



Grievance Procedure

1. Introduction

In accordance with the Grievance Policy, this procedure outlines how you may raise any concerns you may have in relation to your work, your working environment or working relations with employees and managers.

The procedure also explains how Hanover (Scotland) will deal with your grievance.

Appendix A explains the steps that will be taken should you be the subject of a grievance, as well as the support you can expect.

Accompanying both the policy and this procedure is a grievance process flowchart, a formal notification of grievance form and management guidance, all of which can be found at the end of this document.

2. Informal Stage

As outlined in the policy, Hanover (Scotland) Housing Association believe that the majority of issues or misunderstandings at work will be able to be addressed informally. We accept that discussing a problem with another employee can sometimes be difficult but in doing so, resolutions can often be achieved sooner than any formal process.

In the first instance, you are encouraged to discuss any issues or concerns with your manager. If you feel it would be inappropriate to raise the matter with your manager, you should raise the concern with the next manager in the structure.

You will then meet with the appropriate manager as soon as is reasonably practicable to establish the concern(s) and actively seek a resolution to the problem. All parties involved are encouraged to maintain a culture of good communication, openness and a willingness to co-operate and listen during discussions, and to do so in line with our values.

3. Facilitated Discussion and Mediation

It may be appropriate for the matter to be dealt with by way of facilitated discussion or mediation, depending on the nature of the grievance. Such methods can be especially beneficial in problems associated with working relationships.

This would involve the appointment of a facilitator or mediator, who will be identified following discussion with Human Resources. The mediator will discuss the issues raised in the grievance with agreement from all parties involved and seek to facilitate

a resolution. The use of an internal or external mediator will be sourced by Human Resources.

4. Formal Stage

In the event that you are not satisfied that your complaint has been resolved by informal methods, you can raise a formal grievance.

4.1 Raising a Grievance

To submit a formal grievance, you should send this in writing to your manager using the form at Appendix B. As with the informal stage, if you feel it would be inappropriate to raise the matter with your manager because it relates to their actions, decisions, approach or behaviour, you should send it to the next manager in the structure. If you have any concerns about this, contact a People Partner or another member of the HR Team. Another appropriate manager may be appointed by HR as appropriate to the circumstances and/or resources available.

A formal grievance should clearly set out the matter of concern focusing on the facts - with references (where relevant and possible) to dates, times and places - and, the desired outcome or solution. The statement should also outline what attempts have been taken to resolve the issue and why they have proved unsuccessful. If relevant the names of any witness(es) to the incident(s) should also be included.

Managers are responsible for responding to formal grievances. Managers should contact a People Partner upon receipt of a formal grievance and seek advice from HR at all stages of the formal process. The People Partner will participate in all formal meetings, hearings and appeals.

Additionally, the Association reserves the right to engage external third-party assistance at any stage of the grievance process.

4.2 Arranging the Grievance Meeting

The manager hearing the grievance will arrange a formal grievance meeting as soon as possible and where practical, in line with the timescales noted below. An acknowledgement with confirmation of arrangements for a grievance meeting will be advised in writing, normally within three working days of receipt of your grievance. The aim is to hold a meeting within 8 working days of receipt of the grievance. This timescale may be extended in order to arrange appropriate management representation.

4.3 The Grievance Meeting

At the grievance meeting, you (or the person accompanying you) will have the opportunity to outline the grievance and state how you would like it to be resolved.

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You should take any documents or evidence you have regarding the grievance to the meeting.

The manager will consider your grievance, taking all circumstances into account and where appropriate, undertake any necessary investigations. This may involve holding investigation meetings with witnesses, requiring witness statements to be produced and reviewing written evidence to check records and clarify facts.

You have the right to be accompanied by a colleague or trade union official to a formal grievance meeting. Further information regarding this can be found in Section 4.6. An HR representative will also be present at the meeting to take notes and record any agreed actions. You will be provided with a copy of the notes following the conclusion of the meeting.

In order for the Association to support you and thoroughly look into your concerns, it is important that you take all reasonable steps to attend the grievance meeting. Where you fail to attend the original or a rearranged meeting, a decision on the grievance may be taken without the benefit of the meeting and based on the written grievance submitted. We do, however, hope that your decision to submit a grievance is a commitment to being open to the process, in line with our values.

4.4 *Decision and Outcome*

After the initial meeting and having considered or undertaken any necessary investigation, the manager will decide the outcome of the grievance, including whether all or part of the complaint was upheld, the reasons for this, and recommend what action, if any, needs to be taken to address the grievance.

You will be notified of the manager's decision, in writing, within 10 working days where reasonably practicable. There may be extenuating circumstances that are outside of either parties' control, for example, where a key witness is unavailable or the grievance requires extensive investigation. Where it is not reasonably practicable to adhere to the deadlines, both parties will discuss and agree on any extension to the timelines.

The employee will be informed of their right of appeal.

It is important to know that this process has been designed to support our employees in line with our values, and should you make a complaint in good faith, you will not suffer any detriment even if the grievance is not substantiated. Where an employee raises a grievance that is frivolous or vexatious or any person involved gives deliberately misleading statements, they may be subject to disciplinary action.

4.5 *Right of Appeal*

If you are not satisfied with the outcome of the grievance meeting due to the reasons outlined, you have the right of appeal which should be made within 5 working days to the contact noted in the grievance outcome letter.

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The reasons accepted for appeal are as follows:

- The procedure was not followed in a fair way
- The outcome is unfair
- You have additional evidence

The appeal should be made in writing and clearly state the grounds of appeal, i.e., why you think the outcome is unfair or what part of the procedure was not followed. It should also include how the matter might be resolved.

An appeal manager will be appointed and normally arrange a grievance appeal meeting within 8 working days of receipt of the notice of appeal. It is important that you take all reasonable steps to attend the grievance meeting. The appeal manager will consider the additional information provided within the appeal, taking all circumstances into account and where appropriate speaking to other relevant people. The appeal manager will inform you of their decision, in writing, normally within 5 working days including any proposed action.

The appeal manager's decision will be final. Following this, any further grievance would have to be based on new information or circumstances which were not part of the original grievance.

4.6 *Right to be Accompanied*

You have the right to be accompanied at all stages of the formal grievance process, at the discretion of the Association. Before any hearing takes place, you should notify the People Partner of the name, status and contact details of your companion.

A companion can be either a Hanover (Scotland) employee or a full-time official of a trade union, so long as they have been reasonably certified in writing by their union as having experience of, or as having received training in, acting as a employee's companion at grievance meetings.

Where possible, the companion will be consulted about a suitable date and time for the hearing. If the companion cannot attend on the proposed date, you can suggest an alternative suitable date so long as it is reasonable and it is not more than five working days after the original date.

In certain circumstances, an alternative companion, other than those noted above, may be approved to accompany you at a grievance meeting. You should request and discuss this with the People Partner before the formal meeting and have approval that, as a reasonable adjustment, the suggested companion is acceptable.

In all cases, the companion should not be someone who may have a conflict of interest or who may prejudice the hearing. As these are internal proceedings, it would not normally be acceptable for legal representation at grievance meetings.

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4.7 *Grievance Procedure for the Chief Executive and Directors*

Directors may raise both informal and formal grievances with the Chief Executive as per the process outlined in Sections 3 and 4. Should the complaint relate to the actions of the Chief Executive, the grievance should be referred in writing, to the Chairperson of the Association.

Should the Director be dissatisfied with the grievance outcome decision made by the Chief Executive, they should appeal, in writing, to the Chairperson of the Association within the timescales outlined in Section 4.5.

Where the Chief Executive raises a grievance, and the matter cannot be resolved informally by the Chairperson of the Association, the matter should be referred to the Chairperson of the HR Committee, in accordance with Section 4. The Chairperson will then appoint a Committee member to hear the grievance.

Should the Chief Executive remain dissatisfied with the decision made by the nominated member, the grievance should be appealed, in writing, to the Chairperson of the Association, within the timescales outlined in Section 4.5.

Normally within 10 working days of receiving the appeal, the Chairperson of the Association will arrange an appeal meeting to be chaired by them and one other Committee member (excluding those members involved in the previous stage). Following this meeting the Chairperson will, normally within 5 working days, provide the Chief Executive with a written decision on the matter.

Whilst every effort will be made to progress matters without delay, the involvement of senior managers and Board Members may lead to slightly longer timescales than those set out in this procedure.

The right is reserved to make use of independent advice and support where appropriate.

5. Support

5.1 *Raising a Grievance*

If you find it difficult preparing to raise an issue informally or a written statement detailing the grievance and how it might be resolved, the notification of grievance form will help and guide you to outline the grievance. You can also seek help and support from a colleague (who should be asked to maintain confidentiality), trade union representative or clarification from a member of the HR Team.

Managers who are seeking to resolve the employee concern may seek HR support at the informal stage and must do so at the formal stage.

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5.2 *During the Process*

We also understand that being involved in a grievance, as the person raising the concern, a witness or the person whom the grievance is against, can be a difficult experience. Hanover (Scotland) will aim to signpost employees in this situation to appropriate sources of support, if required. Such support may include:

- Access or referral to our confidential counselling service
- ACAS helpline – 0300 123 1100
- Allocated People Partner to answer questions
- Wellbeing discussion

6. **Appendices**

Appendix A – Grievance Process Flowchart
Appendix B – Notification of Grievance Form
Appendix C – Manager Grievance Guidance
Appendix D – Mediation FAQs

7. **Related Policies and Procedures**

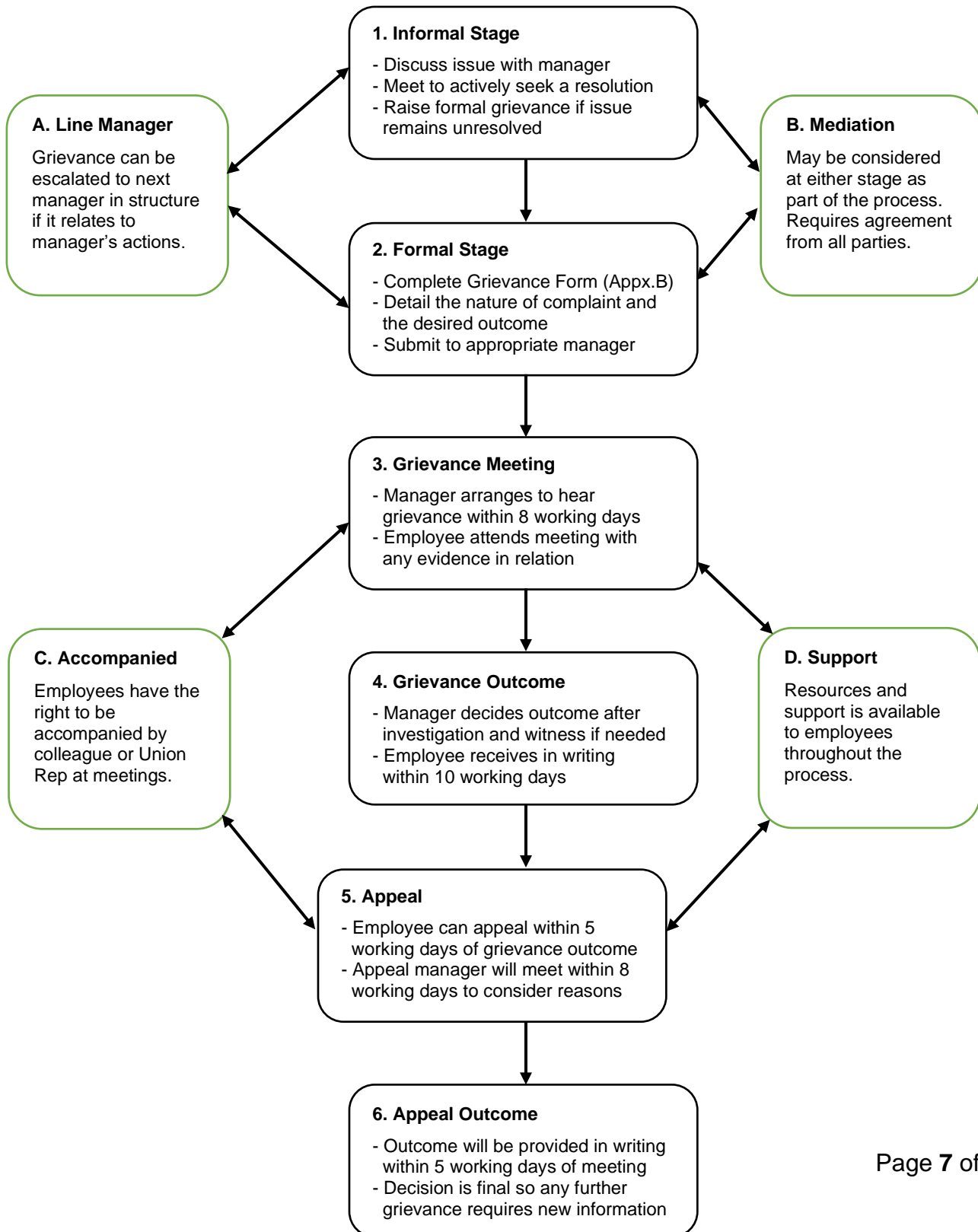
Grievance Policy
Disciplinary Policy and Procedure
Dignity at Work Policy and Procedure

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Author	Head of HR & OD
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Appendix A - Grievance Process Flowchart



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Appendix B - Formal Notification of Grievance Form

Employee Details	
Name:	Job Title:
Department:	Manager:

Informal Stage
<p><i>Please detail why you are unhappy with the informal response.</i></p>

Formal Stage
<p><i>Please explain the nature of your grievance below, including as much detail as possible regarding dates, times and people involved.</i></p>

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Outcome
<p><i>Please detail the outcome or resolution you are seeking.</i></p>

Acknowledgement	
I confirm I have read the Association's Grievance Policy and Procedure and submit this grievance in accordance with its provisions.	
Signature:	Date:

Please submit this form to your manager upon completion. If you feel that it would be inappropriate to raise the matter with your line because it relates to their actions, decisions, approach or behaviour, the form should be addressed to the next manager in the structure.



Appendix C- Manager Grievance Guidance

This document may be used by managers handling an employee grievance in conjunction with the Association's Grievance Policy and Procedure.

These guides are intended to support managers throughout the process, but it is also recommended that HR advice is sought where appropriate.

1. Manager Responsibility

Managers play a key role in preventing, handling and deciding the outcome of employee grievances. You are often the first point of contact for any issues or concerns raised in the workplace and therefore your actions can influence whether they progress beyond an informal stage.

As per the Grievance Policy and Procedure, managers are required to respond quickly to both informal and formal grievances and supervise the process until completion.

2. Preventing Grievances

The grievance process can be a challenging and stressful period of time for both the employee and you, the manager handling the issue. Therefore, it is often recommended that managers actively seek to avoid formal grievances from culminating. This may be achieved by demonstrating practices such as:

- Promoting Hanover (Scotland)'s culture of open and honest communication
- Developing a team culture of listening and seeking feedback from each other
- Having regular one-to-one meetings with employees to check in on their wellbeing
- Gaining employees' opinions on work-related matters or changes
- Remaining approachable to employees wishing to discuss confidential matters

3. Informal Stage

The first step of the Grievance process is for employees to raise the issue directly with their manager in a bid to resolve informally. You can expect to receive this complaint or concern either verbally or in writing. If received verbally, you should not insist that the employee puts it in writing at this stage.

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As per the Grievance Procedure, the manager receiving the complaint should organise to meet with the employee as soon as is reasonably practicable. At this meeting you should attempt to establish the nature of the concern of the individual, the main issues surrounding it and how the employee wishes to resolve the matter. It is also advised to take notes of this meeting as evidence that the complaint was captured and to demonstrate the willingness to find a suitable resolution.

During this conversation with the employee, it is important that you actively listen to their concerns. Try to use open-ended questions where possible to help gather key facts and summarise your understanding of the complaint to ensure accuracy.

Depending on the nature of the problem, you may be in a position to provide a full solution or part solution which the employee is satisfied with. If the grievance is relatively minor to that effect, being able to resolve it quickly will help build trust, and respect and possibly enhance your relationship with the individual. However, it is important that you take time to explore all avenues for a solution where necessary.

You may seek advice from your People Partner at any point during the informal stage should you require assistance.

4. Facilitated Discussion and Mediation

Following the meeting with the employee, you may find that a quick solution is not achievable depending on the nature of the complaint. One alternative to the formal procedure may be to consider the appropriateness of a facilitated discussion or a mediation process.

Mediation is more often utilised to resolve disagreements or conflicts around workplace relationships as opposed to other disputes such as pay or conditions. It can be highly effective in repairing the working relationship between two or more parties, particularly at an early stage in the grievance process. However, it can be used to complement formal procedures if all parties agree to pause the process.

Before suggesting a facilitated discussion or mediation between employees, you should consult with your People Partner to obtain advice. If it is recommended to progress, the HR representative will appoint either an internal or external mediator to oversee the process.

5. Formal Stage

If the grievance cannot be resolved by informal discussion or mediation, employees may raise a formal grievance by submitting the completed 'Formal Notification of Grievance Form' (Grievance Procedure – Appendix B). The information provided on the form should clearly set out the nature of the grievance, the main concerns of the individual and a suggested way forward, including the remedy sought.

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If you, as the manager, handled the informal grievance, you can still handle the formal process however, it is advised to seek advice from HR regarding this. It may be decided that the formal grievance is escalated to the next manager in the structure, in which case the following guides still apply.

Upon receipt of the Formal Notification of Grievance Form, it is critical that you engage with your People Partner at the earliest opportunity. The formal process has relatively short timescales, as noted in the Grievance Procedure, and so your People Partner will help you prepare for the next stage in the process.

5.1 *Conducting A Grievance Meeting*

As per the Procedure, you are required to respond to a formal grievance within 3 working days of receipt of the form. This acknowledgement will be prepared by HR and out the arrangements for a meeting to hear the grievance raised by the employee. The aim is to hold the meeting within 8 working days of receipt and so it is vital that the process is prioritised by you, as the manager involved. Any delay in tackling or resolving a grievance will only add to the stress of the employee and may make matters worse.

As with an informal meeting, the purpose of a formal grievance meeting will normally be to establish the facts about the employee's grievance and determine what action can reasonably be taken to resolve it. However, as it becomes a formal process, the meeting at this stage will typically follow an order of proceedings. Your People Partner can work with you in preparation for the hearing but the following guides are considered best practices with ACAS:

- At the start of the meeting, you should introduce the meeting, explain its purpose and how it will be conducted. You can also introduce all present parties and explain their role in the meeting – Hearing Manager; HR Representative; Employee; Employee Representative (Colleague or Trade Union Rep)
- Confirm that the meeting is taking place in with the Association's Grievance Procedure and as such, HR will take minutes of the meeting
- Invite the employee to state their case; i.e. the circumstances that have led to the grievance, the nature of the grievance and why they feel aggrieved. The employee may do this personally, or the employee's representative may do this on their behalf.
- You may ask the employee questions about the circumstances of the grievance in order to establish all the relevant facts, background and surrounding circumstances. The employee is invited to provide any evidence or documentation of their claim at this stage.

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- Distinguish between matters of fact and matters that represent an opinion about the issue from the employee. Don't be afraid to point out and question any discrepancies or to challenge what the employee is saying.
- Once all the evidence has been heard, you should summarise what has been discussed to confirm understanding and desired outcomes.
- You may adjourn the meeting at any point if it appears necessary or desirable to do so, including for the purpose of gathering further information or investigating any allegations made.
- Inform the employee of when a decision will be made about what, if any, action will be taken to resolve or otherwise deal with the grievance. Notify the employee that they may appeal such decision if they are not satisfied with the outcome, as outd in the Grievance Procedure.

5.2 *Carrying out Investigations*

Following the grievance meeting, which you may have adjourned, you will be required to consider whether there is a need to investigate the matter further or gain additional information before deciding upon the outcome.

Investigations can range from additional enquires being made by the manager through to an investigator being appointed to carry out an investigation. It is not therefore possible to prescribe exactly how an investigation should be carried out. The nature will depend upon the matters being investigated and the information available at the start of any such information gathering exercise.

Should you decide that it is appropriate to gather further information, you should do so by ensuring it is a thorough and impartial exercise where you remain open-minded at all times throughout the process. Key points to consider:

- Who else do I need to speak to aside from the complainant and why?
- What other Association policies and procedures may be relevant to the concerns expressed?
- What other documentation may assist with the investigation and where might I obtain it?

5.3 *Interviewing Witnesses*

As part of the process of information gathering into a grievance, it may be necessary for other employees and managers to be interviewed. Your People Partner can again support you during this part in the process but key points to consider prior to interviewing include:

- Preparing a list of questions in advance of each interview

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- Presenting the facts of the employee's complaint objectively without embellishment and ask for comment
- Pointing out and questioning any discrepancies in the evidence.

Witness statements are factual statements obtained from people who have relevant knowledge of an alleged incident or event. They are usually developed from notes taken at a meeting with the witness, and all statements should be dated and signed

at the bottom of each page by the witness. A copy of any such statements should be given to the employee, although they can exceptionally be anonymised where this is practicable and is considered necessary in order to protect a witness.

6. Outcome

Once the grievance has been investigated, where necessary, and conclusions drawn, it is time to inform the employee of the outcome of their grievance.

As the manager, you decide the outcome based on all of the information gathered. You may reject the grievance or may uphold the whole or parts of it. It is also your responsibility to set out what steps have been or should be taken to resolve the grievance.

Once you have decided what action to take, you must inform the parties to the grievance in writing of your decision. This should be communicated within 10 days of the initial grievance meeting where possible. HR will assist you with the outcome letter.

7. Appeal

Included in the outcome letter will be clarification on the employee's right of appeal if they feel unsatisfied regarding the solution to their problem.

Should an appeal be received, HR will be involved in appointing a manager to hear the grievance, which will be a more senior employee who was not involved in the original process. The manager appointed is required to organise an appeal hearing within 8 days of receipt of the employee's appeal.

Once the appeal stage has been exhausted, the employee should be informed clearly that the grievance procedure is at an end and that there is no further right of appeal. The matter will be closed irrespective of whether the employee accepts the outcome.



Appendix D - Mediation- Frequently Asked Questions

Mediation Frequently Asked Questions

What is Mediation?

Mediation is a process that involves an independent impartial person, the mediator, helping two or more individuals or groups reach a solution that's acceptable to everyone. Mediation may be used for most kinds of disputes and it can be used at any stage in a dispute but is known to be most effective if used early on.

How will mediation work?

The process will be explained to you in advance of the meeting and again at the start of the mediation meeting. You will have the opportunity to ask any questions about the process if you are unsure.

What does the Mediator Do?

The mediator will decide the best way to carry out the mediation, they will usually start by talking to the people involved in the dispute or disagreement separately and then, later on, talk with everyone together.

Why do I have to get involved when it is not my fault?

The mediation process is voluntary and will only go ahead if both parties agree to it. Taking part in mediation does not mean that blame has been attributed to either party.

Won't the mediator have bias?

The mediator is impartial and is only involved to facilitate discussion to enable you both to agree a solution.

Does the mediator have any authority?

The solution requires to be workable and practical. The mediator cannot influence resources or management structures therefore the solution identified should be practical within current working arrangements.

Will it work?

Both parties have to make a commitment to be involved and the outcome has to suit you both.

Will I be able to explain my side of things?

Both parties will have the chance to explain what the issues are.

What if I'm not comfortable with the way the meeting is going?

The mediator controls the meeting and will make sure the ground rules are adhered to, however you can call for a recess at any time.

What if I would prefer a more formal process?

Mediation does not stop you from taking out a formal complaint if you are not happy with the outcome.

Is mediation a waste of time?

It could save time if you are able to reach a solution without having to resort to a more formal route.

Can I bring someone with me?

As a general rule the agreement must be between two parties. However, depending on exceptional circumstances it may be appropriate to discuss being accompanied.

What if the mediator does not understand the issue?

He/she does not have to as the solution comes from you.

Is the process confidential?

Yes both parties will sign up on this basis. However, if there is any suggestion of illegality (e.g. child protection issue) the mediator will bring the session to a close and will advise that he/she may have to inform appropriate bodies.

What will my manager find out about the discussions?

Your manager will be made aware of the arrangements to allow time off for mediation. However, they will not be aware of the discussions that take place in the mediation meeting. There is the

opportunity for both parties to agree at mediation if some element of the agreement should be shared with your manager.