**

If you wish to raise a formal grievance you must complete the following form and give it to your line manager (unless the complaint concerns your line manager, in which case you should give the completed form to the manager at the next level).

**Section 1 – About you**

Name	
Job Title	
Department/Section	
Line Manager	

**Section 2 – What is your complaint?**

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

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Signature	
Name (Printed)	
Date	

Office Use Only	
Signature of Manager receiving form	
Name (Printed)	
Date	
Date of Meeting held to hear Grievance	
Attendees at Grievance meeting	
Date Outcome letter issued to staff member	

## Appendix 2

<p><b>Osprey Housing</b> <b>Equality Impact Assessment Tool</b> <b>PLEASE READ THE GUIDANCE FOR COMPLETION: <u>Equality Impact Assessment Guidance.doc</u></b></p>		
Name of the <b>policy / project proposal</b> to be assessed	Grievance Policy HR 5.13	Is this a <b>new policy / proposal or a revision?</b>
Person(s) responsible for the assessment	DCS	
<b>1.</b> Briefly describe the <b>aims, objectives and purpose</b> of the policy/proposal	The Grievance Policy outlines the arrangements for Osprey team members who wish to raise a grievance.	
<b>2. Who is intended to benefit</b> from the policy/proposal? ( <i>e.g. applicants, tenants, staff, contractors</i> )	Osprey team members	
<b>3. What outcomes are wanted</b> from this policy/proposal? ( <i>e.g. the benefits to customers</i> )	A fair process to resolve issues/concerns that are raised by our team	

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

X Age      X Disability      X Marriage & civil partnership      X Pregnancy/maternity  
X Race      X Religion or belief      X Sex      X Gender reassignment      X 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.**

	<b>Positive impact(s)</b>	<b>Negative impact(s)</b>
<b>6. Describe the <b>likely positive or negative impact(s)</b> the policy/proposal could have on the groups identified in part 4</b>	Allows team members to resolve issues which may be based on their protected characteristics	Decisions on grievances may be inappropriately influenced by individual's protected characteristics through unconscious bias.
<b>7. What <b>actions</b> are <b>required</b> to address the impacts arising from this assessment? (This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).</b>	SLT members have been made aware of unconscious bias and how to mitigate it.	

Signed: \_\_\_\_\_ Clare Ruxton \_\_\_\_\_ (Job title): \_\_\_\_\_ Director of Corporate Services \_\_\_\_\_  
Date the Equality Impact Assessment was completed: \_\_\_\_\_ 22 September 2023 \_\_\_\_\_