



Workforce

Grievance Policy : guide for employees

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 you have a complaint or issue regarding your employment situation, then you 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 you 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 employee complainants](#)².

If you are unsure which policy applies to your situation, then you can seek confidential advice and support from:

- Your line Manager
- Trade Union Representatives
- Human Resources
- [Confidential contacts](#)³

If you have a complaint or issue regarding your employment situation, you are encouraged to:

- Raise the issue as soon as possible with your manager, or if they are not available, then another manager
- Actively participate in the process in ways aimed at resolving the issue
- Identify what would be seen as a suitable outcome from your perspective

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 the manager and employee will be enough to resolve the grievance.

The outcome of this meeting will be confirmed in writing to you by the manager that you meet with.

If no resolution is achieved from the meeting, you may choose to use the formal procedure which requires you to complete the Stage 1 [individual grievance notification form](#)⁴ or [collective grievance notification form](#)⁵ and submit it to the manager referred to in the outcome letter within 14 calendar days of receiving the written outcome.

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

- Acknowledge your complaint within 7 calendar days, advising you of provisional timescales
- Discuss with you whether an investigation is needed and if so, seek your agreement for that to take place, under the [NHSScotland Workforce Policies Investigation Process](#) ⁶

Formal Hearings

You will be invited to attend and present your case to a hearing. This is set up for an independent panel to consider the issue you have raised and your manager's response so they can make a decision about the issue from the evidence presented. Further information can be found in the [Formal hearing guide](#) ⁷.

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

- The grievance is upheld
- The grievance is not upheld

If your Grievance is not upheld, you have the right to raise your grievance at the second and final formal stage. Complete Stage 2 [individual grievance notification form](#) ⁸ or [collective grievance notification form](#) ⁹.

Where your grievance relates to an issue where the outcome might affect more than one employee and it wasn't resolved at Stage 2, then 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. Your manager should offer appropriate support to enable this to happen.

Failure to engage

There may be occasions where you feel unable to attend a hearing. Where this is for health reasons, Occupational Health advice will be obtained to consider when you will be in a position to do so or if there are alterations to the process which can be made to support your attendance. If you intend to be supported or represented then the availability of all parties will be considered, in order to agree on a suitable date for all parties. If your

representative is unavailable, further dates will be agreed to allow the hearing to happen.

Where you decide not to attend and there is no reasonable explanation for this, you will be offered a second meeting and if you fail to participate, the panel will consider any reasons for this and whether to progress the hearing in your absence.

Further Grievances / Bullying and Harassment Complaints

If you raise another grievance or a bullying and harassment complaint while your original grievance is being considered, the grievance process may be temporarily suspended in order to deal with the new grievance / complaint. Where the grievances and / or complaint are related, this may be dealt with as part of the same process.

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 employee complainants
<https://workforce.nhs.scot/supporting-documents/guides/bullying-and-harassment-policy-guide-for-employee-complainants/>
- ³ Bullying and Harassment Policy: guide to confidential contacts
<https://workforce.nhs.scot/supporting-documents/guides/bullying-and-harassment-policy-guide-to-confidential-contacts/>
- ⁴ Grievance Policy: Stage 1 individual grievance notification form
<https://workforce.nhs.scot/supporting-documents/form/grievance-policy-stage-1-individual-grievance-notification-form/>
- ⁵ Grievance Policy: Stage 1 collective grievance notification form
<https://workforce.nhs.scot/supporting-documents/form/grievance-policy-stage-1-collective-grievance-notification-form/>
- ⁶ NHSScotland Workforce Policies Investigation Process
<https://workforce.nhs.scot/policies/workforce-policies-investigation-process-overview/>
- ⁷ Formal hearing guide
<https://workforce.nhs.scot/supporting-documents/guides/formal-hearing-guide/>
- ⁸ Grievance Policy: Stage 2 individual grievance notification form
<https://workforce.nhs.scot/supporting-documents/form/grievance-policy-stage-2-individual-grievance-notification-form/>
- ⁹ Grievance Policy: Stage 2 collective grievance notification form
<https://workforce.nhs.scot/supporting-documents/form/grievance-policy-stage-2-collective-grievance-notification-form/>