

EMPLOYMENT POLICY

Grievances

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1. Scope & Purpose

- 1.1. This Grievance Policy aims to ensure that all grievances are dealt with in a fair, open and timely manner.
- 1.2. This policy sets out the steps to follow if you wish to raise a grievance.
- 1.3. Grievances are concerns, problems or complaints raised by employees with management. Anyone can at some time have problems or concerns with their working conditions or relationships with colleagues that they wish to raise. Issues that can cause grievances may include:
 - Terms and conditions of employment
 - Health and safety
 - Working relationships
 - Bullying and harassment
 - Working practices
 - Working environment
 - Organisational change
 - Discrimination

2. Key Principles

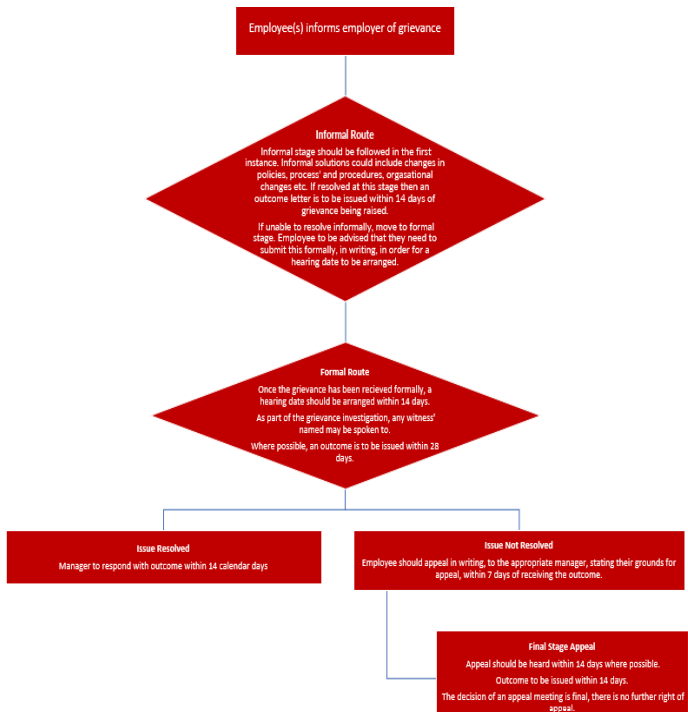
- 2.1. This Grievance Policy applies to all employees across the Lothian Group.
- 2.2. Grievances where possible should be resolved informally.
- 2.3. The underpinning hope is always that a grievance will be resolved with a satisfactory outcome for both parties.

3. Raising an Informal Grievance

- 3.1. Where possible you should first raise a grievance informally with your Line Manager. If you feel unable to approach your Line Manager then you should raise it with another Manager or your HR Business Partner.
- 3.2. Where your grievance is against your Line Manager you may approach another more Senior Manager or raise the issue with your HR Business Partner.
- 3.3. Following on from this it would be reasonable to expect an outcome from your informal grievance **within 14 calendar days of raising it.**

3.4. If following the outcome of your informal grievance you feel the complaint raised was not resolved successfully then you can raise a formal grievance by putting it in writing following the procedure set out below.

3.5. See Grievance Procedure Flow Chart for process:



4. Raising a Formal Grievance

- 4.1. Where a grievance is serious or attempts to raise an issue informally have proven unsuccessful then the next step would be for you to raise your grievance formally.
- 4.2. You can raise a formal grievance by setting it out in writing to your Line Manager or your HR Business Partner.
- 4.3. Your written grievance should contain a brief description of the reasons for your complaint, including relevant facts and dates and names of any individuals involved. It is also helpful if you indicate the outcome you are seeking.
- 4.4. Where your formal grievance is against your Line Manager you may approach another more Senior Manager or raise the issue with your HR Business Partner.
- 4.5. You will be invited to attend a grievance hearing usually **within 14 calendar days** of raising your formal grievance.
- 4.6. You should expect a written outcome **within 28 calendar days** of the grievance hearing.

5. Raising a Collective Grievance

5.1. Occasionally you and your colleagues may want to raise a **collective grievance**. This is where a number of you have the same grievance at the same time. If this is the case then a spokesperson must be appointed on behalf of the group to proceed with the grievance and the procedure outlined in section four should be followed.

6. Raising a Grievance after Employment has Ended

6.1. Whilst there is no legal requirement for Lothian to follow a grievance procedure in relation to an individual who is no longer employed with the organisation, Lothian will consider a grievance raised within 28 days of employment ending. You should submit your grievance in writing. Depending on the nature of the grievance, the business may carry out any investigations that are considered appropriate. There will be no right of appeal.

7. Grievance vs Disciplinary

7.1. In situations where you raise a grievance whilst in the disciplinary process there is no obligation to halt the

disciplinary proceedings whilst the grievance is investigated.

- 7.2. If upon reviewing the grievance it is found to be related to the disciplinary, a decision should be made by the manager in conjunction with the local People Manager as to the appropriate course of action.
- 7.3. In certain circumstances it may be appropriate to temporarily suspend the disciplinary process in order to deal with your grievance, however, where appropriate, if the grievance topic is mitigation for the disciplinary matter, it may be treated as such.
- 7.4. Where the grievance is not related to the disciplinary matter then the two processes will be run concurrently.

8. Mediation

- 8.1. If your grievance is due to the breakdown of a workplace relationship then perhaps mediation is another step that can be taken to resolve the issue informally. Mediation is a voluntary and confidential way of resolving workplace disputes between people. It involves an independent, qualified impartial person helping two or more individuals

or groups reach a solution to a workplace dispute that's acceptable to everyone. Entering into mediation does not affect your right to formally raise a grievance. Mediation is not a mandatory step in the grievance procedure, however it is an effective tool which may allow you to resolve your grievance and produce a speedy satisfactory outcome.

- 8.2. Mediation can also be recommended as an outcome to your grievance if the chair of your grievance hearing feels it would be beneficial in resolving your dispute.
- 8.3. If you feel that mediation is something that would assist you in resolving your dispute then please discuss it with your People Manager who will direct you to a qualified mediator.

9. The Grievance Hearing

- 9.1. If your concerns cannot be resolved informally, following on from formally raising your grievance you will be invited to attend a grievance hearing. This will be arranged within a reasonable timeframe and usually **within 14 calendar days** of you raising it.

- 9.2. This is a formal meeting and you have the right to be accompanied by a work colleague or a trade union representative. It is your responsibility to arrange representation for the grievance hearing and not the responsibility of the chair of the grievance hearing.
- 9.3. At the meeting you will be given the opportunity to explain your grievance and how you think it should be resolved.
- 9.4. Before an outcome can be given to you, further investigation may be required. This can involve speaking with key witnesses and taking statements. You may then be called in at a later date for further clarification before a decision is reached by the chair of the meeting.
- 9.5. The timescale of receiving a grievance outcome will vary depending on the scope and length of the investigation required. It would be reasonable however to expect an outcome to your formal grievance hearing **within 28 calendar days**.
- 9.6. You will be notified in writing of the outcome of your grievance hearing setting out what action the chair intends to take (if any) to resolve the grievance.

9.7. You should be aware that any sanction given to another employee during or after the course of your grievance will remain confidential between the business and the employee(s) concerned. You may be advised that the appropriate action has been taken but not in detail what that action or sanction was.

10. The Right to Appeal

10.1. If you disagree with the outcome of your grievance hearing then you have the right to appeal the decision.

10.2. You can appeal the decision **within 7 calendar days** of being informed of the outcome of your grievance hearing.

10.3. The details of who to appeal to will be in the outcome letter you receive.

10.4. You must set out the full grounds of your appeal.

10.5. Your appeal will be heard by someone not previously involved in your grievance hearing.

- 10.6. Your appeal meeting will be heard within a reasonable timeframe and usually **within 14 calendar days** of you submitting it.
- 10.7. This is a formal meeting and you have the right to be accompanied by a work colleague, a trade union representative. It is your responsibility to arrange representation at the appeal hearing and not the responsibility of the chair of the grievance appeal hearing.
- 10.8. You will be notified within a reasonable timeframe of the outcome of your appeal meeting and usually **within 14 calendar days**.
- 10.9. The decision of the grievance appeal meeting is final and you have no further right of appeal.

11. Non-attendance at Meetings

- 11.1. Every effort should be made to attend meetings. If you cannot attend a meeting then you should inform the chair immediately and explain the reason for this.
- 11.2. If there is a valid reason for you not attending then another meeting will normally be arranged.

- 11.3. If you do not attend the re-arranged meeting in most cases it will take place in your absence and you will be notified in writing of the outcome.
- 11.4. Depending on the circumstances the chair may allow you to submit written representation.
- 11.5. If you are unable to attend a meeting due to ill health and this is likely to remain the case for an extended period, you may be required to obtain a medical report to determine whether or not you are sufficiently fit to attend a grievance hearing. If you are not fit to attend the chair may proceed in your absence however you may be given the opportunity to submit written representation.
- 11.6. If your chosen work colleague, trade union representative is unavailable at the first proposed time of the meeting then you may suggest an alternative date and time so long as it is not more than 7 calendar working days after the original date of the meeting.

12. Version Control

Version No.	Date of Change	Change made by:	Key Amendments
V1.0	24/01/2019	D Nicolson	Published
V2.0	05/12/2023	P Butler	Added emphasis on requirement to try to resolve informally. Removal of reference to Trade Union Official Changed People Team to HR Team

V3.0	22/01/2024	G Everitt	3.5. Grievance procedure flow chart added
V3.0	10/02/2025	D Calciu	Amendment clarifying clause 6.1.

This policy does not form part of employee's terms and conditions of employment and may be varied from time to time in accordance with business and legislative requirements.