



# GRIEVANCE POLICY

Issued by the Senior Director of Risk and Compliance  
Approved by the Board, Jan 2022



## GRIEVANCE POLICY

### PURPOSE AND OBJECTIVE

Five Holdings is committed to providing a safe, harmonious, and productive work environment where Grievances are dealt with fairly, sensitively, and promptly. An essential part of developing this environment is ensuring that Colleagues can raise a Grievance where necessary, knowing that their manager/supervisor will take appropriate action to address it.

The Company recognizes the right of Colleagues to express their Grievances and to seek a solution concerning disagreements arising from working relationships, working conditions, treatment, employment practices or differences of interpretation of policy which may arise.

Grievances arising within the Company or about the Company's processes shall be dealt with efficiently and in a fair and just manner for all parties involved.

### APPLICABILITY

This policy applies to all colleagues of FIVE Holdings and its related group entities.

### GUIDELINES

- 1.1 The purpose of this policy is to establish a framework for resolving Grievances that a Colleague might have concerning their employment with the Company. Individual Grievances will be dealt with in accordance with this procedure.
- 1.2 The primary aim of the procedure is to arrive at a mutually satisfactory solution to the Grievance as quickly as possible. In this context, the Colleague is encouraged to deal with problems informally in the first instance.
- 1.3 This Grievance procedure is for guidance only and does not form part of the Colleague's contract of employment.
- 1.4 This procedure applies to all Colleagues regardless of length of service. It does not apply to agency workers or self-employed contractors. The Company is not obliged to follow a Grievance procedure regarding Grievances raised by ex-employees but may, in its discretion, decide it is appropriate to follow the Grievance procedure. Grievances raised by ex-employees will be dealt with on a case-by-case basis.
- 2 Principles
  - 2.1 Any steps under this procedure should be taken promptly unless there is a good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so, with the Colleague being duly notified.
  - 2.2 The Company will investigate the Colleague's Grievance and hold a meeting with the Colleague to allow them to put their case before any decision is made regarding their Grievance.
  - 2.3 A Colleague may seek advice and/or counselling from HR before invoking or at any stage of the Grievance procedure. If English is not the Colleague's first language and they are finding it difficult to express their complaint in writing, the Company would encourage the colleague to seek advice from a work Colleague or HR.
  - 2.4 All Grievances must be dealt with in conjunction and in consultation with HR.

# FIVE ►

- 2.5 A Grievance meeting is not the same as a disciplinary hearing, and is an occasion when discussion and dialogue may lead to an amicable solution.
- 2.6 Records should be kept detailing the nature of any Grievance raised, the manager's response, any action taken and the reason for it.
- 2.7 If the Colleague has difficulty at any stage of the Grievance procedure because of a disability, language difficulty or inability to understand, he/she should ask their HR contact for assistance.
- 2.8 Grievance Meetings:
- (a) All formal meetings with Colleagues should be minuted. Where possible someone who is not involved in the case should attend to record the minutes of the meeting and act as a witness to what was said. These records will be kept confidential and retained in accordance with Company policy. Copies of any meeting minutes should be given to the Colleague, although in certain circumstances some information may be withheld, for example to protect a witness.
  - (b) A Colleague will have the right to be accompanied by a companion. This Companion may be present to put the Colleague's case, sum up the Colleague's case and to respond on the Colleague's behalf to any view expressed in the meeting. However, the Companion cannot answer questions on the Colleague's behalf, and will not be able to give his/her opinion on the matter nor be permitted to interrupt the proceedings. The Colleague has the right to confer with their Companion in private at any time during the meeting. In some circumstances the Colleague's choice of Companion may not be allowed, for example anyone whose presence may prejudice the meeting or who might have a conflict of interest or cause unreasonable delay to the meeting being held.
- 2.9 If investigation and action taken to resolve a Grievance is prolonged, follow up with the Colleague should happen every 2 weeks and where possible, this should be face to face.
- 2.10 This Grievance procedure should not be used to complain about disciplinary action that the Company has taken or is proposing to take against a Colleague. If the Colleague is dissatisfied with any disciplinary action, the Colleague should submit an appeal under the disciplinary procedure. However, if the Colleague believes that disciplinary action has been or is being taken against them for a reason which does not relate to their conduct or capability or for a reason which is discriminatory; the Colleague should submit a Grievance in writing to their HR contact. If the Company receives the Colleague's Grievance after a disciplinary decision but before any disciplinary appeal hearing takes place, the Company may decide to deal with the Colleague's Grievance at the appeal hearing. In any other case, the disciplinary procedure should be suspended while the Grievance is dealt with. In some cases, it may be appropriate to run the disciplinary procedure and Grievance procedure in parallel.
- 2.11 Should it be found that a Grievance has been raised through malicious intent and with no substance; disciplinary action may be taken against the Colleague.
- 2.12 Where a Grievance confirms that actions taken by another Colleague contravene the Company's Conduct or Performance requirements, disciplinary action may be taken against that Colleague.
- 2.13 Anonymous complaints to the Company cannot be verified, but will be investigated where this is feasibly possible.

## 3 Stages of the Procedure

Subject to the principles set out in provision 2 above, the following steps apply to the Grievance procedure:

### 3.1 Informal Discussions

# FIVE ►

Where possible, the colleague should first discuss his/her concerns informally with his/her immediate line manager, who is often in the best position to help. However, there may be circumstances where the colleague feels unable to approach their line manager, for example, because the complaint concerns him or her, and in these instances the colleague should speak informally to a different manager or to HR.

The line manager/other manager/HR will discuss the colleague's concerns with them, and should seek to address them within 7 calendar days. If, for any reason, the resolution is likely to take longer to address, this should be communicated to the Colleague.

## 3.2 Formal Grievance Meeting with Another Manager

When informal attempts to resolve the problem have failed or the Colleague wishes to invoke the formal procedure, a formal Grievance must be raised.

### 3.2.1 Raising the Grievance

The Colleague should lodge the Grievance by setting out clearly in writing the exact nature of the complaint or problem. When stating their Grievance, Colleagues should stick to the facts and avoid language which may be considered insulting or abusive. The written Grievance should indicate that the Colleague wishes to commence the Grievance procedure and should contain a brief description of the reason for the complaint including any relevant facts, dates and names of witnesses or individuals involved, and including any evidence. In addition, previous attempts at resolving the Grievance should be included.

This must be presented to the Colleague's line manager, or another manager who is not the subject of the Grievance, or to HR. Where the Grievance has been raised with a manager, the manager must inform and involve HR.

In some situations, the Company may need to ask the Colleague to clarify the subject matter of their Grievance in advance of the meeting or to provide further information.

It is important to note that a Grievance cannot be raised via electronic media, social or other networking sites.

In situations where an ex-colleague raises a Grievance, this must be channeled through HR.

### 3.2.2 Acknowledging receipt of the Grievance

The manager or another related manager having received the Grievance must acknowledge receipt of the Grievance.

### 3.2.3 Grievance Meeting

The Colleague will be invited to a Grievance meeting which should normally take place no more than 7 calendar working days after the Company receives the written Grievance. If, for any reason, the meeting will take longer to arrange, this will be communicated to the Colleague. The purpose of the initial Grievance meeting is to enable the Colleague to explain his/her Grievance, how he/she thinks it should be resolved, and to discuss it with the Company.

The Colleague has the right to be accompanied at the Grievance meeting.

The Colleague must take all reasonable steps to attend the Grievance meeting. If the Colleague's chosen Companion is not available at the time and date set for the meeting, the Company may postpone the time and date to another reasonable time or date within 7 calendar days of the original meeting.

After the initial Grievance meeting, the Company may carry out such further investigations and/or hold such further Grievance meetings as it considers appropriate to establish the facts of the case. Where this is the case, the Colleague should be informed of the timescale in which the investigation will be conducted.

It is generally good practice to adjourn a meeting before a decision is taken about how to deal with a Colleague's Grievance. This allows time for reflection and proper consideration.

### 3.2.4 Grievance Meeting Decision

# FIVE ►

A decision will not be determined until the colleague has had an opportunity to meet with the Company to explain his/her Grievance and how he/she thinks it should be resolved.

The Colleague will be notified of the decision concerning the Grievance usually within 7 calendar days of the meeting. If this is not possible, the colleague will be given an explanation in writing for the delay within those 7 calendar days and told when a response can be expected.

The decision should be communicated in writing, setting out what action the Company intends to take to resolve the Grievance, and the colleague's right of appeal. Where the Colleague's Grievance has not been upheld, the reasons should be carefully explained. It is good practice to communicate the decision/action taken in a face-to-face meeting with the Colleague as well as in writing.

Should the Colleague be dissatisfied with the action taken, he/she may appeal as per the process - "3.3. Appealing the decision".

## 3.3 Appealing the decision

If the Colleague is not satisfied with the outcome of the meeting, he/she may appeal and raise the matter as per the Reporting Channels

### 3.3.1 Raising the Appeal

An appeal must be made to HR, in writing, within 7 calendar days of receiving the Grievance meeting decision. An appeal must contain specific objections to the decision made.

### 3.3.2 Appeal Meeting with Senior Management

The appropriate level of manager will depend on the issues and severity of the Grievance, limited to one level above the person making the initial decision. The appeal should be dealt with impartially and wherever possible by a manager who has not previously been involved in the case.

The Colleague will be invited to attend an appeal meeting and given the opportunity to state his/her case at that meeting (usually within 7 calendar days of the Company receiving the Colleague's written request).

The Colleague must take all reasonable steps to attend the appeal meeting. At the meeting the Colleague has the right to be accompanied. If the Colleague's chosen Companion is not available at the time and date set for the appeal meeting, the Company may postpone the time and date to another reasonable time and date within 7 calendar days of the original meeting.

The Company's representatives hearing the appeal have the right to confirm, change or revoke the initial decision.

The Colleague will be notified of the decision concerning the Grievance usually within 7 calendar days of the appeal meeting. If this is not possible, the Colleague will be explained the delay within those 7 calendar days and told when a response can be expected.

## 3.4 The decision made at the Appeal stage is final.

## 3.5 Collective Grievances

If you and another employee (or more than two of you) have identical grievances and you all wish to have it addressed in one grievance process, you can raise a collective grievance.

A written complaint should be headed "Formal collective grievance" and must be submitted in one document and must clearly identify and be signed by each employee raising collective grievance. You and your colleagues will need to nominate one of you to act on behalf of all of you throughout the grievance process. If you and your colleagues are all members of the same trade union, your trade union representative may raise the collective grievance on your behalf. If you, or any of your colleagues, are not satisfied with the outcome of your collective grievance, you may submit a formal appeal and it should be headed "Formal collective appeal".

You will be invited to attend one collective grievance appeal meeting, if you have been appointed to be the nominated representative and will be entitled to be accompanied by a fellow employee or a trade union official.

# FIVE ►

Following the appeal meeting, there will be one identical outcome and your nominated representative will be notified of the outcome in writing

## 3.6 Disciplinary Procedures

If we have any concerns about your conduct, we will usually attempt to talk to you about this on an informal basis.

We will follow a formal disciplinary procedure where an informal approach is unsuccessful, or the allegations are so serious that an informal approach is inappropriate.

### 3.6.1. Mediation

Depending on the nature of the alleged conduct, we may suggest mediation to try to resolve it. This involves the appointment of a third-party mediator, who will discuss your alleged conduct with everyone involved and seek to facilitate a resolution. We will use mediation only where you, and the other individuals involved in the disciplinary issue, agree to do so.

### 3.6.2. Conduct and behaviour

#### *Gross misconduct*

Gross misconduct is conduct that is so serious that it justifies dismissal without notice or payment in lieu of notice

### 3.6.3. Examples of gross misconduct include (but are not limited to)

- theft and dishonesty;
- physical violence;
- serious instances of bullying or harassment (whether it takes place in person or online);
- acts of discrimination against fellow staff members, clients or customers;
- deliberate damage to company property;
- any conduct that negatively affects our reputation;
- unauthorised disclosure of confidential information;
- serious breach of our rules, including, but not restricted to, health and safety rules and rules on computer use;
- consuming alcohol or unlawful drugs during working hours or in the workplace;
- smoking (including the use of e-cigarettes) in any unauthorised area;
- unauthorised use of computer equipment;
- misuse of company passwords or log-in details;
- deliberate breach of procedures on the handling of personal data;
- deliberate refusal to follow reasonable instructions;
- accessing obscene or pornographic material while at work or on equipment that we provide
- breach of cash-handling procedures;
- falsifying time sheets;
- breach of clock-in procedures;
- breach of requirements relating to safeguarding of children or vulnerable adults;
- deliberate breach of professional standards relevant to your employment; and
- offering or accepting a bribe (within the meaning of the Bribery Act 2010).

When an allegation of misconduct which cannot be resolved informally is made against you, the allegation details will be explained to you by your line manager in writing along with a copy of disciplinary procedure.

In some cases, it may be appropriate to suspend you from work for a temporary period while the disciplinary matter is dealt with. Any period of suspension will be regularly reviewed, kept as short as possible and will be on a fully paid basis.

### 3.6.4. Procedures

# FIVE ►

## 3.6.4.1. Investigation

The allegations made are carefully investigated for sufficient evidences. The person appointed to conduct investigation will talk to you at early stage to hear your response.

The investigation also includes the examination of documents, emails and other forms of electronic communication.

Once the investigation is complete, it is decided whether to proceed to a formal disciplinary meeting or the matter can be resolved informally.

## 3.6.4.2. Hearing and Disciplinary Meeting

Confirmation on the disciplinary meeting will be send in writing and will be conducted by a management representative and appointed panel member. The evidences gathered will be presented and you will be given opportunity to confer and call on witnesses to give evidence on your behalf.

## 3.6.4.3. Outcome and disciplinary penalties

The chair of the meeting will usually adjourn for a period to consider the outcome and will be communicated when the meeting is reconvened but will be confirmed to you in writing as soon as possible and usually within [seven] working days after the meeting.

If the allegations are upheld to any extent, formal disciplinary action may be taken. This will usually take the form of a first written warning for a first offence.

A final written warning is given in cases of serious misconduct or where there is a live first written warning in place and the circumstances justify it. It will set out the nature of the misconduct and make it clear that any further misconduct (similar or otherwise) will be likely to result in dismissal. If you are found to have committed gross misconduct, the outcome may result in you being dismissed without notice.

In exceptional circumstances (for instances where you are likely to continue to commit misconduct even if subject to warning), you may be dismissed even if no warning of dismissal has been given. Depending on the terms of your contract, this may involve being given a payment in lieu of notice.

If you are dismissed with notice, we reserve the right to instruct you not to work for the duration of your notice period.

Where we find that the misconduct is sufficiently serious to justify dismissal, we may consider alternative disciplinary action such as suspension without pay, demotion, transfer to other work or a loss of seniority, where your terms and conditions of employment allow for this.

## 3.6.4.4. Appeal meeting

Following receipt of your appeal, we will arrange an appeal meeting within [five] working days. At the meeting you will be given the opportunity to explain why you feel the initial meeting reached the wrong conclusion.

Depending on the circumstances, the meeting may either solely consider the points that you have raised, or it may reconsider the whole case and reach its own conclusion on the correct outcome.

Following the appeal meeting, the relevant manager will inform you in writing, usually within [seven] working days, of the outcome.

If the result of the appeal is that a decision to dismiss you is overturned, you will be reinstated with immediate effect. You will be reimbursed in full for any wages lost since your dismissal.

The outcome of the appeal is final.

## 3.6.4.5. Duration of warnings

When you are given a warning, we will tell you how long it will remain live. This will depend on the specific circumstances. However, in general:

- a first written warning remains live for up to [six] months; and

# FIVE ►

- a final written warning remains live for [12] months.

Warnings may be live for a longer period depending on the seriousness of the misconduct and the wider circumstances of the case.

Once a warning has expired, it will no longer be considered when determining the level of any further disciplinary action.

## 3.6.4.6. Trade union Representatives

If you are an accredited representative of a recognized trade union, we will endeavor to take no action under this procedure (except for suspending you in a case of alleged gross misconduct) until we have had an opportunity (with your agreement) to discuss the matter with a full-time official of the union.

## 4. Fairness and respect

We recognize that a grievance procedure can be stressful and upsetting. Everyone involved in the process is entitled to be treated calmly and with respect.

We will not tolerate abusive or insulting behavior from anyone taking part in a grievance procedure and will treat any such behavior as misconduct under our disciplinary procedure.

### *Remote proceedings*

Where it is not possible to hold a face-to-face meeting under this procedure, we will conduct the process remotely. We will ensure that all those participating have access to the necessary technology. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

### *Adjustments to proceedings*

If any aspect of the grievance procedure causes you difficulty because of a disability, or if you need assistance because English is not your first language, you should raise this with [name of individual/HR contact], who will make appropriate arrangements for you.

### *Recording of meetings*

A written record of all meetings conducted under this procedure will be made, either by the person holding the meeting or by an additional person arranged by us to take notes.

You, or any person acting with you or on your behalf, are not normally permitted to record electronically any meeting that we hold under the grievance procedure. This is to encourage openness and full participation. Any breach of this provision may lead to disciplinary action, which could include dismissal.

In certain limited circumstances, we may permit a meeting to be recorded electronically, for example where it is a reasonable adjustment for an employee with a disability. [Where we permit a meeting to be recorded electronically, we will take responsibility for making the recording.]

Where we intend to record meetings held remotely, we will comply with our data protection obligations and obtain prior consent from all attendees.

## 5. Conflict between guidelines and laws

In case of conflicts between existing international human rights principles, the aforesaid guidelines above and applicable host-government legal requirements, the respective country guidelines will supersede. Any exceptions to the above will be documented separately with the exceptional approval of the Ethics Committee.

## 6. Grievance Redressal

# FIVE ►

Providing for or cooperating in remedying an adverse human rights situation that a company has caused or contributed to through legitimate processes, including establishing or participating in effective operational-level grievance mechanisms for individuals and communities that may be adversely affected by the company's activities

FIVE aims to create workplaces in which open and honest communications among all colleagues are valued and respected. Colleagues and Workers have access to grievance reporting mechanisms and may report without prejudice, with anonymity respected.

If any colleague comes faces any conflict or issues which endangers their human rights or violates any existing guidelines, then the colleague, contractor or any other related persons may report the Complaint(s)/Concern(s) to his immediate Supervisor or Line Manager or through the hotline number or available registered email ID of

- Ethics and Compliance: [ethics@fiveglobalholdings.com](mailto:ethics@fiveglobalholdings.com)
- Ethics Helpline Contact Number: +971-42475270