



CRESSWELL PARISH COUNCIL STATEMENTS OF GUIDANCE AND POLICY

GRIEVANCE PROCEDURE

Introduction

This policy 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.

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.

This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).

It also takes account of the ACAS guide on discipline and grievances at work. (https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf).

Procedure

1. Dealing with grievances informally

Employees having a grievance or complaint to do with their work or the people they work with should, wherever possible, start by talking it over with their manager or the Parish Clerk. Often a quiet word is all that is needed. A written record of the discussion can be made if requested.

2. Formal grievance procedure

If the matter is serious or the employee wishes to raise the matter formally, the grievance should be set out in a letter addressed to the Parish Clerk.

If the grievance is against the Parish Clerk the letter should be addressed to the Chairman of the Parish Council.

A. Grievance hearing

The Chairman of the Parish Council committee will be responsible for the process. The Grievance Hearing Committee will be made up of the Vice-Chair of the parish council and two other councillors. Any person named as the cause of the grievance will be excluded from the decision process.

Within fourteen calendar days of the Parish Council receiving the employees' grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include

the following:

- the names of its Chairman and other members
- the date, time, and place for the meeting. The employee will be given reasonable notice of the meeting, which will normally be within thirty-five calendar days of when the Parish 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 Parish Council's grievance policy
- confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of their witnesses as soon as possible before the meeting.
- confirmation that the employee will provide the Parish Council with any supporting evidence in advance of the meeting, usually with at least two days' notice.
- findings of the investigation if there has been an investigation.
- an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

B. At the grievance meeting:

- the Chairman will introduce the other members of the committee to the employee.
- the employee (or companion) will set out the grievance and present the evidence
- the Chairman will ask the employee questions about the information presented and will want to understand what action they want the Parish 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.
- a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

3. Decision:

The Chairman will provide the employee with the committee's decision, in writing, usually within 7 calendar days of the meeting though may be longer e.g. where further investigations are required. The letter will notify the employee of the action, if any, that the Parish Council will take and of the employee's right to appeal.

4.Appeal

If the employee is unhappy with the decision and wishes to appeal they should let the Chairman/Parish Clerk know.

The employee will be invited to a meeting of the Grievance Appeals Committee, normally within five days, to have the appeal heard. The employee has the right to be accompanied by a colleague or trade union representative at this meeting. The Grievance Appeals Committee will normally consist of the Chairman of the Parish Council and two other councillors, with any councillor involved in the grievance or earlier hearing excluded.

After the meeting the Chairman will give the committee's decision in writing, normally within 24 hours. The Grievance Appeal Committee's decision is final.

5.Councillors' grievances

A similar procedure will be followed where a parish councillor has a grievance except that the complainant should normally take up the matter with Chairman of the Parish Council.

If the grievance is against the Chairman, it is the Parish Clerk that takes the lead.

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