Version 5.0

GRIEVANCE POLICY

Equality

In accordance with the Equality Act 2010, we will make any reasonable adjustment necessary to assist those with a protected characteristic or substantive health condition to engage fully with the Commission. If you require any assistance with this document please let us know.

We are also a member of Happy to Translate (HTT) and can provide language assistance with this document or make it available in alternative formats if required upon request.

HAPPY TO TRANSLATE

☒ 0141 270 7030

☒ info@sccrc.org.uk

1.0 General Policy

1.1 The Scottish Criminal Cases Review Commission ("the Commission") has a grievance procedure, which aims to set out an employee's rights and entitlement to seek to have addressed any complaint or concern relating to their employment (excluding any complaint in respect of a performance appraisal marking or performance appraisal report for which separate procedures apply), and to ensure that the Commission complies with the law. This procedure applies to all employees full-time or part-time. This procedure also applies to both male and female employees, notwithstanding the fact that the policy makes reference to male employees only.

2.0 Procedure

- ### Stage 1

  Where an employee has any form of grievance relating to any aspect of his employment, he should advise the Director of Corporate Services, whose responsibility it will be to try and deal with any such grievance informally, and hopefully resolve any issue to the satisfaction of the employee, without the necessity of the matter being raised formally.

  Where the Director of Corporate Services has a grievance he should raise the matter with the Chief Executive.

  Where the Chief Executive has a grievance he should raise the matter with the Chairman.

- Stage 2

  In the event of the problem not being resolved after consultation with the Director of Corporate Services (Chief Executive or Chairman), as described in stage 1 above, the employee should proceed to raise the matter formally by preparing a written record outlining the nature of the grievance. The written record of the grievance will be presented to the Chief Executive (Chairman in respect of a grievance from the DOA; and Board of the Commission in respect of a grievance from the Chief Executive) who will arrange a grievance hearing. The object of this hearing will be to establish whether the grievance is justified and if so, to attempt to find a mutually acceptable solution. This process will be as informal as possible, with the intention of achieving a satisfactory resolution for all affected parties to the grievance. The Chief Executive may wish to liaise with the Members of the Commission on any proposed action to be taken in relation to the grievance. The Chief Executive (Chairman or Board, where relevant) will confirm any outcome in writing. Where the grievance concerned relates directly to the Director of Corporate Services or the Chief Executive, then Stage 2 will not apply, and the process will proceed immediately from Stage 1 to Stage 3.

- Stage 3

  In the event of the problem not being resolved through the processes of Stage 1 or Stage 2, then an employee will be entitled to have a formal record of his grievance placed before the Board Members of the Commission. A written record of the grievance will be considered by the Members at a formal grievance hearing. The object of this hearing will again be to establish whether the grievance is justified and if so, to attempt to find a mutually acceptable solution. The employee will be entitled to make further representations at this hearing. The Members will decide whether or not it is appropriate for the Chief Executive and/or Director of Corporate Services to attend the hearing. The Members will consider all relevant matters before reaching a decision. This will be confirmed to the employee in writing. This decision will be final.

  In relation to this grievance procedure, the following set of requirements will apply:

  - Employees can be accompanied by a trade union representative, or by a colleague, or other person of the employee's choice at any hearing during this process.
  - Neither party should unreasonably delay at any stage.
  - The timing and location of hearings will be reasonable.
  - Hearings will be conducted in a manner to allow both sides to explain their case.

  Where note of a grievance is received from an ex-employee, the following procedure will apply:

  - The ex-member of staff must set out detail of the grievance in writing and send this to the Chief Executive.
  - The Chief Executive will send a written response to the ex-member of staff.

Date approved:	2003
Date of last review:	August 2023
Date of next review:	August 2026