SOUTH HANNINGFIELD PARISH COUNCIL

GRIEVANCE POLICY

1. Introduction

1.1 This policy is based on and complies with the 2015 ACAS Code of Practice. It also takes account of the ACAS guide on discipline and grievances at work. It aims to encourage and maintain good relationships between the council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

1.2 Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.

1.3 This policy confirms:

- Employees have the right to be accompanied or represented at a grievance meeting or appeal by a workplace colleague, a trade union representative or a trade union official. The companion will be permitted to address the grievance/appeal meetings, to present the employees' case for his/her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
- The council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date
- Any changes to specified time limits must be agreed by the employee and the council
- An employee has the right to appeal against the decision about his/her grievance. The appeal decision is final
- Information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the council in accordance with the Data Protection Act 1998
- Recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition
- If an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- If a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith
- The council may consider mediation at any stage of the grievance procedure where appropriate (for example where there have been communication breakdowns or

allegations of bullying or harassment). Mediation is a dispute resolution process which requires the councils and the employee's consent.

2. Informal grievance procedure

2.1 The council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with his/her line manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her line manager (for example, because it concerns the line manager), the employee should contact the council's chair or, if appropriate, another member of South Hanningfield Parish Council.

3. Formal grievance procedure

3.1 If it is not possible to resolve the grievance informally, the employee may submit a formal grievance. It should be submitted in writing to the council's chair.

3.2 The Council will refer the issue to the HR Committee (HRC) to investigate the grievance. No councillor with direct involvement in the matter shall be involved in the investigation.

4. Investigation

4.1 Within 10 working days of the council receiving the employee's grievance, the employee will be asked, in writing, to attend a grievance meeting. The HRC's letter will include the following:

- The names of its Chair and other members
- A summary of the employee's grievance based on his/her written submission
- The date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will be within 25 working days of when the council received the grievance
- The employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
- A copy of the council's grievance policy
- Confirmation that, if necessary, witnesses may attend on the employee's behalf and that the employee should provide the names of his/her witnesses at least five working days before the meeting
- Confirmation that the employee will provide the council with any supporting evidence at least five working days before the meeting

5. The grievance meeting

5.1 At the grievance meeting:

- The Chair will introduce the members of the HRC to the employee
- The employee (or companion) will set out the grievance and present the evidence
- The Chair will ask the employee what action he/she wants the council to take
- Any member of the HRC and the employee (or the companion) may question any witness
- The employee (or companion) will have the opportunity to sum up the case

- The Chair will provide the employee with the HRC's decision, in writing, within five working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal
- A grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the HRC

6. The appeal

6.1 If an employee decides that his/her grievance has not been satisfactorily resolved by the HRC, he/she may submit a written appeal to the Parish Council. An appeal must be received by the council within five working days of the employee receiving the HRC's decision and must specify the grounds of the appeal.

6.2 Appeals may be raised on a number of grounds, e.g.:

- A failure by the council to follow its grievance policy
- The decision was not supported by the evidence
- The action proposed by the HRC was inadequate/inappropriate
- New evidence has come to light since the grievance meeting

6.3 The appeal will be heard by a panel of three members of the Parish Council who have not been involved in the case. The appeal panel will appoint a Chair from one of its members.

6.4 The employee will be notified, in writing, within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will take place within 25 working days of the council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.

6.5 At the appeal meeting, the Chair will:

- Introduce the panel members to the employee
- Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the Parish Council.
- Explain the action that the appeal panel may take

6.6 The employee (or his/her companion) will be asked to explain the grounds of his/her appeal.

6.7 The Chair will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.

6.8 The appeal panel may decide to uphold the decision of the sub-committee or substitute its own decision.

6.9 The decision of the appeal panel is final.

Policy adopted on : 3rd October 2024

Policy next review date : October 2025