



Stanway

Parish Council Policy

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Stanway Parish Council Grievance Procedure

1. Introduction

1.1 It is the policy of Stanway Parish Council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the Council. This document describes the procedure to an individual employee's employment grievance.

1.2 An up-to-date copy of this Procedure shall be maintained on Stanway Parish Council's website.

1.3 This procedure has been developed in accordance with 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).

2. Purpose

2.1 This procedure 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.

3. Scope

3.1 This Procedure applies to all employees within Stanway Parish Council.

4. Informal Grievance Procedure

4.1 Many problems can be raised and settled during the course of everyday working relationships. In the interests of maintaining good working relations the employee is encouraged to first discuss any grievance with the Clerk (or in the case of any grievance relating to the Clerk with the Chairman of the Parish Council) with a view to resolving the matter informally if appropriate. Both should try to resolve the matter at this stage. If the employee feels that this is not appropriate, or they wish to pursue a formal grievance they should follow the Formal Grievance Procedure detailed below.

4.2 If the employee does not want to discuss the grievance with their manager (for example, because it concerns the manager), the employee should contact the Chairman of the staffing committee or, if appropriate, another member of the staffing committee.

4.3 If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

5. Formal grievance procedure

5.1 If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to their line manager or Chairman of the Council.

5.2 A panel will be formed consisting of three Councillors who form a sub-committee and will be responsible for investigating the grievance. The panel will appoint a

Chairman. No Councillor with direct involvement in the matter shall be appointed to the panel.

5.3 If the sub-committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigator may be external to the council e.g. an outsourced HR provider. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillors or members of the public).

5.4 The investigator will summarise their findings (usually within an investigation report) and present their findings to the sub-committee.

6. Notification

6.1 As soon as reasonably possible following the Council receiving the employee's 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 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 as soon as reasonably possible, and usually within 25 days place following the Council's receipt of the grievance. In the event there is a need to go beyond this date, e.g. external parties need to be engaged to sit on the panel, then the council will write to you without delay to inform you of this.
- The employee's right to be accompanied by a workplace colleague or accredited trade union official.
- A copy of the Council's grievance policy
- Confirmation that the employee is to provide the Council with any supporting evidence in advance of the meeting, as soon as possible
- 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)

7. The grievance meeting

7.1 At the grievance meeting:

- The Chairman will introduce the members of the sub-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 council to take
- 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. The employee will be informed of the period of any adjournment

8. Deciding on Appropriate Action

- 8.1 Following the grievance meeting, the Chairman will provide the employee with the sub-committee's decision, or notification of any additional investigations required, in writing, as soon as reasonably possible.
- 8.2 The letter will notify the employee of the action, if any, that the Council will take and the employee's right to appeal if they are not content with the action taken.

9. The appeal

9.1 If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the staffing committee. An appeal must be received by the Council within 7 calendar days of the employee receiving the sub-committee's decision and must specify the full grounds of appeal.

9.2 Appeals may be raised on a number of grounds, e.g.:

- A failure by the Council to follow its grievance policy
- The decision was not supported by the evidence
- The action proposed by the sub-committee was inadequate/inappropriate
- New evidence has come to light since the grievance meeting

9.3 The appeal meeting shall consist of a panel of three members of the staffing committee who have not previously been involved in the case there may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include members of the staffing committee. Where all council members have been involved in the process, or there are insufficient members to form the panel, then external members may be appointed. The appeal panel will appoint a Chairman from one of its members.

9.4 The employee shall be notified, in writing, as soon as reasonably possible following receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take as soon as reasonably possible, and usually within 25 days place following the Council's receipt of the appeal. In the event there is a need to go beyond this date, e.g. external parties need to be engaged to sit on the panel, then the council will write to you without delay to inform you of this. The employee will be advised that they may be accompanied by a workplace colleague or accredited trade union official.

9.5 At the appeal meeting, the Chairman will:

- Introduce the panel members to the employee
- Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
- Explain the action that the appeal panel may take

9.6 The employee (or companion) will be asked to explain the grounds of appeal

9.7 The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, as soon as reasonably possible following the appeal meeting.

9.8 The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.

9.9 The decision of the appeal panel is final.

10. Policy Review

10.1 Stanway Parish Council will review this Procedure as is necessary and appropriate, and at minimum on an annual basis.

