

**Policy Review – Grievance Policy And Procedure  
Resources Committee 11 February 2020**

**RECOMMENDED**

- (i) that the Grievance Policy and Procedure attached as appendix 1 is the subject of consultation with all staff

and that the Consultation results are reported to Council with the Committee's recommendations that

**RECOMMENDED TO COUNCIL**

- (ii) that the Grievance Policy and Procedure as attached as appendix 1 is adopted
- (iii) that the Grievance Policy and Procedure is reviewed in 3 years unless legislation or best practice requires an earlier review

**Contextual Information**

1. The Grievance Policy and Procedure (attached as Appendix 1) sets out the Town Council's approach to dealing with grievances
2. The scheme was first approved in February 2013 and was reviewed in February 2016
3. The Policy is presented to Councillors for its periodic review.

**Report prepared:** 24 January 2020

**Contact for further information:** The town Clerk Tel 01460 52149 or email [town.council@ilminster.gov.uk](mailto:town.council@ilminster.gov.uk)

**Iminster Town Council  
Grievance Policy and Procedure  
Approved by Council on 19 February 2013,  
Reviewed and amended by Council 23 February 2016**



### Policy

1. In any organisation, employees may have problems or concerns and it is in everyone's interests to ensure that grievances are dealt with fairly at the lowest level within the organisation at which the matter can be resolved.
2. The Town Council's grievance procedures aim to ensure fair treatment for all employees and follow statutory procedures relating to grievance matters.
3. Every effort will be made to resolve grievances quickly and at as early a stage of the procedure as possible.
4. The purpose of this policy is to maintain good working relationships at all levels throughout the Town Council and the procedure has been established to deal with any problem that an employee may have related to his / her employment.
5. At all stages of the grievance process the Town Council will ensure that the persons carrying out the grievance hearing and the appeal hearing are different.
6. Grievances will be dealt with as quickly as possible and normally within the time limits specified in this procedure, unless variations are mutually agreed.
7. In the majority of cases, problems can be solved informally between the employee and the Town Clerk and every attempt will be made to do this prior to starting formal proceedings.
8. It is important that an employee should raise any grievance in writing that has not been resolved informally.
9. Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently
10. **Grievances submitted under this procedure will only be dealt with if the person raising the grievance is an Iminster Town Council employee; if for any reason the person raising the grievance ceases to be an employee then any action being taken in regard to the grievance will stop.**
11. This policy shall form part of the employee contract of employment and may be amended by the Town Council from time to time as required by law. Employees will be notified of any changes

## **Procedure**

NB for the purpose of this procedure

- (i) where the grievance involves the “complainant’s” line manager the Town Clerk will undertake any actions usually undertaken by the line manager
- (ii) where the grievance involves the Town Clerk the Chair of the Grievance, Capability and Disciplinary Committee will undertake any actions usually undertaken by the Town Clerk

### **Informal Proceedings**

12. In the first instance an employee should raise a grievance with their line manager, where this is not appropriate the matter should be raised with the Town Clerk.
13. A meeting between the line manager and the employee will be arranged promptly - normally within 5 working days - to discuss the grievance on an informal basis. The line manager will make a record of the meeting which will include any actions agreed by the employee and the line manager. The aim is that the grievance will be settled at this informal stage to prevent the requirement for formal proceedings to be instigated. If agreed by both parties a third independent person can attend the meeting

### **Formal Proceedings**

#### **Step 1 – grievance submitted in writing**

14. Employees should submit their grievance in writing to the Town Clerk, where this is not appropriate the written grievance should be made to the Chair of the Grievance, Capability and Disciplinary Committee.
15. The Town Clerk / Chair of the Grievance, Capability and Disciplinary Committee will acknowledge, in writing, receipt of the grievance.
16. The Town Clerk will inform the Mayor, the Chair and the Vice-Chair of the Resources Committee of the nature of the grievance and what arrangements are being put in place

#### **Step 2 Grievance Meeting**

17. The grievance meeting will be between the employee and the Town Clerk or the employee and the Grievance, Capability and Disciplinary Committee.
18. An invitation to attend a grievance meeting will be sent to the employee. The meeting will be arranged at a mutually convenient time and should usually take place within 10 working days of the written grievance being received. If there is going to be a delay the employee should be informed of the reason for the delay and the anticipated timescale for convening the meeting.
19. The employee may be accompanied by a work colleague or a Trade Union representative at the grievance meeting. this person may act as the employee’s witness, present the employee’s case, sum up and respond on the employee’s behalf to any view expressed at the hearing but may not answer questions on the employee’s behalf.

20. Arrangements may be made for an independent person to take written notes of the meeting. Tape recordings are not permitted by either party. This will be arranged by the meeting Chair and agreed by the person raising the grievance.
21. Those hearing the grievance (i.e. the Town Clerk or the Grievance, Capability and Disciplinary Committee) may be accompanied by an Advisor, whose role is to give advice on issues of procedure, conditions of employment and employment legislation. The Advisor is not part of the decision making process although he or she may attend during any decision making discussions to give advice.
22. The meeting will:
  - clarify the issues of concern
  - clarify the resolution that the employee would like
  - explore whether mediation / facilitation may be a way forward
23. Unless it is possible to resolve the issue immediately, the meeting will be adjourned for up to ten working days in order for any investigations e.g. meetings with witnesses to take place and for the Town Clerk / Grievance, Capability and Disciplinary Committee to formulate proposals as to how the grievance can be resolved.
24. The meeting will be reconvened at a mutually convenient time in order for the Town Clerk / Grievance, Capability and Disciplinary Committee to report their conclusions about the grievance and give proposals in respect of resolving the grievance. The conclusions and proposals will be confirmed in writing within five days of the reconvened meeting.

### **Step 3 Appeal**

25. If an employee wishes to appeal against the outcome of a grievance decision they should do so in writing to the Chair of the Appeals Committee within 10 days of receiving the written reasons for the grievance decision.
26. An Appeals Committee meeting will be arranged as soon as possible and practicable following the receipt of the written appeal – and usually within 15 working days – at a date mutually agreed between the Committee, the employee and the grievance decision maker (Town Clerk or representative from the Grievance, Capability and Disciplinary Committee)
27. At least 5 days before the Appeal Committee the employee and the Town Clerk / representative from the Grievance, Capability and Disciplinary Committee should exchange any written submissions, correspondence or any other documents relevant to the grievance, copies should also be provided to each member of the Appeals Committee.
28. The employee may be accompanied by a work colleague or a Trade Union representative at the grievance meeting. This person may act as the employee's witness, present the employee's case, sum up and respond on the employee's behalf to any view expressed at the hearing but may not answer questions on the employee's behalf.

29. Arrangements may be made for an independent person to take written notes of the meeting. Tape recordings are not permitted by either party.
30. The Committee may be accompanied by an Advisor, whose role is to give advice on issues of procedure, conditions of employment and employment legislation. The Advisor is not part of the decision making process although he or she may be attend during any decision making discussions to give advice. The Advisor to the original hearing may also advise Appeal Committee. In doing so the advisor should not draw on information that he / she may have heard at the original hearing but, which for some reason, is not relied on by either or both parties at the appeal.
31. The procedure at the meeting will normally be:
- Introduction of everyone present
  - The Chair will invite the employee (or their representative) to state their case and answer any questions from the Appeals Committee, or Town Clerk / representative from the Grievance, Capability and Disciplinary Committee
  - The Chair will invite the Town Clerk / representative from the Grievance, Capability and Disciplinary Committee to state their case and answer any questions from the Appeals Committee or the employee (or their representative)
  - The Chair will summarise and adjourn the meeting.
32. If the Appeals Committee concludes it is possible to resolve the issue immediately the meeting will be reconvened and the Committee's decision reported, the decision will then be confirmed in writing.
33. If the Appeals Committee concludes that further information / investigation is required that work will be done and the Appeals Committee reconvened to consider all the information available and agree the outcome.
34. The employee will be notified in writing of the Committee's decision. If it is not possible to respond to the employee within 15 working days of the appeal meeting the employee should be informed of the reason for the delay and the anticipated timescale for a response being given.
35. The decision of the Appeals Committee is final and there is no further right of appeal.

### Record keeping

36. All records regarding the grievance , including the original grievance notification, notes of meetings, written notices of decisions, proposals for action, actions taken and any subsequent developments will be kept confidentially (in a sealed, signed and dated envelope) within the employee's personal file.

### Policy & Procedure Reviews and Updates

Date	Change
11.09.13	All references to Staffing Committee replaced by Resources Committee in accordance with Council Resolution made on 10.09.13, and added the Mayor to para 14
23.02.16	New paragraph 9 inserted regarding overlapping grievance and disciplinary procedures

