
Frequently Asked Questions – Grievance at Work Policy & Procedures

The revised Grievance at Work Policy & Procedures comes in place on **1st March 2020**. Revised Toolkits have been developed and can be found on the hub alongside the policy.

The Grievance at Work Policy & Procedures applies to Local Government Employees, Craft and Chief Officers. Specific requirements, in relation to the application of the Grievance at Work Policy for those employees on SNCT Conditions of Service are detailed in the Education Procedure Manual 2/19 – Grievance Procedures for Teachers.

The Grievance Policy & Procedures refers to a **Charter of Commitment** which came into effect on **1st January 2020**. The Charter of Commitment outlines the roles and responsibilities for all those involved in the process of the policy including employees of the Council.

This FAQ documents aims to provide you with the answers to some of the questions you may have in relation to the policy update and what these changes mean for you.

1. What has changed?

- The Policy has been reviewed to take account of the ACAS Code of Practice and amends the number of grievance appeal stages from 3 to 2 and removes the appeal to the HR Appeals Board.
- The process for grievance hearings and appeals for Chief Officers, Depute Chief Executives and Chief Executive has been introduced for grievances to be heard at the appropriate level in the event of a grievance being raised by them or against them.
- The timelines for grievance hearings and outcomes has been reviewed to reflect the ACAS code of practice and bring consistency across policies where relevant of notice and response periods for hearings and outcomes.
- The timelines for grievance appeal has moved to 14 Calendar days.

2. Why does the Council have a Grievance at Work Policy?

The Council is committed to the fair and consistent treatment of all employees to create a positive working environment. This policy aims to ensure that any grievances arising from employment are resolved quickly and to the satisfaction of all concerned with minimal disruption.

The Council in partnership with Trade Union colleagues recognises the importance of mechanisms for employees to raise concerns and the policy and procedures have been developed in accordance with the ACAS Code of Practice on Disciplinary and Grievance Procedures (2019), with strong emphasis on informal resolution where appropriate.

3. What is a Grievance?

For the purposes of this policy, a grievance is:

- A means of addressing concerns, problems or complaints that employees raise with their employer;
- A way of resolving issues in a reasonable and transparent way;
- A two way process of reaching a resolution;

- Underpinned by a fair and objective approach.

4. What issues are considered as a valid Grievance?

Issues that may cause grievances include:

- Terms & Conditions of Employment;
- Health & Safety;
- Work Relations;
- New Working Practices;
- Working Environment;
- Organisational Change;
- Discrimination.

5. What is not considered a valid Grievance?

The following matters are excluded from the Grievance at Work Policy & Procedure as they are covered by separate procedures:

- Matters dealt with under the Discipline at Work Policy;
- Matters which are already subject to fact finding;
- Allegations covered by the Council Whistleblowing Policy;
- Matters related to the PDR Framework;
- Matters relating to Flexible Working Requests;
- Any matter relating to the grade, rate of remuneration or other term or condition regulated by collective agreement **except** where the grievance relates to the interpretation or application of a part of the provision to an individual employee;
- Matters concerning national agreements (other than local interpretations);
- Complaints relating to statutory sick pay schemes;
- Complaints relating to the Local Government Pension Scheme;
- Matters out with the scope or responsibility of the Council;

Matters related to Equal Pay follow a separate established procedure.

6. Will my Grievance always be dealt with in a Formal process?

Informal action should always be considered as a first step in addressing an issue which has been raised to avoid the matter being progressed through formal procedures. This also allows for problems to be settled quickly. Whilst recognising that the nature of a grievance can be very wide, in many instances it can best be resolved in an informal manner.

7. What does informal resolution mean?

Informal resolution consists of actions that are put in place in advance of a formal grievance hearing process being entered into in an attempt to resolve the concern/s raised.

The informal discussion may include identifying the nature and cause of the problem, possible action and their implications. In having an informal discussion outcomes may be identified and can include mediation, coaching and training.

8. If I no longer want to proceed with my Grievance, Can I withdraw it?

At all stages within the grievance procedures, you will have the right to withdraw the Grievance at any time and resolve the matter through an agreed alternative method.

9. How do I raise a formal grievance?

The Council aims to resolve issues at the informal stage where possible however, it is recognised that this will not always be possible. If the matter is not resolved to the your satisfaction, you are able to raise a grievance formally using the '**Notification of Grievance Form**' which should be completed with all relevant information relating to the grievance.

The information included in a grievance should outline the main points of your complaint. You should stick to the facts and avoid language which may be considered insulting or abusive. The information should also include any informal action taken so far in the process and the remedy you seek to resolve the issues where appropriate.

10. What is involved in a Grievance Hearing?

Following submission of your Notification of Grievance form and prior to a Grievance Hearing you will be provided with at least 7 calendar days' notice of the date of the formal grievance hearing. The hearing will allow you to present your case, provide any supporting evidence relating to your grievance and propose the way you see the issue being resolved. A written record will be taken of the hearing. In certain cases there may be a need for a grievance hearing to be postponed to establish the facts.

11. Can I be accompanied to Grievance hearings?

Yes, you have the right to be accompanied by a companion/employee representative as outlined in section 5.3.3 Right to Representation of the Grievance at Work Policy & Procedures.

12. What are the potential outcomes of a Grievance Hearing?

There are 3 possible outcomes of the hearing:

- Uphold the grievance - Chair finds in favour of your case
- Uphold the grievance in part – Chair finds in favour of certain parts of your case, or
- Not to uphold the grievance - Chair does not find in favour of your case.

Reasons will be provided in writing detailing the reasons for the decision.

13. What if I do not agree with the outcome of the Grievance Hearing?

You has the right of appeal against decisions where they feel the action/decision taken is unfair in the circumstances. The appeal should be submitted within 14 calendar days of the response to the initial grievance hearing using the Grievance Appeal Form.

14. Where can I seek additional information and support from?

If you have any further queries you can speak to your line manager in the first instance. You can also address any queries to the following contacts in the Workforce Strategy Team:

HR Case Advisers			
Name	Job Title	Email	Ext No
Anne Marie Cunningham	Team leader HR Operations	annemarie_cunningham@eastdunbarton.gov.uk	5535
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HR Business Partners			
Name	Job Title	Email	Ext No
Lisa MacGregor	Team Leader Organisational Development	lisa.macgregor@eastdunbarton.gov.uk	3429
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Caroline Smith	HR Business Partner	caroline.smith@eastdunbarton.gov.uk	3434
Alison Nisbet	Acting HR Business Partner	alison.nisbet@eastdunbarton.gov.uk	3252

Your Trade Union representatives are also available for support.