

	CHURCHILL & BLAKEDOWN PARISH COUNCIL GRIEVANCE PROCEDURE
--	---

INTRODUCTION

1. This policy is based on and complies with the 2015 ACAS Code of Practice. 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.
2. This procedure does not include appeals against salary, grading, disciplinary matters, deductions from or rates of pay agreed at national or local level, rules of pension schemes, nor does it cover grievances about matters over which the Council has no control.
3. 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, or, if appropriate, with the Chairperson of the Parish Council. The line manager for the Clerk to the Council will be the Chairperson of the Parish Council.

INFORMAL GRIEVANCE PROCEDURE

4. 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 manager to see if an informal solution is possible, and both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her manager (for example, because it concerns the manager), the employee should contact the Chairman of the Staffing Committee or, if appropriate, another member of the Staffing Committee.

FORMAL GRIEVANCE PROCEDURE

5. 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 Chairman of the Staffing Committee.

6. The Staffing Committee will appoint a sub-committee of three Councillors to investigate the grievance. The sub-committee will appoint a Chairman from one of its members. No Councillor with direct involvement in the matter shall be appointed to the sub-committee.

Investigation

7. The sub-committee will investigate the matter before the grievance meeting which may include interviewing others (e.g. employees, Councillors or members of the public).

Notification

8. 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 sub-committee's letter will include the following:
 - the names of its Chairman 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.
 - The employee must take all reasonable steps to attend the meeting as scheduled. If the meeting time and place is inconvenient for the employee or his or her companion, the employee may ask to postpone the meeting for up to 5 working days.

The grievance meeting

9. At the grievance meeting:
 - the Chairman will introduce the members of the sub-committee to the employee
 - the employee (or companion) will set out the grievance and present the evidence
 - the Chairman will ask the employee what action does he/she wants the Council to take

- any member of the sub-committee and the employee (or the companion) may question any witness
- the employee (or companion) will have the opportunity to sum up the case
- the Chairman will provide the employee with the sub-committee'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 sub-committee.

The Appeal

10. If an employee decides that his/her grievance has not been satisfactorily resolved by the sub-committee, he/she may submit a written appeal to the Staffing Committee. An Appeal must be received by the Council within five working days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.
11. Appeals may be raised on a number of grounds, eg:
 - a failure by the Council to follow its grievance policy
 - the decision was not supported by the evidence
 - the action proposed by the sub-committee was inadequate/inappropriate
 - new evidence has come to light since the grievance meeting.
12. The Appeal will be heard by a panel of three members of the Staffing Committee who have not previously been involved in the case. There may be insufficient members of the Staffing Committee who have not previously been involved. If so, the Appeal Panel will be a committee of three Council members who may include members of the Staffing Committee. The Appeal Panel will appoint a Chairman from one of its members.
13. 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.
14. At the Appeal meeting, the Chairman 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 staffing sub-committee

- explain the action that the Appeal Panel may take.
15. The employee (or his/her companion) will be asked to explain the grounds of his/her appeal.
 16. The Chairman 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.
 17. The Appeal Panel may decide to uphold the decision of the Staffing sub-committee or substitute its own decision.
 18. The decision of the Appeal Panel is final.

Mediation

19. 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 Council's and the employee's consent

Other provisions

20. A copy of the Statement of Grievance, a note of the decision taken at the first stage of the procedure, any notice of appeal and appeal decision will be placed on the employee's personnel file, together with any notes or evidence taken or compiled during the course of the procedure.
21. 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.
22. 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
23. If a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith.