

POLICY TITLE

Grievance Procedure

REVISION DATE

September 2020

REPLACES POLICY

May 2018

POLICY AIM

The aims of this grievance procedure are to:

- provide employees with a course of action if they have a complaint that they are unable to resolve informally with their line manager
- allow managers to deal with employee grievances fairly, consistently and quickly
- comply with legislation
- comply with the ACAS guidance on dispute resolution

EXECUTIVE SUMMARY

The main points of this policy are:

- if a grievance cannot be settled informally there is a procedure to follow:
 - an employee should write to their line manager and set out the grievance
 - the line manager meets with the employee to discuss the grievance
 - following the meeting the line manager responds to the employee's grievance in writing
 - employees have a right to appeal if they are not satisfied with their line manager's response.

WHO IS AFFECTED BY THE POLICY?

This policy applies to all employees of Skegness Town Council.

POLICY STATEMENT

Skegness Town Council recognises the value of its staff and aims to put policies in place to ensure that they are treated fairly and consistently.

PROCEDURE

What is a grievance?

'Grievances are concerns, problems or complaints raised by a staff member with management. Anybody may at some time have problems or concerns with their working conditions or relationships with colleagues that they wish to raise' - ACAS.

The Council is committed to trying to defuse and resolve situations early before they reach the formal grievance process. Mediation and counselling will be used where possible.

Employees should try and resolve grievances informally with their line manager. Issues that may cause grievances include:

- terms and conditions of employment (other than grading)
- health and safety
- work relations
- bullying and harassment
- working environment
- equality and diversity
- organisational change

The formal grievance process

If a grievance cannot be settled informally, then the employee should raise the matter formally and follow the procedure:

1. The employee should set out the grievance in writing and give this to their line manager. If the complaint is about their line manager, the employee can submit their grievance to that person's manager (where the manager is the Town Clerk to the Chairman of the HR Committee).
2. Once the line manager has received a grievance in writing they should, within fourteen calendar days, contact the employee to arrange the grievance hearing meeting for a mutually convenient date, time and place. For staff not directly reporting to Town Clerk, the grievance shall be heard by the Town Clerk supported by other staff as appropriate to the situation. For those reporting to the Town Clerk the grievance shall be heard by the HR Committee unless they have been involved in an associated issue, in which case the Council will appoint a Grievance Committee comprising not less than 3 Member who have not been involved in any associated issue. The meeting does not have to be held within fourteen calendar days however there should be no unnecessary delay. The employee has a right to be accompanied by a trade union official or a person of their choice. It is important that the meeting is not interrupted and the grievance is treated confidentially. Every effort must be made by all parties to attend this meeting.
3. At the meeting the Town Clerk or Chairman of the Committee should state the purpose of the hearing and introduce everyone present. The employee should explain their complaint and say how they think it should be settled. Questions should be asked as necessary to ensure all relevant details are known. It is likely at this stage that further investigation or advice will be needed before making a decision. The Town Clerk or Chairman should explain what they propose to do in response to the employee's complaint e.g. conduct an investigation and what the likely timescales are.
4. In line with the timescales the Chairman or Town Clerk should arrange to meet with the employee to outline the response to the employee's grievance. The response should include what action the Council intends to take following the

grievance. The outcome of this meeting should be followed up in writing. The employee should be informed that if they remain dissatisfied they have a right of appeal to the Mayor.

5. If the employee is dissatisfied with the response a written application can be made to the Mayor, stating their grounds for appeal. This should be done within fourteen calendar days of receiving notification of the decision.
6. The Mayor should then arrange a meeting of the Appeals Committee (minimum of 3 Members who have not been involved in the case) with the employee within fourteen calendar days from receiving the letter of appeal. The employee has a right to be accompanied by a trade union official or a person of their choice.
7. Within seven calendar days of the meeting, the Chairman of the Appeals Committee should respond to the employee in writing and notify them of their decision. This decision will be final.
8. Nothing in this procedure shall prejudice the legal rights of the employee and the Council.
9. Any letters or documents relating to the case should be placed on the employee's personal file.

Leavers

If an employee makes a written or verbal statement as part of a resignation or leaving process which is effectively a complaint about the Council, then this complaint will be regarded as a grievance and dealt with as per the grievance procedure. Only if the employee states that they do not wish the complaint to be dealt with as per the grievance procedure and signs a statement to that effect, will the complaint not be dealt with as per the grievance procedure.

Complaints in writing

The Council will deal with any complaints made by employees in writing (however informal they may appear) in accordance with this grievance procedure. This will include any emails complaining about something, resignation letters, hand written notes etc.

Information for companions

If the employee's chosen companion is not available at the time arranged for the first meeting the hearing can be postponed but the hearing must be held within five working days after the original date proposed by the employer.

At the hearing the companion is permitted to:

- Address the hearing, but not to answer questions on behalf of the employee
- Confer with the worker during the hearing
- Ask questions of the employer and employee during the hearing
- Participate as fully as possible in the hearing
- Take reasonable time to confer privately with the employee.

Information

Any records made must be held in accordance with the provisions of the General Data Protection Regulations 2018 and the guidance of the Information Commissioner.

POLICY APPROVAL

Approved by Council on 7th October 2020.

POLICY REVIEW

This policy should be reviewed 2 years from the approval date, next Due October 2022 or on a change in legislation