

Grievance Procedure

Adopted May 2020.

1. Introduction

1.1 Purpose

It is the Council's policy to ensure that employees with a grievance relating to their employment have a procedure available, which is designed to help resolve grievances as quickly and as fairly as possible. Extensions to the time limits as stated in paragraphs 3 and 4 of this procedure should be by mutual agreement with the management and employee concerned.

1.2 Key Principles

It is unlawful to discriminate in the operation of grievance procedures, for example by victimising an individual through grievance measures because he or she has complained about racial, disability or sex discrimination, harassment or given evidence about such a complaint. The Council should not ignore or treat lightly grievances from members of particular groups on the assumption that they are over-sensitive about discrimination.

It is recommended that in applying grievance procedures consideration should be given to the possible effect on an employee's behaviour of the following:

- Discriminatory abuse or other discriminatory provocation.
- Communication and comprehension difficulties.
- Differences in background or behaviour.

Every attempt should be made to seek to resolve grievances at the least formal stage possible.

This grievance procedure is available for all employees except those excluded by reasons listed below:

- Failure to comply with the relevant time limits within the procedure, unless the Chair of the Council agrees to a particular time limit being waived, e.g. in a case of harassment/sexual harassment or bullying.
- An attempt within six months of the completion of the action under the grievance procedure to restart the procedure in respect of the same or similar grievance, unless any action decided upon by management to redress the action has not been implemented. This does not preclude the right to take a grievance if there is a repetition of the same behaviour/action.
- A declared grievance in connection with a matter for which the employee has been notified of the date of an interview or disciplinary hearing, in writing, concerning an alleged act of misconduct by him or her.
- A declared grievance in connection with allegedly unsatisfactory performance by an employee when the employee has been notified, in writing, of the date of an interview or formal hearing concerning that matter.
- The person is no longer an employee of the Council.

Until such time as the settlement of the grievance is reached under this procedure status quo will apply.

Failure to comply with any part of this procedure should be referred to the Vice-Chair of the Council.

This procedure does not exclude the following possibilities:

- That you and your representative approach the Chair of the Council in the first instance;
- That you be represented or be without representation;
- That a group of employees be represented by a Trade Union official or;
- That the procedure should be available to a group of employees sharing a grievance.

2. The Grievance Procedure

2.1 Informal Discussions

If you have a grievance relating to your employment, other than a grading or associated pay issue, you should discuss this in the first instance with the Chair of the Council.

The Chair of the Council should reply orally as soon as possible, and, in any case, within three working days, setting out what action, if any, he/she proposes to take in relation to your grievance. The Chair of the Council will not refer the grievance to a meeting of the Parish Council, other than to report the final outcome.

Both Chair of the Council and employee may find it helpful to keep a note of such an informal meeting.

2.2 Stage 1

If you continue to be aggrieved, you, or your representative, should, within ten working days of receipt of the Chair of the Council's verbal response as set out above, put your grievance in writing giving the reasons as to why you continue to feel aggrieved to the Vice-Chair of the Council. You or your representative should keep at least one copy of the grievance.

The Vice-Chair of the Council should, within seven working days, arrange a meeting with the interested parties and, if you so desired, with your Trade Union Representative or fellow employee. The Vice-Chair of the Council will not report the matter to a meeting of the Parish Council.

Within seven working days after any such meeting the Vice-Chair of the Council will confirm any decision in writing. The Vice-Chair of the Council may refer the matter back with appropriate comments to the Chair of the Council or reject the grievance.

2.3 Stage 2

If you continue to be aggrieved in respect of your original complaint, your grievance must be resubmitted in writing to the Vice-Chair of the Council within ten working days of the date of receipt of the letter informing you that your grievance has not been upheld, giving the reasons why you are not satisfied with the action taken so far. The Vice-Chair will then make arrangements for the Appeals Panel to be convened, which will comprise three people, either members of the Council, and/or other suitable independent people. The Chair and any members who have been involved in the matter shall not be involved in the appeals panel.

3. Trade Union Representation

At any stage of the grievance procedure an employee may be accompanied by their trade union representative or by an employee of their choice. The hearing may be postponed for up to five working days if the representative of the employee's choice is not available.

4. Review

This procedure will be reviewed regularly and will form part of a normal agenda at a scheduled Parish Council meeting.