



Grievance Policy/Procedure

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Introduction

1. This policy aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle grievances informally with their line manager.

Informal Grievance Procedure

3. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with his/her manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her manager (for example, because it concerns the manager), the employee should contact the chairman of the Establishment Committee or, if appropriate, another member of the Establishment Committee.

Formal Grievance Procedure

4. If it is not possible to resolve the grievance informally, the employee may submit a formal grievance. It should be submitted in writing to the Clerk.
5. The Establishment Committee will appoint a sub-committee of three members to investigate the grievance. The sub-committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the sub-committee.
 - 5.1 if so requested by the sub-committee, an officer will instigate an investigation, which may include interviewing the complainant, the accused and witnesses and a report written, as input to the Establishment Committee.

Notification

6. Within 10 working days of a grievance being received, the employee will be asked, in writing, to attend a grievance meeting. The Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can agree an alternative date that is within five working days of the original meeting date.

The sub-committee's letter will include the following:

- I. the names of its Chairman and other members
- II. a summary of the employee's grievance based on their written submission
- III. the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will be within 25 working days of when the council received the grievance
- IV. the employee's right to be accompanied by a companion who can be a trade union representative, work colleague or, at the discretion of the Establishment Committee, the employee may be accompanied by an alternate third party
- V. a copy of the Council's grievance policy
- VI. confirmation that, if necessary, witnesses may attend on the employee's behalf and that the employee should provide the names of his/her witnesses at least five working days before the meeting
- VII. confirmation that the employee will provide the Council with any supporting evidence at least five working days before the meeting.

The Grievance Meeting

7. At the grievance meeting:

- I. the Chairman will introduce the members of the sub-committee to the employee
- II. the employee (or companion) will set out the grievance and present the evidence.
- III. the Chairman will ask the employee what action they want the council to take
- IV. any member of the sub-committee and the employee (or the companion) may question any witness
- V. the employee (or companion) will have the opportunity to sum up the case
- VI. the Chairman will explain that will happen next and undertakes to keep the individual informed on a regular basis.
- VII. audio/visual recordings of the proceedings at any stage of the grievance procedure are prohibited,

Post meeting:

- VIII. the chairman will undertake further investigation and will notify the complainant of their decision in writing or call a further meeting.
- IX. the Chairman will provide the employee with the sub-committee's decision, in writing, within a reasonable timescale of the meeting. The letter will notify the employee of the action, if any, that the council will take and of the employee's right to appeal and by when.

The Appeal

8. If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the Establishment Chair. An appeal must be received by the Council within five working days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.
9. Appeals may be raised on a number of grounds, i.e:
 - I. a failure by the Council to follow its grievance policy
 - II. the decision was not supported by the evidence
 - III. the action proposed by the sub-committee was inadequate/inappropriate
 - IV. new evidence has come to light since the grievance meeting.
10. The Appeal will be heard by a panel of three members of the Establishment committee who have not previously been involved in the case. There may be insufficient members of the Establishment Committee who have not previously been involved. If so, the appeal panel will be a committee of three council members. The appeal panel will appoint a Chairman from one of its members.
11. The employee will be notified, in writing, within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will take place within 25 working days of the council's receipt of the appeal. The employee will be advised that they may be accompanied as in 6.IV above.
12. At the appeal meeting, the Chairman will:
 - I. introduce the panel members to the employee
 - II. explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the Establishment sub-committee
 - III. explain the action that the appeal panel may take.
 - IV. The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting unless agreed by the employee and the Panel.
 - V. The employee (or companion) will be asked to explain the grounds of the appeal.
13. The appeal panel may decide to uphold the decision of the Grievance Panel or substitute its own decision.
14. The decision of the appeal panel is final.
15. This policy also confirms:
 - I. any changes to specified time limits must be agreed by the employee and the Panel
 - II. an employee has the right to appeal against the decision about his/her grievance. The appeal decision is final.
 - III. information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and

action taken is confidential to the employee. . The employee's grievance records will be held by the Council in accordance with General Data Protection Regulation (GDPR)

- IV. unless agreed as a reasonable adjustment that takes account of an employee's medical condition
- V. if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- VI. if a grievance is not upheld, no disciplinary action will be taken against an employee if they raised the grievance in good faith
- VII. the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the Council's and the employee's consent.