

HR & OD POLICIES

human resources and organisational development



Grievance

Line Managers and Head Teacher Guidance

INDEX

INTRODUCTION	3
AIMS OF THE PROCEDURE	3
AIMS OF THE PROCEDURE	3
DEALING WITH AN INFORMAL GRIEVANCE	4
HEARING A FORMAL GRIEVANCE	4
GRIEVANCE AGAINST ANOTHER EMPLOYEE	4
INVESTIGATION - INFORMATION GATHERING	5
INVESTIGATION – SMALL SCHOOLS	5
INVESTIGATION – WITNESS STATEMENTS	5
RECORDS	6

1. INTRODUCTION

This document provides guidance on the handling of grievance issues in line with the principles of the Council's approved Grievance Policy and Procedure. It also underpins formal training, which is available to all line managers/teachers.

A Grievance Quick Guide is also available which summaries the grievance procedures and details the guidance and support which is available for managers.

These guidelines should be read in conjunction with the Council's Grievance Policy and Procedure and have been prepared to assist all parties involved in a Grievance to reach an acceptable resolution of the problem.

Anyone dealing with a grievance should contact Human Resources for advice and guidance prior to commencement.

2. AIMS OF THE PROCEDURE

- Deal with grievances raised through the procedure in a fair, reasonable and consistent manner.
- Settle grievances as close to the point of origin as possible.
- Resolve grievances informally wherever possible.
- Ensure grievances are dealt with within agreed time scales, wherever possible.
- Comply with the Employment Act 2000, The ACAS Code of Practice "Discipline & Grievance" and the Grievance Framework for Scottish Teachers (SNCT/23).

3. HEARING A GRIEVANCE

Any employee working in Aberdeenshire Council may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to discuss with management. He/she wants the grievance to be addressed, and if possible, resolved. It is also clearly in all parties' interests to resolve problems before they may develop into major difficulties for all concerned.

Every attempt should be made to resolve grievances through discussions between the employees and their immediate line manager, or with the next level of management when required. However, a grievance may be raised informally, formally or both.

4. DEALING WITH AN INFORMAL GRIEVANCE

Once the line manager has acknowledged the grievance and has contacted Human Resources, he/she arranges a meeting with the employee and/or, where requested, his/ her representative.

Convene the meeting in a place that is private and comfortable for the employee.

The meeting should be held in an open and informal manner giving the employee every opportunity to state his/her grievance.

The line manager should then ensure that he/ she understands the employee's grievance and is clear as what resolution he/she is seeking.

In many cases the line manager/head teacher may be in a position to respond to the employee's concerns and resolve his/ her grievance. However, it is important that the line manager/head teacher gives the employee's grievance full consideration.

Where the line manager/head teacher is unable to resolve the grievance, the meeting is adjourned and further investigation is undertaken into issues raised in the employee's grievance. The line manager/ head teacher may also require at this stage to seek authority for certain actions that may resolve the employee's grievance.

5. HEARING A FORMAL GRIEVANCE

Once the line manager/head teacher has met with the employee to establish the nature of the grievance and ascertain the resolution he/she is seeking the line manager/head teacher should adjourn the meeting and investigate the grievance fully. Once the grievance has been investigated fully the line manager/head teacher should convene a grievance hearing as outlined in Section 4 of the Grievance Procedure

6. GRIEVANCE AGAINST ANOTHER EMPLOYEE

There are occasions when a worker may be the cause of grievances among his/her coworkers, for example on grounds of personal hygiene, attitude, and capability for the job. Line managers/head teachers must deal with these cases carefully and will generally start by talking privately to the individual about the concerns of fellow workers.

This counselling may resolve the grievance to the satisfaction of the co-workers, who need to be told some action has been taken, but if matters do not improve then the

line manager/head teacher may require to consider whether the grievance warrants disciplinary investigation.

Alternatively, where it is deemed appropriate that the employees involved meet to discuss the issues raised.

7. INVESTIGATION - INFORMATION GATHERING

In exceptional situations where a grievance has been lodged and requires further investigations, the Chair of the grievance hearing may appoint an investigating officer. The Chair may also carry out the investigation personally. The member of staff responsible for the investigation must be at the same level of management or higher than the employee's line manager. Please contact an HR advisor for further guidance.

8. INVESTIGATION – SMALL SCHOOLS

If, within a small school, it is not possible to proceed with an investigation as outlined in Section 7, the head teacher of the school should act as Chair of any grievance hearing. The investigating officer should be another head teacher.

Where the head teacher of the school is required to give a witness statement as part of the investigation, another two head teachers will be required to investigate and chair any subsequent grievance hearing.

9. INVESTIGATION – WITNESS STATEMENTS

When taking a statement from a witness, the Chair/investigating officer should ask the employee to explain in his/her own words what he/she witnessed in relation to the matter under investigation.

The Chair/investigating officer should ensure that he/she does not lead the witness by asking closed questions and should ask open-ended questions whenever possible to allow for a full explanation.

No attempt should be made to take the statement verbatim, but rather to focus on obtaining the main facts.

The Chair/investigating officer should summarise the information to the witness before concluding the meeting.

The Chair/investigating officer should then write up the statement in the first person i.e. "I saw..., I did ... etc" It is essential that the date on which the statement was taken and the identity of the person who took the statement is recorded. When writing up the statement of the witness, the Chair/ investigating officer should use the same language and style used by the witness when the statement was given. In some circumstances it may be appropriate to produce the witness statement in a question and answer format. The answers should be put in the first person.

The witness should be asked to sign and date the statement when he/she is satisfied that it is a true record of what he/she witnessed.

It is recommended that the Chair/ investigating officer has an administrative assistant to record the witness statements. This is recommended to ensure consistency and to help the process run efficiently.

10. RECORDS

Records should be kept detailing the nature of the grievance raised, the line manager/ head teacher's response, any action taken and the reasons for it. These records should be kept confidential and retained in accordance the relevant Data Protection legislation, which requires the release of certain data to individuals on their request. Copies of any meeting records should be given to the individual concerned although in certain circumstances some information may be withheld for example to protect a witness.

For further advice and guidance on any of the above please contact [Human Resources and Organisational Development](#).

Grievance

Index of Documents

Guidance

Revision Date	Previous Revision Date	Summary of Changes
28-06-2011		Creation of all Documents
08-08-2015	28-06-2011	Update format
05-09-2022	08-08-2015	Updated terms