H14 – Grievance Policy

Welshpool Town Council

Adopted:
Revised:
Review: Biannually or as changes are required.

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HR14 - Grievance Policy

1. Introduction

1.1. A 'grievance' is an issue or problem with something at work. If you are having a problem at work or wish to raise a complaint, then you should use the process set out in this Policy to do so. We want to make sure that you feel comfortable to raise with us any problems you may have.

1.2. This Policy:

a Sets out the informal and formal processes that can be followed when raising a grievance

b Explains what we will do if we receive a formal grievance

c Explains how grievance meetings operate

d Sets out how we will deal with tricky situations like related grievances and grievances raised during a disciplinary process

e Explains the role of the grievance officer

f Provides an introduction to mediation and the circumstances in which it might be offered when a grievance has been raised

1.3. Please note that this Policy does not form part of your contract of employment. We reserve the right to amend or remove this Policy.

1.4. This Policy should be read alongside our *Whistleblowing Policy* and *Bullying & Harassment Policy*.

1.5. This Policy applies to all employees. It does not apply before your employment starts. If your employment has ended, we may refuse to investigate any grievance, or we may use a different procedure.

2. What we will do if we receive a formal grievance

2.1. If we receive a formal grievance from you we will:

a Follow a full and fair procedure

b Investigate all matters raised

c Act promptly

d Keep you regularly updated with the status of the grievance investigation

e Be mindful of the impact of the grievance and the grievance process on your wellbeing and provide appropriate support

f Not treat you unfavourably for having raised a grievance

g Retain all documentation collected as part of the grievance process securely, in accordance with our *Data Protection Policy*

3. The informal grievance process

3.1. If you have an issue or complaint, before doing anything else, you should approach your *line manager*, as most grievances can be resolved informally. If your grievance involves your *line manager* – or there is some other reason you don't want to raise it with them – you should instead tell the Town Clerk. If the grievance concerns the Town Clerk then you can raise it with the Mayor.

3.2. You do not have to put anything in writing. The issue can be discussed verbally if you prefer.

3.3. If this informal approach does not solve your problem, or you do not want to first raise the matter informally, you can use the formal procedure.

4. The formal grievance process

We follow a three-stage process when dealing with formal grievances.

4.1. Stage 1: Submission of a written grievance

Put your grievance in writing and send it to your line manager. Your letter/email should include the following:

a What your complaint is – please provide as much specific information as possible.

b Any evidence you have to support your grievance – this can be sent as an accompanying file or bundle if necessary.

c What outcome you are hoping to achieve from the grievance process – this is particularly important, as if we don't know what you want, we cannot help you achieve it.

We will confirm receipt of your grievance promptly. We will then investigate the complaint you have raised. How we do this will depend on the nature of your grievance. For example, it may involve a review of documents or it may involve interviewing others involved in the complaint. You must cooperate with our investigation.

4.2. Stage 2: Grievance hearing

We will invite you to a grievance hearing to discuss your grievance. We will usually do this within *ten* working days of receiving your grievance, although the process may take longer if the complaint is complex. We aim to act without unreasonable delay throughout the grievance process.

You have the right to be accompanied at this meeting by a work colleague or trade union representative (see section 5 for more details).

If you or your chosen companion are unable to attend the meeting at the time arranged, then you should let us know without delay and we will organise an alternative date and time. Unless there is a good reason, we are unlikely to rearrange a meeting more than once. If you do not attend a grievance meeting that we have set up (or rearranged) for you, and you do not give us a good reason, we may treat the grievance as withdrawn by you.

At the meeting, our appointed grievance officer (see below) will discuss your grievance with you, including any desired outcome. We may record the meeting. We will let you have copies of any notes taken or recording made.

Please do not record the meeting without our consent, as this suggests that you do not trust our process or the managers conducting the meeting. If you record the meeting covertly, we will normally regard that as serious misconduct.

After the meeting, we will complete our investigation. Sometimes, this will involve looking at documents or interviewing other people. We may ask you for more information or for another meeting. We may conclude that there is no need for any further investigation.

We will tell you of the outcome of your grievance in writing.

4.3. Stage 3: Appeal

You have the right to appeal any finding we make in relation to your grievance. Any appeal should be submitted in writing within *five* working days of receiving the grievance outcome letter. In your appeal letter, you should explain clearly why you are appealing and provide us with any additional evidence you would like us to consider as part of your appeal.

We will appoint an appeal officer to deal with your appeal. An appeal hearing will be held with you. We usually aim to arrange an appeal hearing within *two* weeks of the submission of your appeal. You have the right to be accompanied at the appeal hearing by a work colleague or trade union representative (see section 5).

Following the appeal meeting, we will carry out any additional investigation which we feel is required. Our final decision will be sent to you in writing. We will try to do this within [*two*] weeks of the appeal hearing. You do not have any further right of appeal, and this marks the end of the grievance process.

5. The right to be accompanied

5.1. You are entitled to be accompanied by a colleague or trade union representative at any grievance or grievance appeal meeting called under this Policy.

5.2. If you want to exercise this right, you should tell us as soon as possible who you want to accompany you. It is your responsibility to arrange for them to attend. If you choose a work colleague, we will not stop them from attending, but we may rearrange the meeting if their absence from work would cause operational problems.

5.3. Your colleague or trade union representative can, if you'd like them to, explain the key points of your grievance at the meeting and you can confer with them during the meetings. However, they must not answer questions put directly to you or try to stop us from asking questions or outlining our views.

6. Grievance and grievance appeal officers

6.1. When we receive a formal grievance from you, we will appoint a grievance officer from the Council to investigate it. The grievance officer will, wherever possible, have had no involvement in the subject matter of the grievance. The grievance officer's role usually includes investigating the grievance, holding a grievance hearing with you and communicating the outcome of your grievance.

6.2. If you appeal the outcome of a formal grievance, then we will appoint a grievance appeal officer to handle it. Wherever possible the grievance appeal officer will have had no prior involvement in the grievance process or the subject matter of the grievance. The grievance appeal officer's role includes reviewing the background, undertaking any further investigation, holding a grievance appeal hearing with you and communicating the outcome of your grievance appeal in writing.

6.3. If you wish to raise any issue regarding an appointed grievance or grievance appeal officer, or if you are concerned about their actions, then please contact the Town Clerk to discuss the matter further. We will not normally give credence to a belief by you that a grievance or grievance appeal officer is biased or has a personal animosity towards you unless you have raised it at the very earliest opportunity. The fact that someone does not agree with you, or tests your account by asking probing questions, is not evidence of bias or animosity.

7. Mediation

7.1. Depending on the subject matter of the grievance, we may consider offering mediation to resolve it.

7.2. Mediation involves an independent, impartial person working with both sides to find a solution. It can help to diffuse tension and avoid issues escalating.

7.3. We are not obliged to offer mediation, and it is an option which we will only look into with your agreement.

8. Competing or related grievances

8.1. Where we receive competing grievances, we will usually follow the full formal process set out above in relation to both. We will not prioritise one over the other. We will keep all information confidential and separate in relation to the two processes.

8.2. Where grievances cover similar or related subjects, we may approach all those involved to seek to agree that the grievances can be joined, and a joint meeting held to discuss them. However, this would require the agreement of each person involved. Each person has the right to follow the full process individually if they wish to.

9. Grievances raised during a disciplinary or performance management process

9.1. Our approach is driven by the fact that we do not normally want a grievance to delay (or even derail) an ongoing disciplinary or performance management process.

9.2. Where a grievance is raised whilst a disciplinary or performance management process is in progress, we may choose any of these three options:

a Pause the existing process whilst we investigate the grievance

b Deal with the existing process at the same time as the grievance, as part of the same overall process

c Deal with the existing process at the same time as the grievance but run two independent processes concurrently

9.3. When making our decision on this, we will take into account the most appropriate course of action in each case and the need to act without delay.

10. Temporary changes to the working environment during the grievance process[1]

10.1. Most grievance investigations can be conducted while you remain in your usual working environment. However, there will be some situations when we may consider moving you or others to a different work location or role while the investigation is carried out. This would be a temporary move only. We will act reasonably and treat you fairly when considering any transfer.

11. Administration of the Grievance Policy

11.1. The Town Clerk is responsible for the administration of the Grievance Policy. Should you have any feedback, please contact the Town Clerk.

[1] You cannot move an employee into a role falling outside their job description without their consent unless the employment contract contains an express right for you to do so.