



The Scottish Parliament  
Pàrlamaid na h-Alba

# Guidance for Staff Raising a Grievance

Stiùireadh airson Luchd-obrach  
a tha a' togail cùis-gearain

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## Seeking Informal Resolution of the Grievance

The grievance procedure is in place to ensure that you have a route for addressing any concerns, problems or complaints which you may have in relation to your work. An informal approach is often the most effective and quickest way of resolving a grievance and should always be considered as your initial step. You may wish to seek advice and support through your trade union or a work colleague.

Normally, an informal approach would involve raising your concerns directly with your line manager or with the individual who is causing you to feel aggrieved. However, before doing this, you should:

- consider your own role in the issue that has caused you to feel aggrieved and consider whether you have contributed in any way to the situation. It is as well to face up to any responsibility at the outset as this may help you to resolve the matter quickly and without unnecessary upset to yourself or others;
- consider seeking support from the SPCB's [Confidential Counselling and Information Service](#) provider, or your trade union representative. Procedural advice is available from the Human Resources Office; and
- be clear as to the nature of your grievance and how you think it should be resolved.

Your line manager will consider a number of options with you to help resolve the problem. For example, if your problem relates to a working relationship with a colleague, your line manager may offer to facilitate a tri-partite discussion to address the concern with the individual.

Where your concern relates to your line manager, you should consider raising it informally with the next manager in the chain.

Whilst not required by statute, the SPCB will allow you to be assisted at an informal stage of the grievance process by a trade union representative or a work colleague if you wish. In such circumstances, you should inform the line manager handling the case in advance.

We accept that there may be circumstances where an informal approach is not appropriate and in such cases, it is acceptable for you to proceed directly to the formal stage of the procedure.

## The Formal Stage of the Procedure

In order to initiate the formal stage of the grievance procedure, you must submit a written statement which makes clear the nature of your complaint and the outcome you wish to be achieved. If you have previously attempted to resolve the grievance on an informal basis, it would be helpful to provide details and the outcome of this approach in your statement. You should also indicate if there are any potential witnesses the manager hearing your grievance might wish to speak to in order to verify information.

The manager hearing the grievance may also decide whether he or she wishes to speak to any other relevant witness not named by you. Whilst you may approach individuals to seek their agreement to the inclusion of their name in your statement, it is not acceptable for you to canvass witnesses to support your grievance. If you require any assistance in producing your written statement, for example, because of a disability, you may wish to seek support from your trade union representative or a work colleague.

## Your role and responsibilities

It is important to recognise your role in the formal procedure. You will be required to:

- be honest and truthful (as any untruth or exaggeration of the truth will be taken seriously and may constitute a disciplinary matter);
- stick to the facts and try not to personalise your complaint;
- participate fully in all procedural steps which are appropriate to your case;
- attend meetings and participate in frank and open discussion with the manager handling your grievance to clarify your complaint; and
- provide any information the manager may require in order to make his or her decision.

It would also be helpful if you were able to suggest ways to resolve your complaint and any role you can play to achieve a resolution. You might find it useful to note some key points relating to your complaint in advance of the meeting as an aide-memoire.

You may be assisted at the formal meeting by a trade union representative or colleague. As a courtesy, you should inform the manager hearing your grievance if you intend to be accompanied and if so, by whom. You must keep the detail of any papers relevant to your grievance which are circulated to you in advance of the meeting in the strictest confidence. If it comes to light that you have breached this confidence, you may be the subject of disciplinary action.

You should be aware that notes will be taken of proceedings at the formal stage in the procedure and that these will normally be made available to all parties to the grievance unless there are exceptional circumstances. You will have the opportunity to review the notes and confirm that they accurately reflect proceedings.

## Your role and responsibilities (Continued)

The manager will normally inform you verbally of his or her decision following the formal meeting unless circumstances render this approach inappropriate. In any case, you will be notified of the outcome in writing normally within 5 working days. The notification will include reasons for the decision and provide details of your right to appeal the decision if you are not satisfied.

## The Appeal Stage

If you are not satisfied with the outcome of your grievance, you have the right to appeal the decision. Your appeal must be submitted in writing and you should include the reason for your appeal and any other relevant details. If you require any assistance in producing your written appeal, for example, because of a disability, you may wish to seek support from your trade union representative or a work colleague.

Your appeal should normally be directed to your Head of Office/Group. If your Head of Office/Group has been involved in handling your grievance at a previous stage in the procedure, you should submit your appeal to the Assistant Clerk/Chief Executive with line responsibility for your business area. A representative from the Human Resources Office, will invite another Assistant Clerk/Chief Executive to hear your appeal if your Assistant Clerk/Chief Executive has been involved in handling your grievance at a previous stage.

You will be asked to attend a meeting with the appeal manager, who will consider the grounds of your appeal. The appeal meeting will normally take place within five working days of receipt of your written appeal. You may be assisted at the appeal meeting by a trade union representative or colleague. As a courtesy, you should inform the manager hearing your appeal if you intend to be accompanied and if so, by whom. A representative from the Human Resources Office, or another person nominated by them, will attend the appeal meeting to provide procedural advice and to take notes if requested.

The appeal manager will notify you verbally of his or her decision and will confirm this in writing, normally within 5 working days. This decision is final and the grievance procedure is complete at this stage.

# **Guidance for Staff Raising a Grievance (English only)**

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