

KESSINGLAND PARISH COUNCIL



STAFF POLICY & PROCEDURE

GRIEVANCE POLICY & PROCEDURE

To Be Reviewed: Bi-Annually

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1. POLICY STATEMENT

- 1.1 It is our policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.
- 1.2 Issues that may cause grievances include:
- (a) terms and conditions of employment;
 - (b) health and safety;
 - (c) work relations;
 - (d) bullying and harassment;
 - (e) new working practices;
 - (f) working environment;
 - (g) organisational change; and
 - (h) discrimination.
- 1.3 This procedure does not form part of any employee's contract of employment. It may be amended at any time and we may depart from it depending on the circumstances of any case.

2. WHO IS COVERED BY THE PROCEDURE?

This procedure applies to all employees regardless of length of service.

3. USING THIS PROCEDURE

- 3.1 If you have difficulty at any stage of the Grievance Procedure because of a disability or because English is not your first language, you should discuss the situation with your Line Manager as soon as possible.
- 3.2 This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the appropriate procedure in the Staff Handbook.
- 3.3 We have a separate Anti-harassment and Bullying Policy that may be useful if you have been the victim of bullying or harassment or wish to report an incident of bullying or harassment involving other people. It is set out in the Staff Handbook.

3.4 We operate a separate Whistleblowing Policy to enable employees to report illegal activities, wrongdoing or malpractice. However, where you are directly affected by the matter in question, or where you feel you have been victimised for an act of whistleblowing, you may raise the matter under this Grievance Procedure.

3.5 Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Protection Policy.

4. RAISING GRIEVANCES INFORMALLY

Most grievances can be resolved quickly and informally through discussion with your Line Manager. If the complaint concerns him or her, then you should speak informally to another Member of the Council. If this does not resolve the issue, you should follow the formal procedure below.

5. FORMAL WRITTEN GRIEVANCES

5.1 If your grievance cannot be resolved informally you should put it in writing and submit it to your Line Manager, indicating that it is a formal grievance. If the grievance concerns him or her, you may submit it instead to the Chair of the Staffing Committee, or, in the event that the grievance concerns the Chair of the Staffing Committee, or, the Chair is your Line Manager to another Councillor member of the Staffing Committee.

5.2 You will always be given the opportunity to address your grievance to a Councillor independent of any involvement in the grievance if you feel there is a conflict of interest with the named officers.

5.3 The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations we may need to ask you to provide further information.

5.4 You will receive a written acknowledgement of your grievance within 7 working days if possible but no later than 14 working days. You will be contacted by the Chair of the Staffing Committee if there is to be no investigation. However, if the matter is to be investigated, you will be contacted by the appropriate person nominated by the Chair of the Parish Council.

6. INVESTIGATIONS

6.1 In some cases it may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant

documents. The investigation can be carried out by your line manager or, if the Chair considers it appropriate, he/she will appoint an independent Councillor(s) to investigate the complaint in their stead as noted in paragraph 5.1.

- 6.2 You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- 6.3 We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

7. RIGHT TO BE ACCOMPANIED

- 7.1 You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague, or friend advocate. You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting.
- 7.2 At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
- 7.3 Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties, without loss of pay, to act as a companion.
- 7.4 If your choice of companion is unreasonable we may ask you to choose someone else, for example:
 - (a) if in our opinion your companion may have a conflict of interest or may prejudice the meeting; or
 - (b) if your companion works at another site and someone reasonably suitable is available at the site at which you work; or
 - (c) if your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards.

8. GRIEVANCE MEETINGS

- 8.1 Dependant on the circumstances mentioned in paragraph 5.3 you will be contacted by either the Chair of the Staffing Committee or the person nominated by the Chairman of the Council to attend a grievance meeting.

- 8.2 You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
- 8.3 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.
- 8.4 After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. This may be, for example, where conflicting information is presented at the initial meeting and further information is necessary. Such meetings will be arranged without unreasonable delay.
- 8.5 Your companion at a grievance meeting may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
- 8.6 We will write to you, usually within one week of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

9. APPEALS

- 9.1 If the grievance has not been resolved to your satisfaction you may appeal in writing to the Chair of the Staffing Committee or another Parish Councillor independent of your complaint, or, in the event that the grievance concerns the Chair of the Staffing Committee, or, the Chair is your Line Manager to another Councillor member of the Staffing Committee, or, in the event that the grievance was heard by this person, to the Chair of the Parish Council stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.
- 9.2 We will hold an appeal meeting. This will be dealt with impartially by the appropriate person as described in paragraph 9.1 who has not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see paragraph 7).
- 9.3 In all Appeal cases the final arbiter will be the Chair of the Parish Council
- 9.4 We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of procedure and there is no further appeal.