



## **SELBY TOWN COUNCIL**

# **GRIEVANCE POLICY AND PROCEDURE**

### **1. Purpose and scope**

The purpose of this grievance policy is to resolve any grievances that employees may have as quickly and fairly as possible. This policy shall be followed in dealing with any complaints raised by employees provided that they are not concerned with the following:

- disciplinary matters, in which cases the disciplinary policy will be followed;
- matters relating to the rules of the pension scheme.

This policy applies to grievance raised by paid staff.

Where an employee is still within the probationary period any grievances will be dealt with under the probationary period procedure detailed in Section 5 of this policy.

This policy is non contractual.

### **2. Principles**

It is intended that this policy will lead to the quick resolution of any grievances. It is designed to establish the facts quickly and to deal consistently with any grievance raised by employees.

The employee will have the right to be accompanied by a work colleague or trade union official at all meetings under the formal grievance procedure. At the meeting the employee's companion has the right, if the employee wishes, to confer with the employee, to put forward the employee's case, to sum up the case and to respond on the employee's behalf.

The employee will have the right to appeal against any grievance decisions.

Records of grievance proceedings and outcomes will be kept confidential. They will be kept on the employee's personnel file and retained in line with the Data Protection Act 1998.

In the event that the employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. However, if the grievance and disciplinary cases are related it will usually be appropriate to deal with both issues concurrently.

Employees should be aware that if they raise grievances which are malicious or without substance disciplinary action may be taken against them.

### **3. Informal stage**

When an employee has a grievance they should in the first instance raise the grievance informally with their line manager who will discuss the grievance with the employee and try to reach a speedy resolution. The line manager should keep a note of the details of the grievance and of the discussion.

In certain circumstances it may, with mutual agreement, be helpful to consider using an independent third party to help resolve the problem. In some cases an external mediator might be appropriate.

### **4. Formal stage**

Should the matter not be resolved informally the employee should raise the matter formally with their line manager, or if the grievance concerns the line manager the employee should then raise the matter with the Town Clerk. At this stage the employee should put the grievance in writing stating the grounds for their grievance and the outcome they are seeking.

It may be necessary to raise the matter to the Chair of the Town Council if the matter was raised with the Town Clerk at the informal stage.

In the event that an employee raises a grievance against the Chair of the Town Council the grievance should be heard by the Chair of Finance & Staffing sub-committee who has had no prior involvement with the issues.

In exceptional circumstances it may be necessary to use designated members of the Finance & Staffing sub-committee if it is not possible to follow the procedure internally. Any person appointed under this procedure shall be deemed to have delegated authority from the Town Council.

### **Meeting**

The Town Clerk should consider, in light of the nature of the grievance, whether any investigation is necessary. The Town Clerk will then, without undue delay, arrange a meeting with the employee. The employee has the right to be accompanied at the meeting by a workplace colleague or trade union official. The purpose of the meeting is to listen to and understand the

nature of the grievance and how it might be resolved. Consideration should be given to adjourning the meeting if any further investigation is necessary.

Where practicable, the employee will be given 48 hours' notice of any grievance meeting and they must take all reasonable steps to attend.

### **Outcome**

Preferably within ten working days of the meeting the Town Clerk will ensure that the employee receives a written response to the grievance. If this timescale is not possible then the employee should be advised of the alternative timescale. The Town Clerk's response will state whether the grievance has been upheld, any action they intend to take (if applicable) and will outline the employee's right of appeal.

### **Appeal**

If the employee still feels the matter has not been satisfactorily resolved they can appeal. The employee must write to the Chair of Finance and Staffing Committee within five days of receiving the response to their original grievance. The chair of Finance and Staffing Committee should then, ideally within 15 working days, arrange a meeting with the employee to discuss and try to resolve the grievance. The employee has the right to be accompanied at the appeal meeting by a workplace colleague or trade union official. The Chair of Finance and Staffing would appoint an appeals panel, in liaison with the Mayor of the Town Council.

Preferably within five working days of the meeting the Chair of Finance and Staffing will ensure that the employee receives a written response to the appeal. The decision of the Appeals Panel is final.

## **5. Probationary period**

During the probationary period the grievance procedure set out above does not apply. During this period the following procedure will apply:

- a. The employee must inform the Town Clerk of their grievance in writing setting out full details.
- b. They will then be invited by the Town Clerk to a meeting to discuss the grievance at which they will be entitled to be accompanied by a colleague or trade union official. The employee must take all reasonable steps to attend the meeting and following the meeting they will be notified in writing of the decision.
- c. The employee is entitled to appeal against the decision. At the appeal meeting they will again be entitled to be accompanied and must take all reasonable steps to attend. Following the meeting the employee will be notified of the final decision on the matter.