

August 2016

## GRIEVANCE POLICY

### **Grievance Procedure**

The following procedure is not contractual.

#### **Stage 1**

If you have a grievance, you should initially discuss the matter informally with your Line manager. S/he may be able to resolve the matter to your satisfaction without a formal procedure.

If in the circumstances you feel that this is inappropriate/impossible to discuss this with your Line manager then you should discuss the matter with the Executive Director or a Trustee, whichever seems most appropriate.

#### **Stage 2**

If your grievance is not settled, you should write to the Executive Director and/or the Board of Trustees setting out your grievance in full (please include copies of any relevant documents). We will invite you to a meeting to discuss the grievance, normally within **7 working days** of receipt of your written grievance, and will try to resolve matters to your satisfaction. It may be necessary for us to make enquiries with other people about your grievance, which could delay the date for the meeting. Additionally, we may possibly need to have a second meeting with you.

You will be notified in writing within **7 working days** of the meeting of any decisions and action to be taken following this meeting. The letter will include a reminder of your right to appeal if you are not satisfied with the outcome.

#### **Stage 3**

If you are not satisfied with the decision following a grievance meeting you have the right to appeal. See "Right of Appeal" below.

#### **Right to be accompanied**

You have the right to be accompanied at any grievance hearing by a single companion who is either: -

- a) A work colleague; or,
- b) A full-time official employed by a trade union; or a lay official, so long as they have been certified in writing by their union as having experience of, or as having received training in, acting as a worker's companion at disciplinary or grievance hearings.

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Your representative has the right to explain and sum up your case, and to respond to any views expressed at the hearing. They may not answer questions on your behalf. If your representative cannot attend on the date we have set for the interview, we can postpone the interview for up to five days and may (at our discretion) postpone it for longer.

### ***Right to Appeal***

If you are not satisfied with a grievance meeting decision, you are entitled to appeal. This should be done in writing to the Chair of the Board of Trustees within **5 working days** of your receipt of any written decision / actions following any grievance meeting.

Any appeal shall be considered by the Board, or at the discretion of the Board by a Committee of one or more Board members. A meeting will be arranged to discuss the appeal, normally within **7 working days** of receipt of any written appeal. You will be invited to an appeal hearing, and reminded of your right to be accompanied.

You will be notified in writing of the result of your appeal, normally within **7 working days** of the appeal meeting.

The appeal hearing will reconsider the original decision. You will have an opportunity to put forward, should you wish to do so:

- a) New evidence, which was not available during the first hearing; and/or,
- b) Complaints of a flaw in the original decision-making process, such as a failure to follow procedures or a failure to give you a fair hearing.

The outcome of the appeal will be confirmed to you in writing and will take one of three forms:

- a) The original decision will be upheld, in which case any action will be confirmed;
- b) The original decision will be overruled, in which case any action will be rescinded;
- c) The original decision will be substantially confirmed but a different action taken.

There is no further right of appeal.

### ***After termination of employment***

If you wish to lodge a grievance after your employment has ended, we can either go through stages 2 and 3 above, or we can agree to deal with matters on the basis of a written grievance and response (without a meeting). We can discuss which option is easiest at the time.

### **Board of Trustees**

Chairperson – Janet Halton email: [JanetHalton@nrscot.org.uk](mailto:JanetHalton@nrscot.org.uk)

Ordinary Members – Graham Bodenham, Simon Marshall