



Torworth Parish Council

Grievance Procedure

Adopted June 5th 2018.

1.1 Every employee has the right to seek redress for grievances relating to their employment. Grievance procedures provide a mechanism whereby problems in relation to work, the working environment or working relationships can be raised and addressed. These problems should be dealt with speedily and fairly before they can develop into major problems or, potentially, collective disputes.

1.2 The procedure complies with both the Employment Act 2002 and with the ACAS Code of Practice (Number 1) entitled "Discipline and Grievance Procedures" and has been agreed by the Local Government Employee Joint Consultative Committee.

1.3 Every effort should be made to resolve a grievance or potential grievance using informal mechanisms – e.g. discussion with the immediate supervisor, discussion with a senior colleague or through an informal approach by a trade union representative. However, if informal methods do not succeed and the aggrieved party remains dissatisfied with the outcome or response, the formal procedure should be utilised.

1.4 This policy is non-contractual and Torworth Parish Council reserves the right to alter or withdraw it at any time.

Principles

2.1 This grievance procedure is based on the following principles:

It is neither possible nor desirable to specify precisely all of the issues which may give rise to a grievance, but the main areas would include: terms and conditions; health and safety; relationships at work; new working practices; organisational change and equal opportunities matters. All grievances will be dealt with quickly, fairly and within agreed time limits.

Individual and group grievances will be dealt with using the same procedure and including the same stages.

Decisions relating to a grievance will be taken at the lowest appropriate level and will, where possible, involve the use of informal mechanisms to secure a resolution.

At grievance and appeals hearings employees have the right to be accompanied by, and to have their case presented by, a chosen companion.

The Formal Grievance Procedure

3.1 Every attempt should be made to resolve the matter through informal discussion or through informal representation. The Parish Clerk, Chairperson or Vice Chairperson must respond as quickly as possible to an informal approach, not necessarily in writing. If, however, the aggrieved party is dissatisfied with the response or if no response has been forthcoming, within a reasonable period, the employee may initiate the first stage of the formal grievance procedure.

3.2 Mediation is a voluntary process that can be helpful in the resolution of disputes provided both parties agree to it as a way forward. If Mediation is agreed, then formal grievance procedures must be put into abeyance.

3.3 Stage 1 – The employee should submit a formal written statement of grievance to the nominated senior officer, outlining clearly the nature of the grievance. The written statement will include reference to the resolution sought by the aggrieved party. The nominated senior officer will convene a formal grievance hearing within 10 working days (or otherwise by mutual agreement) of receipt of the written statement of grievance. The employee will have the right to be represented at the hearing and the nominated senior officer will respond in writing to the formal statement of grievance within 5 working days after the date of the hearing.

3.4 Stage 2 – Should the employee be dissatisfied with the decision of the nominated senior officer there shall be a right of appeal to be lodged with the board of Torworth Parish Council. A statement of appeal must be submitted in writing within 10 working days of receipt of

the nominated senior officer's decision explaining the reasons for continuing dissatisfaction. The board will convene a formal appeal hearing within 10 working days of receipt of the written statement of appeal. The board shall respond in writing to the aggrieved employee within 5 working days after the date of the hearing.

Grievance will end at this level of the authority.

The Conduct of Formal Grievance and Appeal Hearings

4.1 The employee must be given every opportunity to present evidence in support of his/her grievance and the employee and/or chosen companion can call witnesses, submit additional written information and/or use verbal presentation. In addition, the nominated senior officer or board panel must be given every opportunity to justify a decision which is subject to appeal (with advice from an appropriate professional adviser). Where possible, the officer providing advice to the Board should be different from the officer who provided advice to the nominated senior officer at an earlier stage.

General Provisions

5.1 Status Quo Ante – In the event of a formal grievance being lodged in response to a proposed change to terms and conditions of employment, changes to their working practices, or organisational structures, no change shall be made to the relevant terms and conditions of employment until the agreed grievance procedures have been exhausted.

5.2 Withdrawal – The aggrieved employee may at any stage withdraw from these procedures by giving notice in writing. In these circumstances the employee will be deemed to have abandoned the grievance.

5.3 Collective Grievances – Two or more employees who share a common grievance arising from the same circumstances shall be entitled to pursue their grievance in common by means of the procedures outlined above.

5.4 Confidentiality – Torworth Parish Council will treat records arising from the grievance process as confidential. Copies of such records will be made available to the employee concerned and to his/her representatives and to officers or Members involved in the grievance and appeals process.

A Modified Grievance Procedure

6.1 A modified two step Grievance Procedure can be used where the employment has already terminated.

Torworth Parish Council and the employee must agree to use the modified procedure.

Step 1

- The employee must set out in writing
 - (i) the grievance, and
 - (ii) the grounds for the grievance
- The employee must send the statement to Torworth Parish Council.

Step 2

Response

- Torworth Parish Council must set out its response in writing and send the response to the employee. Once this response has been sent, the grievance procedure is concluded.