

SHAFTESBURY TOWN COUNCIL

*Delivering Excellence across the
Shaftesbury Community*



Grievance Procedure

Date of Adoption: 26 February 2019
Review Date: February 2020



Managing People Policies



Grievance Procedure

1. Policy

- 1.1. It is the Council's policy to encourage employees with grievances relating to their employment to use the procedure below to seek satisfactory solutions. The Council will try to resolve grievances as quickly as possible to the satisfaction of the individual(s) concerned. Where this is not possible, every effort will be made to explain the reasons for the decision.
- 1.2. If employees are not satisfied with the outcome, they have the right to pursue their grievance to the next stage. It is hoped that most grievances will be resolved during the informal discussion. Employees who have raised grievances will be treated fairly at all time before, during and after the grievance hearing(s).

Procedure

2. Informal Stage

- 2.1. If you have a grievance about your employment you should discuss it informally with your immediate manager. In the case that it is the Clerk/Executive Officer that is aggrieved, they should discuss their concern with the Chair of Human Resources Committee. The manager will give a response within five working days. See below for exceptions to this procedure.

3. Formal Stages

3.1. Stage 1

If you feel that the matter has not been resolved satisfactorily through informal discussions you must put your grievance in writing to your immediate manager outlining the nature of your grievance and the outcome you are looking for. In the case that it is the Clerk / Executive Officer that is aggrieved, they should write to the Chair of the Human Resources Committee.

You will normally receive an acknowledgement within five working days and a meeting will be arranged. Prior to the meeting the Council may carry out such reasonable investigation as necessary so that it can properly deal with your grievance. You, and the manager will attend the meeting, and you will be given the option not call relevant witnesses. You may choose to be accompanied by a colleague, or accredited trade union official. The manager or Chair of the Human Resources Committee will give a response within five working days of the meeting and will inform the employee of the appeals procedure.

3.2. Stage 2 – Appeal Stage

If you are not satisfied with the response, you may raise the matter, in writing, with the Clerk. If the Clerk undertook the stage 1 hearing then you should write to the Chair of the Appeals Committee. In the case of a grievance from the Clerk then the Clerk should write to the Chair of the Appeals Committee. A meeting will be arranged, constituted as in Stage 1, except that the Clerk or Appeal Committee replace the manager. A response will be given within five working days of the meeting. The decision at stage 2 will be final.

4. Investigations



- 4.1. The Council is committed to ensuring that all grievances are investigated fully. 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 identity of witnesses will be kept confidential where necessary.

5. Notes

- 5.1. You may raise a complaint directly with a senior manager or the Human Resources Committee if it:
- Concerns your immediate manager or
 - Is of too personal or sensitive a nature to raise with your immediate manager.
- 5.2. Complaints concerning discrimination, bullying or harassment by your immediate manager may be raised directly with the Clerk or the Human Resources Committee. This may be done informally or formally.

Note

There is a separate procedure for complaints concerning discrimination, bullying or harassment.

- 5.3. If your complaint concerns an alleged wrongdoing or criminal offence by someone within the Council, you should raise it immediately with the Human Resources Committee. The Public Interest Disclosure Act 1998 (known as the Whistle-blowers' Act) contains details of the additional protection available for protected disclosures.
- 5.4. You will be given the opportunity to explain your grievance, how you think it should be resolved, and can respond to all information and evidence produced by the Council.
- 5.5. The grievance procedure should not be used for appeals against disciplinary decisions, as that is the purpose of the disciplinary appeals procedure. If, however, you have a complaint against the behaviour of a manager during the course of a disciplinary case, you may raise it as a grievance with a senior manager.
- 5.6. Employees are encouraged to raise grievances and will not suffer any detriment from doing so. If your grievance is found to be malicious or to have been made in bad faith, however, you will be subject to the Council's disciplinary procedure.
- 5.7. A second management representative from another organisation may be invited to attend formal grievance meetings to act as a witness and note-taker.
- 5.8. The timescales listed above will be adhered to wherever possible. Where there are good reasons, e.g. the need for further investigation or the lack of availability of witnesses or companions, timescales may be extended.
- 5.9. The Council reserves the right to seek assistance from external facilitators at any stage in the grievance procedure.
- 5.10. If you experience difficulty at any stage of the grievance procedure you should discuss the situation with the relevant Manager or Councillor as soon as possible.
- 5.11. This procedure is for guidance only and does not form part of employees' contractual rights. The contents may be subject to revision from time to time.