

Appendix 1 – Formal Grievance Procedure

Stage 1

The employee should submit a formal written statement of grievance to the Head of Service using the grievance submission form (Appendix 3), clearly outlining the nature of the grievance and the resolutions sought.

Where a grievance relates to bullying and harassment, the written statement of grievance should be submitted to a Nominated Bullying & Harassment Senior Officer:

Nominated B&H Senior Officers	
Caroline Campbell	caroline.campbell@highland.gov.uk
Tracey Urry	tracey.urry@highland.gov.uk
Colette Macklin	colette.macklin@highland.gov.uk
Donna Sutherland	donna.sutherland@highland.gov.uk
Fiona Malcolm	fiona.malcolm@highland.gov.uk
Alan McKinnie	Alan.mckinnie@highland.gov.uk

A copy should also be sent to HR via HR@highland.gov.uk If it is felt that submitting the grievance to the Head of Service is not appropriate, it should be submitted to the Service ECO.

Where possible, a conciliation meeting facilitated by HR should take place with the aggrieved employee and other appropriate parties. The purpose of the meeting is to support the employee and to enable a timely, fair, and transparent and informal resolution.

If conciliation is unsuccessful in resolving the grievance, the Head of Service will nominate an officer to convene a grievance hearing within 15 working days (or otherwise by mutual agreement) of receipt of the written statement of grievance.

If appropriate, a nominated officer can be appointed from a different Service.

The employee will have the right to be represented at the meeting.

The nominated officer will respond in writing to the formal statement of grievance within 5 working days after the date of the meeting, unless otherwise agreed to allow the nominated officer to speak to any witnesses or subject experts.

Support will be available from Services for employees who raise a grievance, as well as for employees who a grievance is raised against. Contact should be made with HR to discuss appropriate arrangements. Examples of support could include:

- agreeing a communication plan with the employee
- appointing an alternative manager as the point of contact where necessary
- referral to the Employee Assistance Programme

Stage 2

Employees have the right to appeal the outcome of a stage 1 grievance. The reasons for appeal should be clearly explained and could be because the outcome is wrong or unfair, or because the procedure was not followed appropriately.

A statement of appeal must be submitted in writing using the Grievance Appeal Form (Appendix 4) within 10 working days of receipt of the nominated officer's decision, explaining the reason(s).

The Service ECO will nominate an appropriate manager, who can be appointed from a different Service, to convene a formal appeal hearing within 15 working days of receipt of the grievance appeal form.

The Service ECO or nominee shall respond in writing to the aggrieved employee within 5 working days after the date of the hearing, unless otherwise agreed. This will conclude the grievance process.

Stage 3 – Teachers Only (LNCT 4)

If a teacher considers that they have a grievance with the Council regarding the application and/or interpretation of the national agreement on salaries and conditions of service, they must exhaust the Council's internal procedures, in the first instance.

If a teacher is dissatisfied with the outcome of the Council's procedures, then they may ask for the case to be considered by the Joint Secretaries representing the Employers' Side and the Teachers' Side of the SNCT.

The Joint Secretaries will consider whether the Council has complied with and/or properly interpreted the national agreement on salaries and conditions of service and has taken into account of all of the relevant factors. If the Joint Secretaries are not satisfied that the Council has acted correctly or appropriately, it will refer the matter back to the Council with appropriate advice. If this advice or mediation by the Joint Secretaries does not resolve the matter, or if there is a failure to agree, the Joint Secretaries will refer the case to an Appeals Panel of the SNCT.

The decision of the Appeals Panel will be final and binding on all parties to the appeal.