

Grievance Policy for Heytesbury, Knook and Imber Parish Council

Purpose

The purpose of this policy is to provide a fair and transparent process for addressing grievances raised by employees of Heytesbury, Knook, and Imber Parish Council (hereafter referred to as "the Council").

The Grievance Policy is compliant with the Employment Rights Act (Dispute Resolution) Regulations 2004 (amended in 2009) and ACAS code of practice and will be applied fairly and consistently in accordance with the Equality Act 2010.

Scope

This policy applies to all employees of the Council.

Grievance Definition

A grievance is defined as any concern, problem, or complaint that an employee of the Council has regarding their work, working conditions, or treatment by others within the Council.

The four most common types of grievances are listed below as examples:

- Complaints about unsatisfactory working conditions.
- Concerns or disputes relating to payment or benefits.
- Frustration with too much work.
- Feeling unhappy due to bullying, harassment, discrimination in the workplace or other factors.

Informal Resolution

Employees are encouraged to resolve grievances informally whenever possible as this is the preferred process. This can be achieved through open verbal communication with the involved parties. Mediation could also be arranged if felt necessary.

Formal Grievance Procedure

If the grievance cannot be resolved informally, the following formal procedure should be followed:

- The employee should submit their grievance in writing to the Chair, outlining the nature of the grievance and any relevant details. Where the grievance regards the chair then this should be submitted to the vice chair.
- The Chair, or Vice chair, will acknowledge receipt of the grievance within 5 working days and initiate an investigation (Appendix A) as soon as is possible .
- An impartial investigator, usually one or more councillors, will be appointed by the Council to investigate the grievance thoroughly.
- The investigator will meet with the grievant, any relevant witnesses, and gather any necessary evidence.
- The investigator will provide a written report of their findings and recommendations to the Council as soon as reasonably possible but without undue delay.
- The Council will review the report at the next possible opportunity and determine appropriate actions to resolve the grievance.

- The Council will communicate its decision, outcome, and next steps to the grievant in writing within 5 working days of the Council's decision.

Appeal Process

If the grievant is not satisfied with the Council's decision, they may appeal within 14 days of receiving the decision in which case:

- a. The appeal will be heard by an independent appeal panel appointed by the Council.
- b. The appeal panel will review all relevant documentation and may hold a hearing where the grievant and any witnesses may present their case.
- c. The appeal panel will provide a written decision to the grievant within 5 working days of the conclusion of the appeal hearing. The decision is final.

Confidentiality

All parties involved in the grievance procedure are expected to maintain confidentiality throughout the process to protect the privacy of those involved.

Non-Retaliation

The Council prohibits retaliation against any employee who raises a grievance in good faith. Any retaliation will be subject to disciplinary action.

Review

This policy will be reviewed annually to ensure its effectiveness and compliance with relevant legislation and best practices.

Appendix A - Step by Step Procedure for Investigation

An investigation is ideally carried out by an independent person or by a councillor who is not involved in the grievance. The investigation must be conducted to establish the facts as soon as is reasonably practicable after the matter arises before recollections fade. A proper investigation is an integral part of the process and, where an allegation of gross misconduct is involved, may require the employee to be suspended on contractual pay whilst this is carried out. Suspension on pay is not considered to be a sanction taken under the grievance or disciplinary procedure. It is there to ensure that issues are dealt with in a fair and reasonable manner, and adequate protection is given to all employees. The suspension period should be as brief as possible and should be kept under review.

The key actions are:

1. Inform the grievant that the matter is to be investigated.
2. Employees of the Council are entitled to be accompanied by a colleague at an investigation meeting.
3. Interview the relevant person(s) about the matter.
4. Interview all relevant witnesses (If identified as part of the investigation).
5. Gather all the facts and background.
6. Record all meetings and findings.
7. Ensure all witness statements are reviewed and signed by interviewees.
8. Ensure all witnesses are made aware that statements may be made available to the person being investigated.
9. Inform the person being investigated at appropriate intervals about the progress of the investigation if there has been a delay in the investigation.
10. Feedback the findings to the council to ascertain whether there is a case to be answered and to check through the investigation pack.

The investigator must prepare a written report of their findings as soon as reasonably possible but without undue delay and any recommendations they may have as to the substance of the allegation made against the employee. This will be limited to:

- there is no case to answer and it is recommended that the allegation is dismissed,
- the matter is not serious and can be dealt with informally,
- there is a case to answer before a disciplinary hearing, in which case the Disciplinary Policy must be followed.