

# UPPER BEEDING PARISH COUNCIL

## STAFF GRIEVANCE POLICY

### Introduction

It is the policy of Upper Beeding 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 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 ACAS Code of Practice 2009 as set out in the Employment Act 2008.

### 1. PRINCIPLES

- a) At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
- b) Grievances will be dealt with promptly and consistently.
- c) The Full Council will decide if the grievance policy is to be instigated.
- c) At all formal stages the employee will have the right to be accompanied during the Grievance Hearing.
- d) An employee will have the right to appeal against any outcome of a Grievance Hearing.
- e) At no time will an employee be penalised or victimised for having raised a Grievance against the Council.

### 2. PROCEDURE

Wherever possible, any grievance should be raised informally with the Chairman of the Staffing Committee, or if this is inappropriate (for example if the grievance concerns the Chairman) then the grievance should be raised informally with the Vice-Chairman. Upon receipt of any grievance, the Clerk must share the grievance with the staffing committee established to handle employment matters and the issues should be treated with discretion and confidentiality at all times.

If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to the Chairman or Vice-Chairman of the Staffing Committee as appropriate.

Generally, within a reasonable period of time e.g. five working days of receipt of a written complaint, the Chair (or Vice-Chair) of the staffing committee will arrange a meeting with the employee. The meeting arrangements should be mutually convenient, in a confidential location, free from interruptions. The substance of the complaint will be reviewed and submissions heard. It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be taken into account. The employee may call witnesses by prior arrangement with the Chair or Vice-Chair. There is no right for a Councillor or employee implicated in an employee's grievance to cross examine the aggrieved during a grievance hearing but the panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately. The Chair or Vice-Chair will ask the employee what he or she would like to happen as a result of raising the grievance and bear this in mind when preparing the response.

Advice may be sought from the SLCC or SALC if appropriate.

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### RESPONSE

The Chairman of the Staffing Committee will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem.

### APPEAL

If the employee is dissatisfied with the decision of the Chair or Vice-Chair of the Staffing Committee on his/her complaint, he/she may appeal against the decision to the Chairman or other elected Councillor by written notice within five working days of the decision. An Appeal may be raised if:

- The employee thinks the finding, or action plan, is unfair
- New evidence has come to light
- The employee thinks that the procedure was not applied properly

On receipt of the appeal the Council shall appoint and arrange for an Appeals Panel to meet and consult with the employee, the line manager or Members concerned and any other persons, as s/he shall consider appropriate without unreasonable delay. The Appeal Hearing Chair shall consider the issues and shall then take all such steps, as s/he may consider necessary to resolve those issues. The Appeal Panel should be independent of the original decision panel. The decision of the Appeal Panel shall be final. The outcome of the appeal should be conveyed to the employee in writing in a timely manner.

### BULLYING AND HARASSMENT

If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the Chairman of the Staffing Committee or Vice-Chairman if the grievance concerns the Chairman. The complaint will then be investigated in accordance with the Bullying and Harassment policy. Any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of harassment against a Council member a Members a Code of Conduct complaint will be lodged by via Horsham District Council's Standards process

### CONFIDENTIALITY

So far as is reasonably practicable, the Council will keep any grievance or complaint of harassment confidential between the Chairman or Vice-Chairman of the Staffing Committee investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.

### RECORD KEEPING

In all cases, written records of the nature of the grievance raised, the employer's response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the General Data Protection Regulations 2018.