



STAFF GRIEVANCE PROCEDURE

(Adopted: 19th March 2024)

1 Policy Aims and Objectives

The primary purpose of this grievance procedure is to recognise that employees may at some stage feel aggrieved about an aspect of their employment and to accept each employee's right to raise the grievance. The policy enables staff to air any concerns that they may have about practices, policies or treatment from other individuals at work or from Arlesey Town Council, and to assist in providing a timely, fair and consistent solution where a genuine problem exists. This procedure is produced in line with the ACAS Code of Practice 2009 as set out in the Employment Act 2008.

This grievance procedure is not a substitute for good day-to-day communication. It is designed to deal with those issues that need to be approached on a formal basis so that every route to a satisfactory solution can be explored and the decisions reached are binding and long lasting.

Any employee who has raised a grievance will be treated fairly, and Arlesey Town Council will approach the concern objectively and constructively at all times before, during and after the conclusion of the grievance hearing(s).

Key points:

- At every stage in the procedure the employee will be given the opportunity to state his/her case before any decision is made
- Grievances will be dealt with promptly and consistently by Finance & General Purposes Committee/Full Council
- During formal stages of the process the employee will have the right to accompaniment by a work colleague or Trade Union representative
- An employee will have the right to appeal a decision, and have the matter considered by an appeal committee consisting different members of the original decision panel.
- At no time will any employee be penalised or victimised for having raised a grievance against any member of the Council or employee.

2 The Grievance Procedure

Where an employee has a grievance relevant to their employment, they should raise the matter informally with their line manager in the first instance as soon as possible and in any case within 10 days.

The Town Clerk/ **Personnel Committee** Chairman should consider and seek to resolve the grievance within 10 working days. The Town Clerk/~~Finance & General Purposes~~ **Personnel** Committee Chairman (or Town Council Chairman), should, in every case, inform the employee of the decision and, where appropriate, any action taken. In a case of the Town Clerk raising a grievance this should be directed to the Chairman of the Council unless he/she is the subject of the complaint in which case the Vice Chairman should deal with these concerns. The recipient of the Clerk's grievance will share the information with the ~~Finance & General Purposes~~ **Personnel** Committee and will exercise discretion and confidentiality at all times.

If an employee cannot settle their grievance informally, it should then be raised formally. This procedure has been drawn up to establish the appropriate steps to be followed when pursuing and dealing with a formal grievance.

Stage One

In the event of an employee having a formal grievance relating to their employment, the employee (you) should put the (your) grievance in writing, stating the nature of the grievance, to the Town Clerk or Chairman of the ~~Finance & General Purposes~~ **Personnel** Committee. This should be done within 10 working days.

Stage Two

The Town Clerk or Chairman of the Finance & General Purposes Committee will arrange a meeting with the employee to discuss the grievance as soon as possible and normally within 10 working days. If not involved with the subject of the grievance, the Town Clerk may hear the grievance at this stage. If however, it is more appropriate the ~~Finance & General Purposes~~ **Personnel** Committee Chairman/Town Clerk may convene a panel comprising of a minimum of 2 councillors who have no knowledge of the case, from the ~~Finance & General Purposes~~ **Personnel** Committee.

When an employee is invited to attend a meeting they have a statutory right to be accompanied at this meeting by a companion which may be a colleague, trade union representative, or an official employed by a trade union or otherwise certified as being competent to accompany a worker.

At the meeting the employee will be permitted to explain their grievance and how they think it should be resolved. Notes and/or an audio recording of the meeting may be taken.

If, having listened to the employee's submission, the grievance requires further investigation the meeting will be adjourned for a period not to exceed 10 working days during which time the necessary investigations, including interviewing other parties, will be done.

It is not expected that other parties would attend the reconvened hearing. However, if it is determined by the Town Clerk or the Chairman of the Panel that their contributions would facilitate consideration of the grievance they will be asked to make themselves available, in order that they may respond to any matters raised by the aggrieved individual during the course of the hearing.

A formal written response to the grievance should be issued within 5 working days of either the initial or subsequent grievance hearing as appropriate. If it is not possible to respond within this time-period, the employee will receive explanation for the delay and be told when a response can be expected. An employee will be notified of their right of appeal against that decision if they are not satisfied with it.

Stage Three – Appeal

If the employee is still aggrieved there is a right of appeal. The notice of appeal should be submitted in writing to the Town Clerk/~~Finance & General Purposes~~ **Personnel** Committee Chairman/Chairman of the Council, within 10 working days of receipt of the formal written response issued by the Town Clerk/ ~~Finance & General Purposes~~ **Personnel** Committee Chairman. The employee must also set out the grounds for their appeal.

The Town Clerk/ ~~Finance & General Purposes~~ **Personnel** Chairman/Chair of Council will convene the Appeal Committee comprising of a minimum of 2 councillors from who have not previously been involved in the subject of the grievance to consider the appeal. The Appeal Panel shall consider the appeal within 20 working days of receipt of the written appeal. At this meeting an employee may again, if they so wish be accompanied by a companion which may be a colleague, trade union representative, or an official employed by a trade union or otherwise certified as being competent to accompany a worker.

A formal written response to the appeal should be issued within 5 working days of the Appeal Hearing.

This is the final stage of the grievance procedure. The Council Chairman or Vice-Chairman and the Grievance Appeal Panel's joint decision shall be final.

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General

If an employee's complaint relates to dissatisfaction with a disciplinary, performance review or dismissal decision, they should not invoke the grievance procedure, but instead, appeal against that decision in accordance with the appeal procedure with which they have been provided.

Again, the right to accompaniment is permitted and reasonable period of preparation time before for the hearing will be allowed.

Arlesey Town Council is committed to ensuring that all grievances are fully investigated. This may involve carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. The investigation report will be made available to all parties concerned. Where necessary, the identity of the witnesses will be kept confidential.

In all cases written records of the grievance will be kept in accordance with the Data Protection Act 2018 - for informal grievances a file note (remaining in place for 6 months) and in the case of formal complaints more detailed records will be retained.

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Review

This policy will be subject to periodic review (not less than 3 yearly) and amended as necessary based on good practice.

This policy was reviewed at the Town Council meeting on: **19 March 2024**
Adopted at the Town Council meeting on: **19 March 2024**