

# LONGCOT PARISH COUNCIL

## GRIEVANCE PROCEDURE

### Issue History

Date of Adoption	Reference in Minute Book	Comments
12/02/2015	31/15	Procedure valid from 12 February 2015

### Introduction

- 1 It is the policy of the Council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the Council. This document describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is consistent with the guidance published in 2014 in an ACAS document entitled "Discipline and Grievances at Work – the ACAS Guide".
- 2 The procedure (see section headed Procedures below) has been written to apply to all employees. At the time of writing the Council has only one (the Clerk).
- 3 This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The Council's requirements are set out in the individual's contract of employment and the procedure applies to all employees. The aim is to ensure consistent and fair treatment for all in the organisation.
- 4 The Council takes all grievances seriously and believes that the aim should be to resolve all grievances as expeditiously as possible and at the lowest practicable managerial level. To that end all staff are encouraged to first seek resolution via the informal procedure. If it is not possible to resolve a grievance informally employees should follow the formal procedure.
- 5 It is not practicable to address some grievances via the present approach and the following topics are outside the scope of this procedure:
  - Salary or gradings
  - Disciplinary actions
  - Income tax, national insurance matters, rates of pay collectively agreed at the national or local level
  - Rules of pension schemes
  - Matters over which the Council has no control.

### Procedures

#### Dealing with grievances informally

- 1 Wherever possible, any grievance should be raised informally with the Clerk or, if this is inappropriate, with the Council's Chairman. In the case of the Clerk raising a grievance this should be directed to the Chairman of the Council unless the complaint is about the Chairman in which case another Member can be identified to handle the Clerk's concerns. The recipient of a grievance from the Clerk should share the grievance with the Chairman of the Staffing Committee and the issues should be treated with discretion and confidentiality at all times.
- 2 The Council recognises that, in a parish council, the role of Clerk can seem quite isolated. To counterbalance this isolation the Council appoints one of its councillors to be a mentor for the Clerk. The relationship between the Clerk and his/her mentor is a confidential one. In particular:
  - a. The mentor is not part of the managerial chain.

- b. The mentor is debarred by Standing Orders from sitting on either the Staffing or Appeals Committees
- 3 As a result of this confidentiality the mentor is under no obligation to report the outcome of conversations with the Clerk and cannot be compelled so to do by resolution of the Council. Given this relationship, the Clerk may choose to first discuss a grievance with her/his mentor. If this discussion resolves the grievance then the matter is at an end. If it is not resolved, the Clerk may next exercise the right given to all employees in paragraph 1 of this section.
  - The right to consult with her/his mentor is an additional right not an alternative to that set out in paragraph 1.

### **Formal Procedure**

- 4 If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to the Clerk or, if this is inappropriate, to the Chairman of the Council. In the case of the Clerk the written statement should be sent to the Chairman.
- 5 In all cases the written statement will be remitted to the Chairman of the Staffing Committee.
- 6 Within a reasonable period of time (typically 5 working days after receipt of a written complaint), the Chairman of the Staffing Committee will arrange a meeting of the Committee with the employee. The Committee Chairman will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions.
  - a. The aggrieved person must take all reasonable steps to attend the meeting.
  - b. Grievance meetings will normally be convened with 14 days of the Council receiving the Statement of Grievance.
  - c. The employee has the right to be accompanied to a grievance meeting by a fellow employee, a Trade Union representative or by a friend.
  - d. If the meeting is inconvenient for either the employee or his or her companion, the employee has the right to postpone the meeting by up to 5 working days
- 7 The Staffing Committee will investigate the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as the Committee members shall consider appropriate and will take such steps as they shall consider necessary to resolve the issue raised. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance.
- 8 During the meeting:
  - a. The aggrieved employee may call witnesses by prior arrangement with the Committee.
  - b. There is no right for a Councillor or employee implicated in an employee's grievance to cross examine the aggrieved during a grievance hearing but the Committee may wish to make its own investigations through interviewing these individuals and/or other witnesses separately.
  - c. The Committee may ask the employee what (s)he would like to happen as a result of raising the grievance and bear this in mind when preparing the response.
- 9 A grievance meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the Committee time to consider the decision.
- 10 After the meeting the employee will be informed of the Staffing Committee's decision within 5 working days. The Staffing Committee's decision will be confirmed to the employee in writing.
- 11 If the employee wishes to appeal against the Staffing committee's decision, (s)he must inform the Council within 5 working days of receiving the decision.
- 12 Appeals can only be made on the following grounds:
  - The employee thinks the finding, or action plan, is unfair
  - New evidence has come to light
  - The employee thinks that the procedure was not applied properly

- 13 If the employee notifies the council that (s)he wishes to appeal, the employee will be invited to attend a grievance appeal meeting with the Council's Appeals Committee\*. The employee must take all reasonable steps to attend that meeting. The employee has the right to be accompanied to a grievance appeal meeting by a fellow employee, a Trade Union representative or by a friend.
- 14 A grievance appeal meeting will normally be convened within 7 working days of the Council receiving notice that the employee wishes to appeal pursuant to paragraph 11 above. If the meeting time is inconvenient for the employee or his or her companion, the employee may ask to postpone the meeting by up to 5 working days.
- 15 After the grievance appeal meeting the employee will be informed of the Council's final decision within 5 working days. The Council's decision will be confirmed to the employee in writing.

Review date November 2021

\* The Appeals Committee consists of 3 councillors who are not members of the Staffing Committee and are neither the Chairman nor the vice chairman of the Council.