



Grievance Policy and Procedure

This policy sets out the procedure to ensure that the Town Council deals with grievances in a fair and consistent way in order to maintain good working relationships at all levels throughout the Town Council.

Approved by Council 22 April 2024

1. Introduction

- 1.1 In any organisation, employees may have problems or concerns and it is in everyone's interests to ensure that grievances are dealt with fairly at the lowest level within the organisation at which the matter can be resolved.
- 1.2 The Town Council's grievance procedures aim to ensure fair treatment for all employees and follow statutory procedures relating to grievance matters.

2. Policy

- 2.1 Every effort will be made to resolve grievances quickly and at as early a stage of the procedure as possible. Grievances will be dealt with as quickly as possible and normally within the time limits specified in this procedure, unless variations are mutually agreed.
- 2.2 The purpose of this policy is to maintain good working relationships at all levels throughout the Town Council and the procedure has been established to deal with any problem that an employee may have related to his / her employment.
- 2.3 At all stages of the grievance process the Town Council will ensure that the persons carrying out the grievance hearing and the appeal hearing are different.
- 2.4 In the majority of cases, problems can be solved informally between the employee and the Town Clerk and every attempt will be made to do this prior to starting formal proceedings.
- 2.5 It is important that an employee should raise any grievance in writing that has not been resolved informally.
- 2.6 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
- 2.7 This policy may be amended by the Town Council from time to time as required by law and best practice. Employees will be consulted about and notified of any changes.

3. Procedure

NB

- (i) for the purpose of this procedure, where the grievance involves the Town Clerk i.e. the grievance is by an employee about an action of the Town Clerk or it is the Town Clerk claiming the grievance, the Town Council will appoint an independent person to undertake any actions usually

undertaken by the Town Clerk, such person to be appointed following advice from a suitable organisation such as the Association for Local Councils or South West Councils.

- (ii) A guidance flow chart outlining the procedure, for use as a quick guide only, is attached to this policy and procedure document.

Informal Proceedings

1. In the first instance an employee should raise a grievance with the Town Clerk or, if the grievance is about an action of the Town Clerk with the Mayor or Deputy Mayor. This should be within 20 working days of the incident.
2. A meeting between the Town Clerk and the employee will be arranged promptly - normally within 5 working days - to discuss the grievance on an informal basis. The Town Clerk will make a record of the meeting which will include any actions agreed by the employee and the Town Clerk. The meeting record is signed by the employee and Town Clerk (or Mayor or Deputy Mayor) and a copy given to the employee and a copy placed on the employee's personnel file
3. The aim is that the grievance will be settled at this informal stage to prevent the requirement for formal proceedings to be instigated. If agreed by both parties a third independent person can attend the meeting.

Formal Proceedings

Where an employee is not satisfied with the results of the informal process the following formal procedure will be followed.

Grievance submitted in writing

4. Employees should submit their grievance in writing to the Town Clerk, where this is not appropriate the written grievance should be made to the Mayor or Deputy Mayor. This should usually be submitted within 10 working days of the informal meeting.
5. The Town Clerk will acknowledge receipt of the grievance in writing (this includes by email) .
6. The Town Clerk will inform the Mayor, and the Deputy Mayor of the nature of the grievance and what arrangements are being put in place

Grievance Meeting

7. The grievance meeting will be between the employee and the Town Clerk.
8. An invitation to attend a grievance meeting will be sent to the employee. The meeting will be arranged at a mutually convenient time and should usually take place within 10 working days of the written grievance being received. If there is going to be a delay the employee should be informed of the reason for the delay and the anticipated timescale for convening the meeting.

9. The employee may be accompanied by a work colleague or a Trade Union representative or other lay-person at the grievance meeting. this person may act as the employee's witness, present the employee's case, sum up and respond on the employee's behalf to any view expressed at the hearing but may not answer questions on the employee's behalf.
10. Arrangements may be made for an independent person to take written notes of the meeting. Tape recordings are not permitted by either party. The arrangements to appoint the note taker will be made by the meeting Chair (Town Clerk or independent person appointed by the Town Council).
11. The person hearing the grievance (i.e. the Town Clerk or appointed independent person) may be accompanied by an Advisor, whose role is to give advice on issues of procedure, conditions of employment and employment legislation. The Advisor is not part of the decision making process although he or she may be attend during any decision making discussions to give advice.
12. The meeting will:
 - clarify the issues of concern;
 - clarify the resolution that the employee would like;
 - explore whether mediation / facilitation may be a way forward.
13. Unless it is possible to resolve the issue immediately, the meeting will be adjourned for up to ten working days in order for any investigations e.g. meetings with witnesses to take place and for the Town Clerk / Independent Person to formulate proposals as to how the grievance can be resolved.
14. The meeting will be reconvened at a mutually convenient time in order for the Town Clerk / Independent Person to report their conclusions about the grievance and give proposals in respect of resolving the grievance. The conclusions and proposals will be confirmed in writing within five days of the reconvened meeting.

Appeal

15. If an employee wishes to appeal against the outcome of a grievance decision they should do so in writing to the Mayor within 10 days of receiving the written reasons for the grievance decision.
16. Appeals will be heard by an Appeal Panel, comprising 3 Councillors who have not previously been involved in the situation and are appointed specifically by the full Council. The Town Council may also appoint such Advisors to provide advice and guidance to the Appeal Panel as it sees fit e.g. HR advice, specialist subject advice. The Town Council may also appoint independent members to the Appeal Panel either by increasing the size of the Panel or replacing the Councillor members; if independent persons are appointed the Town Council must make it clear what the voting rights of the independent member are and the reason for the appointment e.g. insufficient Councillors

available who have not been involved in the case previously. The Appeal Panel will agree its own Chair.

17. An Appeal Panel meeting will be arranged as soon as possible and practicable following the receipt of the written appeal– and usually within 20 working days – at a date mutually agreed between the Panel, the employee and the initial decision maker (Town Clerk or Independent Person)
18. At least 5 working days before the Appeal Panel the any written submissions, correspondence or any other documents relevant to the grievance must be provided to each member of the Appeal Panel and the parties involved with the grievance.
19. The employee may be accompanied by a work colleague or a Trade Union representative or other lay-person at the Appeal Panel meeting. This person may act as the employee’s witness, present the employee’s case, sum up and respond on the employee’s behalf to any view expressed at the hearing but may not answer questions on the employee’s behalf.
20. Arrangements may be made for an independent person to take written notes of the meeting. The arrangements to appoint the note taker will be made by the meeting Chair (Town Clerk or independent person appointed by the Town Council). Tape recordings are not permitted by either party.
21. The Town Clerk may be accompanied by an Advisor, whose role is to give advice on issues of procedure, conditions of employment and employment legislation. The Advisor is not part of the decision making process although he or she may be in attendance during any decision making discussions to give advice. The Advisor to the original hearing may also advise the Appeal Panel.
22. The procedure at the meeting will normally be:
 - (a) Introduction of everyone present
 - (b) The Chair will invite the employee (or their representative) to state their case and answer any questions from the Appeals Committee, or Town Clerk / representative from the Grievance Hearing
 - (c) The Chair will invite the Town Clerk / representative from the Grievance, Hearing to state their case and answer any questions from the Appeal Committee or the employee (or their representative)
 - (d) The Chair will summarise and adjourn the meeting.
23. If the Appeal Panel concludes it is possible to resolve the issue immediately the meeting will be reconvened and the panel’s decision reported, the decision will then be confirmed in writing within 5 working days.
24. If the Appeal Panel concludes that further information / investigation is required that work will be done and the Appeal Panel reconvened to consider all the information available and agree the outcome.

25. The employee will be notified in writing of the Appeal Panel's decision. If it is not possible to respond to the employee within 15 working days of the appeal meeting the employee should be informed of the reason for the delay and the anticipated timescale for a response being given.
26. The decision of the Appeal Panel is final and there is no further right of appeal.

Record keeping

27. All records regarding the grievance , including the original grievance notification, notes of meetings, written notices of decisions, proposals for action, actions taken and any subsequent developments will be kept confidentially (in a sealed, signed and dated envelope) within the employee's personal file.

Grievance Procedure

(this is for guidance only please refer to policy document for detailed information)

