



## **STAKEHOLDERS' DISPUTE / GRIEVANCE PROCEDURE**

**A grievance is defined as any dissatisfaction or sense of injustice in connection with an estate matter / situation that is formally brought to the attention of management. The term "Stakeholders" specifically exclude employees of Pinnacle Point. The employees are regulated by the internal Pinnacle Point employee grievance procedures.**

### **1. PURPOSE**

The purpose of the Stakeholders' Grievance Procedure is to afford any Pinnacle Point Stakeholders with a grievance, the opportunity of resolving such grievance in a reasonable and fair manner within the shortest available time possible.

It is in the mutual interest of the Pinnacle Point and its Stakeholders' to set up and maintain a Grievance Procedure, which is capable of resolving dissatisfaction/ grievances. There will be no victimization of or prejudicial action against any Stakeholder using this Grievance Procedure.

The intention is that grievances must be considered and resolved as speedily as possible and as close as possible to the point of origin.

### **2. PROCEDURE**

This Grievance Procedure caters for the situation where there are two basic levels of management, the estate management and the Board. In certain instances, and situations this may not be the case, and in such situations the overriding principle, which applies, is that any grievance that cannot be settled at one level is referred to the next level.

When a Stakeholder alleges that a grievance has arisen out of the act/ omission of an employee/ management of Pinnacle Point, the grievance may be referred immediately to the next level of management.

Where a designated person is unavailable to deal with a grievance, the designated manager / board may designate another manager/ board member to deal with the grievance.

Every Stakeholder who uses the Grievance Procedure should follow the steps as set out herein.

### **2.1.1 Stage 1 (Subject to Exception detailed below)**

Stage 1 is an informal one. A Stakeholder who wishes to raise any grievance must raise it first with the Estate Manager. An attempt should be made informally to resolve issues.

- The Estate Manager will attempt to resolve the grievance as soon as possible, consulting where necessary with other members of management/ the Board. The Estate Manager must attempt to resolve the problem as soon as is reasonably possible. It is difficult to give a ballpark figure as to how much time is needed, because the circumstances of each case vary. It is recommended that a one-week period would be reasonable, dependent on the circumstances. If it appears as if the matter cannot be resolved in that time period, the Estate Manager should give feedback within a week, as to progress that has been made, and at the same time indicate to the Stakeholder who has raised a grievance, how much time it is anticipated or will be necessary to resolve the grievance. Alternatively, the Estate Manager and Stakeholder can set their own time parameters and amend them as well.
- Should the Estate Manager not settle the grievance to the reasonable satisfaction of the Stakeholder, the Stakeholder may, if he/she so wishes lodge the grievance formally and in writing on the prescribed grievance form.
- The form is available from management at Pinnacle Point HOA. Copies of the duly completed Grievance Form must be handed to Estate Manager.

### **2.1.2 Stage 2**

Stage 2 deals with a grievance, which has not been resolved during Stage 1.

- Upon receipt of a duly completed Grievance Form, the Estate Manager is responsible for arranging a meeting with the aggrieved Stakeholder. The meeting will be scheduled as soon as is reasonably possible.
- Every reasonable attempt will be made to resolve the grievance and could involve a fact-finding exercise, or an investigation. The amount of time needed to satisfactorily resolve or at least address the grievance will depend on the circumstances of each case.
- If a satisfactory solution is not reached such failure to agree or to reach a solution will be recorded on the Grievance Form.
- If the grievance has been resolved the parties will be obliged to ensure that the action as agreed upon will be implemented.
- Furthermore, if the grievance has been resolved, a summary of the resolution will be recorded.

### **2.1.3 Stage 3**

Stage 3 deals with a grievance, which has not been resolved during Stage 2.

- The Estate manager shall, immediately after the failure to solve the grievance, refer the matter to the Board by forwarding the completed Grievance Form.
- The Board or person/s nominated by the Board will then consider the matter and liaise directly with the aggrieved Stakeholder on the matter. The Board's decision shall be final and binding as far as Pinnacle Point Estate is concerned.

### **EXCEPTION**

Where a grievance is lodged by a Stakeholder in relation to either the Estate Manager and / or a Board member specifically then and in that event, the matter shall not be referred to the Estate Manager or the full composition of the Board, where applicable. The matter shall be referred to the Board (if the grievance is in relation to the Estate Manager) or the remaining members of the Board (if the grievance relates to a Board member).

The Board shall be entitled to designate a responsible person who will fulfil the roles of the Estate Manager as designated above. The matter will then proceed in accordance with stages 1 to 3 above mutatis mutandis.

