

Bramshaw Parish Council

Grievance Procedure

1. Introduction

This procedure is based upon information contained in the ACAS 2009 Code of Practice 1 and sets out the action that will be taken in response to a staff grievance.

The aim of Bramshaw Parish Council's (Hereinafter referred to as the 'Council') Grievance Procedure is to settle grievances or complaints fairly and it is intended to operate simply and quickly. Every effort will be made to resolve the issue amicably at the earliest possible stage and to avoid proceeding to the next stage.

If an employee has a problem with any other member of staff, or with a member of the Council and is unable to sort it out informally, the matter should be referred to the Chair of the Council. You may be able to agree an informal solution between you.

If the problem is serious or remains unresolved or the employee wishes to raise the matter formally, the employee can use the formal grievance procedure.

In the case of a grievance being taken out as a counter-grievance, or in response to the start of disciplinary action, it may be appropriate to deal with both issues at the same time. If appropriate, the disciplinary procedure may be suspended to deal with the grievance.

2. The Procedure

i. Raise the grievance in writing

The employee should raise a grievance with the Chairman of the Council without unreasonable delay, normally within one month of the incident (or final incident) which gives rise to the complaint.

If the grievance is against the Chairman of the Council, the matter should be raised with the Vice-Chairman of the Council. Whoever deals with the grievance at the meeting, will normally be excluded from hearing any appeal.

The employee must detail in writing the specific circumstance or circumstances which constitute the grievance, with dates, times, witnesses, etc. as applicable.

ii. Invitation to a Grievance Meeting

The Chairman of the Council (or Vice-Chairman if appropriate) will invite the employee to attend a meeting, without unavoidable delay, to discuss the matter.

The Chairman of the Council will also state that the employee is entitled to be accompanied by a trade union representative or work colleague at the meeting.

iii. Grievance Meeting

Where possible, a note-taker, who must be uninvolved in the case, will take down a record of the proceedings.

The Chairman of the Council will introduce the meeting, read out the grounds of the employee's grievance, ask the employee if they are correct and require the employee to provide clarification regarding details of the grievance if unclear.

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The employee will be given the opportunity to put forward her/his case and say how they would like to see it resolved. The employee may call witnesses and refer to any documents previously provided to the Chairman of the Council.

The Chairman of the Council may question the employee and any of the employee's witnesses. The employee/companion will be given the opportunity to sum up but may not introduce any new material.

The meeting may be adjourned by the Chairman of the Council if it is considered necessary to undertake further investigation. Any necessary investigations will be carried out to establish the facts of the case. Regardless of whether further investigation is required, it is good practice to adjourn a meeting before a decision is taken, as this allows time for reflection and proper consideration. It also allows for any further checking of any matters raised.

Ideally the person who is investigating the issue will not be the person making the final decision, particularly in serious grievance cases such as allegations about bullying and harassment. The meeting will be reconvened as soon as possible.

Having considered the grievance, the line manager (or Chief Executive or Chair) will give her/his decision regarding the case in writing to the employee which will normally be within five working days. If appropriate, the decision will set out what action the employer intends to take to resolve the grievance or if the grievance is not upheld, will explain the reasons. This will also include notifying the employee of her/his right of appeal and the procedure to be followed.

iv. Appeal

If still unresolved, the employee may refer the matter, in writing, to the Vice Chair of the Council.

The employee wishing to appeal against a grievance decision, must do so in writing within five working days of receiving written notification of the grievance decision, stating the reasons for the appeal. Any documents submitted in support of the appeal must be attached.

Arrangements for the appeal meeting will be made by the Council and will ensure that a notetaker is present if possible. The appeal meeting should be held without unavoidable delay. Where possible, at least two members of the Council will constitute an Appeal Panel. The members of the council hearing the appeal should have had no direct involvement in the case.

The employee is entitled to be accompanied by a trade union representative or work colleague at the appeal.

The meeting may be adjourned by the Appeal Panel if it is considered necessary to undertake further investigation. The meeting will be reconvened as soon as possible. The decision of the Appeal Panel shall be final.