



Workforce

Grievance Policy : guide for managers

The following guide forms part of the standard for workforce policies that apply to all staff within NHSScotland regardless of which Board they are employed by.

If one or a group of employees have a complaint or issue regarding their employment situation, then they can make use of the grievance policy to raise and resolve them.

Sometimes, issues about a situation or a change being made at work, can become confused with an interpersonal difficulty between the employee and another individual in the workplace.

The grievance policy is to seek resolution on workplace issues or complaints. The [Bullying and Harassment Policy](#)¹ should be used if there is an interpersonal difficulty. Further information can be found in the Bullying and Harassment Policy: [guide for managers](#)².

If any employee is unsure which policy applies to their situation, then you should discuss this with them and see if you can try to clarify the appropriate route for their concern. Where you are able to resolve it easily, every effort should be made to do so at this discussion. Additionally, you can signpost them to seek confidential advice and support from:

- trade union representatives
- Human Resources
- confidential contacts

If one or more employees raise a grievance with you, then you should attempt to resolve the issues raised fairly, consistently and in a timely manner.

The first part of the process is called early resolution, which may have been called the informal stage in the past.

In many instances, conversations between you and the employee will be enough to resolve the grievance.

You are required to confirm the outcome of this meeting within 7 calendar days. Grievance Policy: Early Resolution [individual grievance outcome letter](#)³ or [collective grievance outcome letter](#)⁴.

If no resolution is achieved from the meeting, the employee may choose to use the formal procedure which requires them to complete the Stage 1 [individual grievance notification form](#)⁵ or [collective grievance notification form](#)⁶ and submit it to the manager identified in the outcome letter within 14 calendar days of receiving it.

On receipt of the grievance notification form, that manager will:

- acknowledge the grievance using the Stage 1 [individual grievance acknowledgement letter](#) ⁷ or [collective grievance acknowledgement letter](#) ⁸ within 7 calendar days, advising the employee of provisional timescales
- discuss with them whether an investigation is needed and if so, seek their agreement for that to take place, under the [NHSScotland Workforce Policies Investigation Process](#) ⁹.

Formal hearings

You will be invited to attend and present the management case to a hearing. This is set up for an independent panel to consider the issue the employee has raised and your response so they can make a decision about the issue from the evidence presented. Find out more about the Hearing format in our [Formal hearing guide](#) ¹⁰.

After the hearing, the outcome will be confirmed in writing, with one of the following outcomes:

- grievance upheld
- grievance not upheld

If not upheld, the employee has the right to raise their grievance at the second and final formal stage.

Where the grievance relates to an issue where the outcome might affect more than one employee and it wasn't resolved at Stage 2, it may be referred to the Director of HR and Employee Director. They will decide whether the grievance has wider organisational consequences, and if so, a further hearing will be arranged.

Maintaining relationships

There is an expectation that people will continue to work together at all stages wherever possible. You should offer appropriate support to enable this to happen.

Failure to engage

There may be occasions where the employee feels unable to attend a hearing. Where this is for health reasons, you should refer the employee to the Occupational Health Service to obtain advice as to when the employee will be in a position to do so or if there are alterations to the process which can be made to support their attendance.

If the employee intends to be supported or represented then the availability of all parties will be considered to agree on a suitable date for all parties. If employee's representative is unavailable, you should offer further dates to allow the hearing to happen.

Where the employee decides not to attend and there is no reasonable explanation for this, a second meeting should be offered. If the employee fails to participate, the panel will consider any reasons for this and whether to progress the hearing in their absence.

Further grievances or bullying and harassment complaints

If the employee raises another grievance or a bullying and harassment complaint while the original grievance is being considered, the grievance process may be temporarily suspended in order to deal with the new grievance / complaint. You should assess whether the grievances and / or complaint are related. If so, this may be dealt with as part of the same process.

If a related grievance is raised by another employee while the original grievance is being considered, you should assess:

- the dates that the grievances were received
- whether the related grievances should be heard by the same panel
- whether hearing outcome decisions should be deferred until all the grievances are heard

It will help you to determine the best approach.

References

- ¹ NHSScotland Workforce Bullying and Harassment Policy
<https://workforce.nhs.scot/policies/bullying-and-harassment-policy-overview/>
- ² Bullying and Harassment Policy: guide for managers
<https://workforce.nhs.scot/supporting-documents/guides/bullying-and-harassment-policy-guide-for-managers/>
- ³ Grievance Policy: Early Resolution individual grievance outcome letter
<https://workforce.nhs.scot/supporting-documents/letter-template/grievance-policy-early-resolution-individual-outcome-letter/>
- ⁴ Grievance Policy: Early Resolution collective grievance outcome letter
<https://workforce.nhs.scot/supporting-documents/letter-template/grievance-policy-early-resolution-collective-grievance-outcome-letter/>
- ⁵ Grievance Policy: Stage 1 individual grievance notification form
<https://workforce.nhs.scot/supporting-documents/form/grievance-policy-stage-1-individual-grievance-notification-form/>
- ⁶ Grievance Policy: Stage 1 collective grievance notification form
<https://workforce.nhs.scot/supporting-documents/form/grievance-policy-stage-1-collective-grievance-notification-form/>
- ⁷ Grievance Policy: Stage 1 individual grievance acknowledgement letter
<https://workforce.nhs.scot/supporting-documents/letter-template/grievance-policy-stage-1-individual-grievance-acknowledgement-letter/>
- ⁸ Grievance Policy: Stage 1 collective grievance acknowledgement letter
<https://workforce.nhs.scot/supporting-documents/letter-template/grievance-policy-stage-1-collective-grievance-acknowledgement-letter/>
- ⁹ NHSScotland Workforce Policies Investigation Process
<https://workforce.nhs.scot/policies/workforce-policies-investigation-process-overview/>
- ¹⁰ Formal Hearing Guide
<https://workforce.nhs.scot/supporting-documents/guides/formal-hearing-guide/>