

WEST MOORS TOWN COUNCIL



GRIEVANCE PROCEDURE

Adopted 23rd October 2008

Grievance Procedure.

Scope of the Procedure

This Procedure applies to all staff, part time and full time.

The aim of this Procedure is to provide a consistent and fair mechanism for an individual employee who wishes to raise a grievance at work. The individual has the right to have the grievance investigated in accordance with the procedure outlined below. At all points during the procedure any member of staff has the right to be accompanied. The policy is there to ensure that employees with a grievance relating to their employment can use a procedure, which can help to resolve grievances as quickly and as fairly as possible.

Stage 1: Informal Resolution

If you have a grievance about your employment you should discuss it informally with your immediate line manager or Chairman of the Town Council, preferably within 3 working days of its occurrence. We hope that the majority of concerns will be resolved at this stage. The line manager or Chairman should offer appropriate advice and mediation to resolve any conflict at this stage. A report from the line manager or Chairman will be written and a copy kept for 2 years within the person's staff file and within the Grievance Committee file.

Stage 2: Formal Presentation

If their grievance is not resolved satisfactorily they may present in writing, within seven working days of receiving the decision, their grievance to the Chairman of West Moors Town Council. The Chairman will ensure that The Grievance Committee hears the grievance within a further seven working days. The committee will investigate the grievance using all resources at its disposal and come to a conclusion. They will then take whatever action is appropriate. A report will be written and a copy kept for 2 years within the person's staff file and within the Grievance Committee file.

Stage 3: Appeal

If the outcome is not satisfactorily resolved then the applicant may ask that the grievance is referred to the Appeals Committee. (This committee will not have as a member any person on the original Grievance Committee and may seek outside representation if appropriate e.g. District Councillors). The committee will investigate the grievance using all resources at its disposal and come to a conclusion. This conclusion will be final and will either uphold the findings of the Grievance Committee or return a different outcome. There will be no further recourse under the Grievance procedure and the matter will be terminated. A report will be written and a copy kept for 2 years within the person's staff file and within the Grievance Committee file.

Notes:

THE GRIEVANCE POLICY DOCUMENT

The aim of our grievance policy is to resolve any grievance as swiftly and fairly as possible, and we will deal with any matter relating to employment with the exception of the outcome of disciplinary proceeding

You have the right to be accompanied by a person of your own choosing who may speak on your behalf, ask questions, but not answer questions put to you.

You and your companion/representative will be provided with any necessary materials, papers etc.

We will make every effort to accommodate any person who has special needs if we are advised of the situation

You have the right to appeal against a decision of the panel

THE PROCEEDINGS

- The time and place must be notified and agreed with adequate time to prepare and attend
- It should not be at some venue that is particularly inaccessible
- Provision should be made for any person with a disability or whose first language is not English
- The proceeding should not be interrupted for any reason (Health & Safety excepted)
- The person accompanying the employee should be notified.
- A written record of the proceedings must be kept
- The procedure must be the same for all employees
- The proceedings should not be held in quasi-judicial language or process but be simple to follow and understand addressing the facts
- The proceedings should be timely. (Justice is not served by allowing the matter to hang fire)
- Allow for the proceedings to be conducted by an impartial external facilitator

Any employee who presents with a grievance should be encouraged in the first place to resolve the matter, if possible, by informal discussion with a

colleague/senior colleague. Under the Employment Act 2002 (See s.5 of the *Employment Act 2008 which amends s.18 to turn the duty to conciliate into a power to conciliate*), this becomes part of a required process of seeking conciliation. Where this matter is difficult then the services of an impartial mediator/arbitrator are recommended.

How the Grievance Committee and Appeal Committees are constituted.

The Chairman or Vice Chairman of the Council shall constitute a committee of three members to sit on the Grievance committee. The three members will be selected at random from a list of willing Councillors, who have no connection to the grievance concerned. The Appeal committee, should it be required, will be constituted in the same manner, excluding those councillors already sitting on the grievance committee.

Review

This internal procedure will be reviewed as and when there is an, organisational or legislation change.