

HUNTINGDON TOWN COUNCIL
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GRIEVANCE PROCEDURE

1. **Purpose and Scope**

It is the policy of this Council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with their Line Manager. This document describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is produced in line with the ACAS Code of Practice and dispute resolution procedures as set out in the Employment Act 2002 and the Employment Act 2002 (Dispute Resolution) Regulations.

2. **Principles**

- (i) At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
- (ii) At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative during the Grievance Hearing.
- (iii) An employee will have the right to appeal against any outcome of a Grievance Hearing.
- (iv) At no time will an employee be penalised or victimised for having raised an employment Grievance.

3. **Procedure**

- 3.1 Wherever possible, any grievance should be raised informally with the employee's line manager, or if this is inappropriate with the Town Clerk.

- 3.2 **Written Statement** – if the employee does not consider it appropriate to raise the grievance informally, then the employee should submit a formal grievance in writing to their line manager, or if this is inappropriate to the Town Clerk.
- 3.3 **Meeting** – where possible, within five working days of receipt of a written complaint, the line manager will arrange a telephone discussion or meeting with the employee, as appropriate. Arrangements for a formal meeting will then be made with the timing depending on the practicalities of the employee's work location/availability of the line manager to hear the grievance. The line manager will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions. The line manager will establish the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as s/he shall consider appropriate and take such steps as s/he shall consider necessary to resolve the issue raised. It may be necessary to adjourn the meeting in order for a fuller investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance.
- 3.4 **Response** – the line manager will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem.
- 3.5 **Appeal** – if the employee is dissatisfied of her/his line manager in relation to the complaint, s/he may appeal against the decision to the Town Clerk by written notice within five working days of the decision. An Appeal may be raised if:
- the employee thinks the finding, or action plan, is unfair, or
 - new evidence has come to light, or
 - the employee thinks that the procedure was not applied properly.

On receipt of the appeal, the Town Clerk shall arrange to meet and consult with the employee, the line manager concerned and any other persons, as s/he shall consider appropriate. The Town Clerk shall consider the issues and shall then take all such steps as s/he may consider necessary to resolve those issues. Where the Town Clerk has chaired the initial grievance meeting the Chairman or Vice Chairman of the Staffing Sub-Committee will hear the appeal as a hearing manager. The decision of the Appeal Hearing will be final.

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- 3.6 **Bullying or Harassment** – if a grievance concerns alleged bullying or harassment the matter should be reported promptly to the employee's line manager or the Town Clerk if more appropriate, with an indication of the required action. The facts concerning the complaint will then be established and any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of bullying or harassment disciplinary action may be instigated against any alleged perpetrators of the action.

In the event of a grievance against the Town Clerk, the Chairman or Vice-Chairman of the Staffing Sub-Committee will hear the grievance as a hearing manager.

Refer to the Bullying and Harassment Policy for further details.

- 3.7 **Right to be Accompanied:** - At any formal stage of the procedure, an employee may be accompanied by a fellow employee of their choice or their trade union representative but as this is an internal procedure they will not be entitled to be accompanied by any external supporter i.e partner, parent, solicitor etc.
- 3.8 **Confidentiality:** - So far as is reasonably practicable, any grievance or complaint of bullying or harassment will be treated as confidential between the manager investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.
- 3.9 **Record Keeping:** - In all cases, written records of the nature of the grievance raised, the employer's response, discussions and meeting held and action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the Data Protection Act 1998.

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