



HAWARDEN COMMUNITY COUNCIL

GRIEVANCE PROCEDURE

1. INTRODUCTION

1.1 It is the policy of the 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 which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is produced in line with the ACIS Code of Practice 2009 as set out in the Employment Act 2008. This procedure applies to all employees of the Council.

1.2 The objectives of the procedures are:-

- To foster good relationships between the Council and its employees by discouraging the harbouring of grievances;
- To settle grievances as near as possible to their point of origin;
- To ensure the Council treats grievances seriously and resolves them as quickly as possible; and
- To ensure that employees are treated fairly and consistently throughout the Council.

1.3 Matters excluded from this procedure are as follows:-

- Appeals against salary or gradings;
- Appeals against disciplinary actions;
- Income tax, national insurance matters, rates of pay collectively agreed at the national or local level'
- Rules of pension schemes; and
- A grievance about a matter over which the Council has no control.

2. INFORMAL GRIEVANCE PROCEDURE

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 Chair of the Community Council] with a view to resolving the matter informally if appropriate. If the employee feels that this is not appropriate or he or she wishes to pursue a formal grievance they should follow the procedure detailed below.

3. STANDARD COUNCIL GRIEVANCE PROCEDURE

3.1 The employee must set out his/her grievance in writing ("Statement of Grievance") and provide a copy to the Chair of the Staff and General Purposes Committee.

3.2 Once the Council has had a reasonable opportunity to consider its response to the information provided in the Statement of Grievance the employee will be invited to attend a grievance meeting with a panel of representatives of the Staff and General Purposes Committee.

(i) The employee must take all reasonable steps to attend the meeting.

(ii) Grievance meetings will normally be convened within 14 days of the Council receiving the Statement of Grievance.

(iii) The employee has the right to be accompanied to a grievance meeting by a fellow employee, a Trade Union representative or by a friend.

(iv) If the meeting is inconvenient for either the employee or his or her companion, the employee has the right to postpone the meeting by up to 5 working days.

3.3 A grievance meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the panel comprising representatives of the Staff and General Purposes Committee time to consider the decision.

3.4 After the meeting the employee will be informed of the panel's decision within 5 working days. [The meeting may be reconvened for this purpose]. The panel's decision will be confirmed to the employee in writing.

3.5 If the employee wishes to appeal against the Council's decision he or she must inform the Council within 5 working days of receiving the decision.

3.6 If the employee notifies the Council that they wish to appeal, the employee will be invited to attend a grievance appeal meeting with three members of the Staff and General Purposes Committee Panel. The employee must take all reasonable steps to attend that meeting. The employee has the right to be accompanied to a grievance appeal meeting by a fellow employee, a Trade Union representative or by a friend.

3.7 A grievance appeal meeting will normally be convened within 7 working days of the Council receiving notice that the employee wishes to appeal pursuant to 3.5 above. If the meeting time is inconvenient for the employee or his or her companion, the employee may ask to postpone the meeting by up to 5 working days.

3.8 After the grievance appeal meeting the employee will be informed of the Council's final decision within 5 working days. [The meeting may be reconvened for this purpose]. The Council's decision will be confirmed to the employee in writing.

4. MODIFIED COUNCIL GRIEVANCE PROCEDURE (FOR FORMER EMPLOYEES)

4.1 If an ex-employee wishes to raise a grievance, he or she must set out their grievance and the basis for that grievance in writing and provide a copy to the Chair of the Council's Staff and General Purposes Committee.

4.2 Following receipt of a statement of grievance pursuant to 4.1 above, the Council will either write to the ex-employee inviting him or her to attend a meeting to discuss the grievance or to ask for the ex-employee's agreement to the Council responding to the grievance in writing.

4.2.1 If the ex-employee does not agree to the matter being dealt with by correspondence within 7 working days of the Council writing to them pursuant to 4.2 above steps 3.1 to 3.4 of the standard Council grievance procedure will be followed. The meeting will be conducted by a panel comprising representatives of the Council's Staff and General Purposes Committee.

4.2.2. If the ex-employee does agree to the matter being dealt with by correspondence, the Council's Staff and General Purposes Committee will consider his or her grievance and will respond to the ex-employee in writing within 14 days of the receipt of such confirmation setting out the basis for the Council's decision.

5. GENERAL PROCEDURAL INFORMATION

5.1. A copy of the Statement of Grievance, a note of the decision taken at the first stage of the procedure, any notice of appeal decision will be placed on the employee's/ex-employee's personnel file, together with any notes or evidence taken or compiled during the course of the procedure.

5.2. All staffing disciplinary/grievance issues should be discussed in private session. In the first instance – the only Councillors who should have any knowledge of a possible problem with a member of staff should be the Chair of Council, the Chair of the Staff and General Purposes Committee and the Clerk. All other Councillors should be told that there is a grievance issue with a member of staff and that they should avoid becoming involved in any way as Councillors should be unaware of the issues of the case so that three of their number can be used in an appeal if one is needed.

SIGNED: _____

DATED: 14th August 2019

On behalf of: **Hawarden Community Council**