

Spaldwick Parish Council

GRIEVANCE POLICY

Adopted: May 2024

Reviewed:

Next review date: May 2025

1. PURPOSE AND SCOPE

This procedure 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; it is prepared in accordance with the ACAS Code of Practice on disciplinary and grievance procedures.

Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.

2. PRINCIPLES

- No disciplinary action will be taken against an employee until the case has been fully investigated.
- At every stage in the procedure the employee will be advised of the nature of the complaint against him/her and will be given the opportunity to state his/her case before any decision is made.
- At all formal stages, the employee will have the right to be accompanied by a trade union representative or work colleague during the disciplinary interview.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty of dismissal without notice or payment in lieu of notice may be applied.
- An employee will have the right to appeal against any disciplinary penalty imposed.
- The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

3. INFORMAL GRIEVANCE PROCEDURE

- The Council and its employees benefit if grievances are resolved informally and as quickly as possible.
- Minor misconduct and issues may be dealt with, usually in a confidential one-to-one meeting between the employee and the Council. In the case of the Clerk being the individual against whom there is a complaint or allegation the matter should be handled discreetly by the Chair of the Council. If an employee does not want to discuss their grievance with his/her manager (e.g., because it concerns the manager), the employee should contact the Chair of the Council or, if appropriate, another member of the Council.
- Where the matter is more serious or informal action has not brought about the necessary improvement the following procedure will be used.

4. FORMAL GRIEVANCE PROCEDURE

- 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 Chair of the Council.
- The Council will appoint a sub-committee of three members to investigate the grievance. The sub-committee will appoint a Chair from one of its members. No Councillor with direct involvement in the matter shall be appointed to the sub-committee.

Investigation- The sub-committee will investigate the matter before the grievance meeting which may include interviewing others (e.g. employees, councillors or members of the public).

Notification- Within 10 working days of the Council receiving the employee's grievance, the employee will be asked, in writing, to attend a grievance meeting. The sub-committee's letter will include the following:

- the names of its Chair and other members
- a summary of the employee's grievance based on his/her written submission
- 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.
- the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
- a copy of the Council's grievance policy
- 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
- confirmation that the employee will provide the Council with any supporting evidence at least five working days before the meeting.

The grievance meeting- At the grievance meeting:

- the Chair will introduce the members of the sub-committee to the employee
- the employee (or companion) will set out the grievance and present the evidence
- the Chair will ask the employee what action he/she wants the Council to take
- any member of the sub-committee and the employee (or the companion) may question any witness
- the employee (or companion) will have the opportunity to sum up the case

- the Chair will provide the employee with the sub-committee's decision, in writing, within five working days 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
- a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

The appeal- If an employee decides that his/her grievance has not been satisfactorily resolved by the sub-committee, he/she may submit a written appeal to the Chair of the Council. 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.

Appeals may be raised on a number of grounds, e.g.:

- a failure by the Council to follow its grievance policy
- the decision was not supported by the evidence
- the action proposed by the sub-committee was inadequate/inappropriate
- new evidence has come to light since the grievance meeting.

The Appeal will be heard by a panel of three members of the Parish Council who have not previously been involved in the case. There may be insufficient members of the Council 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 Chair from one of its members.

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 he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.

At the appeal meeting, the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
- explain the action that the appeal panel may take.

The employee (or his/her companion) will be asked to explain the grounds of his/her appeal.

The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.

The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.

The decision of the appeal panel is final.