



Grievance Policy

Document Version Control

Version Number	Change/Update	Author/Owner	Date
2.0	No substantial changes to the policy were made. Changes made (below) aim to make the policy easier to read and understand as well as ensure policy is factually correct regarding job titles. • Replaced HR/OD, Human Resources with People Operations through out • Clarified wording and shortened paragraphs throughout. • Added support as an additional principle to section 4.0 • Added additional Appendix 1 for support resources. • Moved hearing format sections to appendices to improve ease of reading.	People and Culture	Dec 2025

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1. Introduction

- 1.1** Children's Hearings Scotland (CHS) encourages open and honest communication at all levels and wants to ensure that any concerns are dealt with as early as possible.
- 1.2** CHS recognise that there will be occasions when a colleague may have complaints or concerns relating to their employment. This policy provides a fair and consistent way for colleagues to raise such complaints or concerns.

2. Scope of the Policy

- 2.1** This Grievance Policy applies to all employees of CHS.
- 2.2** This Grievance Policy and Procedure is designed to address individual grievances.
- 2.3** A group of employees who share a common grievance arising from the same circumstances can pursue a collective grievance either directly or via a staff representative, where relevant, on their behalf.
- 2.4** There is no opportunity to raise the same grievance twice.
- 2.5** This procedure does not apply to complaints relating to:
- organisational change, unless the outcome of such change infringes on the rights of an individual employee;
 - matters for which another specific procedure should apply e.g. Code of Conduct, Disciplinary Policy, Dignity at Work, Whistleblowing Policy etc.

3. Aims of the Policy

- 3.1** The aims of this policy are to:
- Provide employees who feel they have a grievance with a procedure for pursuing it in a systematic, efficient and effective manner;
 - To provide fairness and consistency in the treatment of employees;
 - To enable grievances to be resolved as quickly as possible and at the appropriate level of management;
 - To comply with employment legislation, ACAS guidelines and best practice in

employee relations.

- To ensure colleagues are aware of support available to them when going through grievance process.

4. Principles

4.1 Regardless of the situation, the following general principles will help to ensure the matter is managed more effectively:

- **Fairness and consistency** - is essential to ensure the credibility of the Grievance Policy. It is important that managers deal with situations consistently, while balancing the need to consider each case on its individual merits. Rarely are two cases exactly the same, and two identical grievances may have different implications depending on the nature of the work, the seniority of the post and the circumstances they relate to. People Operations team are available to provide employees and managers with broad guidance and assistance to help create amicable resolutions to grievances at the informal stage. A representative from People Operations will attend all formal Grievance Hearings and Appeals to support and provide advice to management. Where possible, a different member of People Operations will be assigned to each stage helping to ensure objectivity.
- **Promptness** - Managers should generally deal with all issues raised whether or not a grievance is presented in writing. Dealing with concerns at an early stage is an effective way of reducing the risk of the matter escalating. However, in order to progress a formal grievance, the employee must state the grounds of the grievance in writing. Managers are expected to deal with grievances sympathetically, promptly and fairly.
- **Good Faith** - Grievances raised will be assumed to be in good faith. Any grievance which is found to be malicious, false or vexatious may be regarded as a disciplinary matter and dealt with under CHS' Disciplinary Policy and Procedure.
- **Representation**: Employees have the right to be accompanied/represented during grievance proceedings. This applies to informal meetings, formal hearings and appeals. The companion can be an CHS colleague or staff representative or a trade union representative. Although there is no specific right to be accompanied by a relative, it should be recognised that in some circumstances this may be appropriate. In all cases, employees must be advised in writing of their right to representation.
- **Support** - CHS appreciate that it can be stressful for any employees involved in raising grievance or being the subject of a grievance. Employees can receive

wellbeing support by contacting the Employee Assistance Programme (EAP) a confidential 24-hour telephone counselling service at 0800 028 0199. Full details will also be provided to the employee at the time. Colleagues can also access Mental Health coaching via [AbleFutures](#) at any stage. Where appropriate, the relevant line manager or People Operations team may sign post colleague to alternative support service(s) during the process. Further wellbeing resources can be found in Appendix 1.

5. Roles and responsibilities

- 5.1 Grievances should ideally be resolved at the lowest level of management.
- 5.2 Where the matter concerns the immediate line manager, the employee should direct the grievance to the next level of manager.
- 5.3 In all cases, managers must consult People Operations for advice before any action is taken.
- 5.4 A summary of most common roles and levels of responsibility is outlined below:

Informal Approach To	Grievance Hearing Chaired by	Appeal Hearing Chaired by
Line Manager	Director	Chief Executive
Director	Independent Director	Chief Executive

6. Informal Process

- 6.1 In the first instance, the employee should discuss the matter informally and directly with their line manager. This can be done verbally or in writing.
- 6.2 If the grievance relates to their immediate line manager then the employee should refer the matter to the next level or other appropriate manager.
- 6.3 In many cases complaints and grievances are resolved informally with the employee's line manager without the need for formal proceedings.
- 6.4 However, in all cases managers should seek guidance from People Operations on the appropriate actions to be taken.

- 6.5** The manager will attempt to resolve the grievance informally through discussion with the employee and verbally advise the employee of the decision within 5 days of the matter being brought to their attention.
- 6.6** The manager should keep a record of
- the date the meeting took place
 - what was discussed at the meeting
 - the fact that there was no formal outcome
 - any review date set
- 6.7** If despite any attempt to resolve the grievance informally, the employee remains dissatisfied, the employee should submit the grievance in writing to the next level or other appropriate manager, stating the grounds of the grievance and the resolution sought.
- 6.8** The formal grievance should be submitted within 5 working days of the informal decision. The employee may find it useful to discuss their grievance with a staff representative prior to submission.

7. Investigation (formal process)

- 7.1** Where a formal grievance is registered, in the interests of good employee relations, no alterations will be made to the existing conditions of employment which gave rise to the grievance, or to the established working practices, until the grievance has been suitably resolved or the procedure has been exhausted. However, where the issue impacts on service users or there are other exceptional circumstances, the appropriateness of this arrangement will be discussed.
- 7.2** The line manager, with advice from People Operations, will then need to determine whether an investigation is appropriate. In more straightforward cases where the issue is clear-cut, an investigation in to the grievance may not be required.
- 7.3** Where an investigation is necessary, two investigating officers will be appointed to begin a formal investigation as soon as possible: generally, the line manager will be responsible for conducting the investigation, together with a People Operations representative or another independent manager.
- 7.4** The relevant facts should be gathered as early as possible, including any relevant documentation and, where appropriate, statements from all parties involved. This

process should be carried out as quickly and confidentially as circumstances permit. On completion of the investigation, the manager will produce a written investigation report outlining the facts and the recommendations.

- 7.5** The investigation will allow the manager to determine whether they can resolve the matter informally or whether more formal action is appropriate.
- 7.6** In some cases, some level of investigation may have already been carried out during the informal process.
- 7.7** Full information on conducting an investigation can be found in the Manager's Guide to Conducting an Investigation.
- 7.8** The following options may be considered as possible outcomes of the investigation:
- **Resolve the matter informally** – the manager should advise the employee of their view and propose an appropriate resolution. The employee should be advised of how to progress to a formal stage if the matter is not resolved to their satisfaction, that is, to submit the grievance in writing as detailed below.
 - **Recommend mediation** – this may be appropriate where the matter concerns relationships with colleagues, such as a clash of personalities. Trained mediators are available to CHS and arrangements for mediation can be progressed through People Operations.
 - **Arrange a grievance hearing** – following the investigation the manager may conclude that the matter cannot be resolved informally and a formal grievance hearing is the appropriate way to address the matter.
- 7.9** In all cases, the manager should advise the employee, together with any other parties involved in the investigation, what the next stage will be.

8. Grievance Hearing (formal process)

- 8.1** Following receipt of a formal grievance or appeal in writing, the appropriate manager should make arrangements for a Grievance Hearing to be held within 10 working days or an appeal to be held within 20 days. The employee should be notified in writing of:

- the time, date and venue;
- the name and job title of the chairperson
- the grounds of the grievance as submitted by the employee;
- who will attend to present management's case and who will be present as an adviser to the chairperson
- that witnesses may be present to give evidence;
- the right to call witnesses or submit statements or other documents in support of the grievance;
- the right to be accompanied/represented at the hearing.

8.2 Depending on the circumstances it may be necessary for an investigation to be carried out prior to the formal hearing, as outlined in Section 7 above. The employee should be advised in writing if this is the case. See Appendix 1 for more information on arranging the hearing and the format of the hearing.

8.3 Where it is not possible to meet within 10 working days of the grievance being submitted, for example due to annual leave, sickness, requirement for investigation or representation for either party, the timescale may be extended to the nearest suitable date.

8.4 The outcome of the hearing shall be confirmed in writing by the manager within 5 working days of the hearing. The letter will indicate who the employee should write to if they wish to appeal the matter further, within 10 working days from the date of notification. The manager may decide to meet the aggrieved parties to discuss the decision in person and any outcomes.

9. Appeal

9.1 If the employee is dissatisfied with the outcome of the Grievance Hearing, they have 10 working days from receipt of the written outcome to submit an appeal against the decision to the appropriate manager.

9.2 In the appeal, employee must state the grounds for the grievance and the resolution sought.

9.3 Any appeal submitted after the deadline will not be considered, except in exceptional circumstances.

- 9.4** The Chair of the Appeal shall convene an Appeal Hearing within 20 working days of receipt of the letter intimating appeal.
- 9.5** Where it is not possible to meet within 20 working days of the appeal being submitted, for example due to annual leave, additional investigation required, sickness or representation for either party, the timescale may be extended to the nearest suitable date.
- 9.6** The appeal meeting should follow a similar format to the Grievance Hearing outlined in Appendix 3.
- 9.7** The chairperson will consider the facts of the appeal, taking advice from People Operations as required. The decision will be one of the following:
- Uphold the employee's appeal
 - Uphold the employee's appeal in part
 - Not to uphold the employee's appeal – reject the appeal.
- 9.8** If the chairperson is unable to make a decision at the time of the appeal hearing, the decision may be postponed for further advice and consideration.
- 9.9** If the chairperson is unable to make a decision at the time of the appeal hearing, the decision may be postponed for further advice and consideration.
- 9.10** The outcome of the Appeal Hearing shall be confirmed in writing by the Chair of the Appeal within 5 working days and they may decide to meet the aggrieved parties to discuss the decision in person and any outcomes.
- 9.11** There is no further right of appeal beyond this stage.

10. Senior Leadership Team

- 10.1** If a grievance is raised by a Director, the matter should be referred in the first instance to the Chief Executive who will make the appropriate arrangements for investigation and/or informal resolution if possible.
- 10.2** If the Director remains dissatisfied following an attempt to resolve the complaint, the matter will be referred to the Chief Executive for a formal hearing. Any subsequent appeal will be heard by the Chair of the Board.

- 10.3** If the grievance involves a Director, the matter should be referred to an independent Director, who has not been involved in the matter, or Chief Executive.
- 10.4** If the grievance is raised by the Chief Executive, then the Chair of the Board will make the appropriate arrangements for investigation and/or informal resolution if possible. If the Chief Executive remains dissatisfied following an attempt to resolve the complaint, the matter will be referred to the Chair of the Board for a formal hearing. Any subsequent appeal will be heard by two members of the Board.

Review

- 9.1** This policy will be reviewed by People Operations regularly to ensure continued compliance with legislation and best practice.

Appendix 1

National Wellbeing Hub

- Provides resources for managers and staff on coping with stress, psychological safety, and responding to workplace challenges. Includes practical guides for mental wellbeing and resilience.

SAMH (Scottish Action for Mental Health)

- Offers workplace training, advisory services, and tools like **Wellness Action Plans** to support employees during stressful processes such as grievances.

Breathing Space Scotland

- Free, confidential phone support for stress or anxiety.

Samaritans

- 24/7 emotional support helpline

Appendix 2 format of the Hearing/Appeal

The manager convening the Hearing is responsible for writing to the employee and arranging a suitable venue. Ideally the venue should be private and free of interruptions, and separate rooms should be available for the employee and management representatives in case of an adjournment. The employee and the manager (who will present Management's case) are each responsible for contacting any witnesses they wish to call during the hearing. Where witnesses are employees of CHS they will be granted time off with pay to attend, but must advise their line manager in advance.

It is important that the hearing should be conducted in as relaxed a manner as possible as it can be a difficult experience for all participants. The Chairperson should open the hearing, introduce all parties and explaining everyone's role. If the employee does not have a representative present, the Chairperson should confirm the employee understands their right to representation, and if necessary, adjourn to allow a representative to be arranged.

The format is as follows:

- The Chairperson will invite the employee to present the case, outlining specifically the reasons for the grievance/appeal. Witnesses can be called or witness statements produced to support the employee's case.
- The management representative may then ask questions and the Chairperson and People Operations representative may ask questions or seek clarification.
- The Chairperson then invites the management representative to put forward any case, calling witnesses or submitting witness statements as required.
- The employee may then ask questions and the Chairperson and People and Culture representative may ask questions or seek clarification.
- Employee presents a summary of their case.
- Management representative presents a summary of their case.
- The Chairperson summarises the hearing if required, and the hearing is then adjourned to allow the Chairperson to come to a decision. Employee, representative and management representative leave the room.
- Chairperson considers the decision with advice from the People Operations representative.
- If any new facts emerge during the hearing, the Chairperson may stop the hearing and request further investigation if this is required.
- All parties are invited to return and the decision is given, providing an explanation of why the decision has been reached. The decision is then confirmed in writing within 5 working days. If more time is required to reach a decision, the employee will be advised of this, and the decision confirmed in writing. In all cases, the decision should be provided in writing within 5 working days, together with confirmation of any further right of appeal and the process to be followed.

Appendix 3 - Format of Appeal Hearing

The chairperson of the appeal should introduce all parties and explain their roles. Generally, the management representative attending the appeal will be the chairperson of the original hearing. The format of the appeal hearing is as follows:

- Employee presents their appeal, including calling witnesses or presenting witness statements if appropriate. The management representative may then ask questions, and the Chairperson and People Operations representative may ask questions.
- Management representative presents their information, including witnesses or statements as appropriate. The employee or their representative, Chairperson and People Operations representative may then ask questions.
- Employee provides a summary of their appeal.
- Management representative provides a summary of the case.
- Hearing is adjourned, Management, employee and representative leave the room.
- Chairperson considers the decision with People Operations representative.
- All parties are asked to return and the decision together with a brief explanation is given.

The appeal hearing is not a re-run of the original hearing. It is simply an opportunity for the employee to question the fairness of the decision or the facts the decision was based on. The basis for the appeal hearing is the employee outlining the reasons why they are appealing.