



EARLEY TOWN COUNCIL

GRIEVANCE PROCEDURE

This procedure aims to encourage and maintain good working relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible.

This procedure is prepared in accordance with the 2015 ACAS Code of Practice and also takes into account the ACAS guide on discipline and grievances at work. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

This policy does not apply where an employee has a grievance about a councillor. If it is not possible to informally resolve a complaint of this nature, the complaint must be passed on to the Monitoring Officer.

Definitions

“Grievance” – for the purpose of this policy, grievances are defined as concerns, problems or complaints over work-related matters that an employee raises with the council.

“Management Team” – for the purpose of this policy, the “Management Team” includes the Town Clerk, Deputy Town Clerk and Operations Manager.

“Line Manager” – for the purpose of this policy, the “line manager” includes the Town Clerk, Deputy Town Clerk or Operations Manager. It may also include other staff in a supervisory role if the duty is delegated by a member of the Management Team.

Time Limits

Time limits referred to in the Grievance Procedure may be varied by agreement. For the purpose of this procedure, a working day will mean any day between Monday and Friday (inclusive) but excluding Public and Bank Holidays.

Informal Grievance Procedure

Wherever possible, employees who have a grievance should firstly raise it with their Line Manager to see if the matter can be resolved and whether an informal solution is possible.

If an employee does not wish to discuss the grievance with their direct line manager, the employee should speak to another member of the Management Team.

Formal Grievance Procedure

If it is not possible to resolve a grievance informally, employees should raise the matter formally and without unreasonable delay. The nature of the grievance should be set out in writing and submitted to their Line Manager.

Upon receipt of a grievance, it may be necessary to conduct an investigation. If appropriate, an investigatory meeting will be held to gather all relevant facts and evidence. The investigatory

meeting will usually be conducted by the employee's Line Manager. The employee will be invited to attend this meeting.

A grievance meeting will be held to discuss the grievance with the employee. The meeting will usually be held within five working days of receipt of the grievance. The meeting will be conducted by the Town Clerk or Deputy Town Clerk whom, depending on the circumstances, may also be accompanied by another Town Council Officer or a Town Councillor.

In the event that the grievance involves the Town Clerk or Deputy Town Clerk, the grievance should instead be set out in writing and submitted to the Chairman of the Staffing Sub-Committee. In such an event, the Staffing Sub-Committee will appoint a panel of three members to hear the grievance and the Chairman of the panel will call the employee to a meeting to discuss the matter.

The employee has the right to be accompanied by a colleague or trade union representative at the investigation meeting and grievance meeting, but notice of any such representation should be given in advance.

After the meeting, the employee will be advised of the outcome in writing without unreasonable delay. This will include any action the Council intends to take to resolve the grievance or whether any further information or investigation is required before making a decision.

Appeal

If an employee feels their grievance has not been satisfactorily resolved, they have a right to appeal. Any request to appeal must be made in writing, detailing the grounds of appeal, to the Town Clerk, Deputy Town Clerk or panel Chairman within five working days of receiving the initial decision.

The employee will be notified, in writing, usually within 10 working days of receipt of the appeal, of the time, date and place of the appeal meeting. The meeting will normally take place within 21 working days of the Council's receipt of the appeal. The employee has the right to be accompanied at the Appeals Panel by a colleague or a trade union representative but notice of any such representation should be given in advance.

The Appeals Panel will be made up of three members of the Staffing Sub-Committee who, where possible, have had no prior involvement in proceedings. The Town Clerk or Deputy Town Clerk may also be present.

The decision of the Appeals Panel will be notified in writing within 5 working days. In exceptional cases the Panel may request further information to assist it in reaching its decision, in which case the employee will be notified of any likely delay in receiving the decision.

The decision of the Appeals Panel is final and will be reported to the next meeting of the Staffing Sub-Committee.

Note-Taking

Throughout each stage of the grievance and appeals process, a note-taker may be present. Employee confidentiality will be given careful consideration when selecting a note-taker.

Grievances Raised During the Disciplinary Process

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently

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