

South Luffenham Parish Council

Grievance Policy

1. Introduction

This policy is based on and complies with the 2015 ACAS code of practise. It 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.

Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle grievances initially in an informal meeting with the chairman of the Parish Council.

2. This policy confirms:

Employees have the right to be accompanied or represented at a grievance meeting or appeal by a trade union representative work colleague or a family member. The said person will be permitted to address the meetings, to present the employees case for his/her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employees wishes or prevent the employee from explaining his/her case.

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. The employee can request a postponement and can propose an alternative date suitable to all parties within five working days of the original meeting date.

Any changes to specified time limits must be agreed by the employee and the council.

An employee has the right to appeal against the decision about his/her grievance. The appeal decision is final.

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 the Data Protection Act 1998.

Where a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith.

The Council may consider mediation at any stage of the procedure where appropriate (for example breakdown in communication or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the Council's and the employees consent.

Informal Grievance Procedure

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 the Parish Council Chairman 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 the chairman because it concerns the chairman, the employee should contact the Vice chairman or other member of the council.

Formal Grievance Procedure

If it is not possible to resolve the grievance informally, the employee may submit the said grievance in writing to the Chairman.

The Chairman/Vice chairman will appoint a committee of three members to investigate the grievance. The committee will appoint a Chairman from one of its members, no Councillor with direct involvement in the matter shall be appointed to the committee.

Investigation

The committee will investigate the matter before the formal meeting which may involve interviewing others (e.g. employees, Councillors or members of the public).

Notification

Within 10 working days of the council receiving the employees written grievance, the employee will be asked, in writing, to attend a formal meeting. The committees letter will include the following:

- 1) the names of its Chairman and other members.
- 2) A summary of the grievance based on the employees written submission.
- 3) The date and time of the meeting. The employee will be given reasonable notice of the meeting which must be within 10 working days of receipt of the grievance letter.
- 4) The employee's right to be accompanied by a trade union representative or a family member.
- 5) A copy of the Councils grievance policy.
- 6) Confirmation that, if necessary, witnesses may attend on the employees behalf and that the employee should provide the names of his/her witnesses at least 5

working days before the meeting.

- 7) Confirmation that the employee will provide the Council with any supporting evidence at least 5 working days before the meeting.

The Grievance Meeting

At the grievance meeting:

- 1) The Chairman will introduce the members of the committee to the employee.
- 2) The employee (or companion) will set out the grievance and present the evidence.
- 3) The Chairman will ask the employee what action does he/she want the council to take.
- 4) Any member of the committee and the employee (or the companion) may question the witness or witnesses.
- 5) The employee (or companion) will have the opportunity to sum up the case.
- 6) The chairman will provide the employee with the committee's decision, in writing, within 5 working days of the meeting. The letter will notify the employee of the action, if any, that the council will take and employee's right to appeal.
- 7) A grievance meeting may be adjointed to allow matters that were raised during the meeting to be investigated by the committee.

The appeal

- 1) if an employee decides that his/her grievance has not been satisfactorily resolved by the committee, he/she may submit a written appeal to the Council within 5 working days of the employee receiving the committee's decision and must specify the grounds for the appeal. .
- 2) 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 committee was inadequate/inappropriate.
New evidence has come to light since the meeting.
- 3) The appeal will be heard by a panel of three members of the council who have not been involved with the case. There may be insufficient members of the council who have not previously been involved, if so, external independent Councillors from the local Parish Councils will be invited to join the panel. The appeal panel will appoint a Chairman from one of its members.
- 4) The employee will be notified within 10 working days of receipt of the appeal of the date, time and place of the appeal meeting. The meeting will take place within 15 working days of the Councils receipt of the appeal. The employee will be advised that he/she may be accompanied by a union representative or companion.

At the Appeal Meeting

- 1) The Chairman will introduce the panel members to the employee.
- 2) Explain the purpose of the meeting.
- 3) Explain the action that the appeal panel may take.
- 4) The employee (or his/her companion) will be ask to explain the grounds of his/her appeal.
- 5) The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within 5 working days of the appeal meeting.
- 6) The appeal panel may decide to uphold the decision originally made at the grievance hearing.
- 7) The decision of the appeal panel is final.