



GRIEVANCE PROCEDURE

Employment Policies, Procedures & Guidance

Purpose and Scope

The Council promotes a positive working environment and has developed policies and procedures to support this. However, it is recognised that from time to time, employees will have concerns, problems or complaints about an aspect of their employment. A grievance could include concerns about the work they are doing or a problem in their working environment. This procedure has been developed to support employees who feel that they have an issue which they need help to resolve.

This procedure provides employees with an opportunity to resolve their grievances in a timely, fair and consistent manner, to help to maintain effective working relationships. Employees will not be treated any less favourably or suffer any detriment in their employment as a result of raising a grievance under this procedure.

Employees are very much encouraged to resolve their grievance informally, wherever possible. Line managers will support employees in doing this. However, in circumstances where this is not possible or where the informal route has failed, employees should follow this formal grievance procedure.

Definition

A grievance is a concern, problem or complaint that an employee may have about their work, working conditions or relationships with colleagues, that they may wish to discuss with management.

Alternative Procedures

An employee wishing to raise a grievance may also wish to consider the Council's policies on the following:

- Harassment at Work
- Whistleblowing
- Anti-Fraud and Corruption

These policies are available on the Council's intranet and can also be provided by line managers or HR&OD.

The Council may determine in respect of any issue raised that it will be considered under an alternative procedure, where it considers it appropriate to do so.

Grievance and Disciplinary Cases

Where an employee raises a grievance during a disciplinary process the process may be temporarily suspended in order to deal with the grievance. However, where the issues are related then both matters may be considered concurrently.

General Principles for Managing Grievances

Managers will deal with grievances professionally and without unreasonable delay. Employees will be kept informed of intended timescales.

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The aim of the procedure is to try to resolve the grievance satisfactorily and in a timely manner. Everyone involved in the grievance should ensure that discussions are open and constructive.

A trade union representative or an appropriate work colleague may accompany the employee at all formal stages of this procedure and may assist the employee in completing a written statement where necessary. In advance of the meeting, the employee should inform the manager of who will be accompanying them. On occasion, it may be reasonable to request that the employee chooses another person to accompany them at the meeting, for example, if the person chosen may prejudice the hearing.

All meetings will be held in private and at a time and place that is reasonable for the employee and the person accompanying them. If either the employee or the person accompanying them has any special requirements they should inform the manager prior to the meeting and, where appropriate, reasonable adjustments will be made.

Where a specific grievance has been dealt with under the formal procedure the same grievance cannot be raised again at a later date. This provision applies even where an employee feels the grievance has not been resolved to their satisfaction, following appeal. This provision does not prevent an employee from pursuing an employment tribunal claim in respect of the reason for raising the grievance.

Procedure

When raising a grievance, employees must follow the procedure detailed below.

Informal Stage

Concerns, problems and complaints are often easily resolved informally enabling effective working relationships to be maintained. Therefore, grievances should always be raised promptly and informally with the line manager, wherever possible. If the line manager is unavailable (i.e. due to holiday, sickness etc), or is not the most appropriate person to discuss the matter with, an employee should contact an alternative manager. A Trade Union representative or a work colleague may also be able to support the employee in exploring an informal approach to resolving the issue, with the line manager.

Mediation

Mediation has been proven to help resolve certain issues. It is a voluntary, confidential way of helping two or more individuals or groups reach a solution that's acceptable to everyone. The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.

It can be used at any stage but is most effective before situations become formal.

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The Council provides mediation support which can be accessed by contacting the HR&OD service.

Formal Grievance Procedure

When a matter cannot be resolved informally, the employee should follow the formal procedure detailed below.

Written Statement

To raise a formal grievance an employee must submit a written statement detailing the grievance to the Head of Service without unreasonable delay. Wherever possible, the grievance should be made using the form attached at Appendix 1. The statement must include specific details of the grievance and how the grievance can be resolved.

Where an employee seeks to raise a grievance against the actions of their Head of Service it must be submitted to their Chief Officer. Where the grievance is about the Chief Officer, the grievance should be submitted to the Director of Human Resources and Organisational Development.

Where it is unclear if the written statement received is intended to be treated as a grievance the recipient of the written statement shall seek to clarify this as soon as possible.

Stage 1 - Grievance Hearing

The grievance will normally be heard by the Head of Service or their representative unless this would be inappropriate. The employee will be invited to attend a meeting to discuss the grievance, without unreasonable delay. A representative from Human Resources and Organisational Development will also attend the meeting. At the hearing the employee will be given the opportunity to explain their grievance and how they think it could be resolved.

The employee and the person accompanying them must take all reasonable steps to attend the meeting.

The Head of Service or their representative will notify the employee in writing of the decision and the right of appeal.

Stage 2 – Appeal

If an employee wishes to appeal against the decision they must submit a written statement, within ten working days of receiving the notification of the decision. This appeal must be submitted to their Chief Officer and provide specific details for the reason of appeal. Wherever possible, this appeal should be made using the form attached as Appendix 2. If the appeal is against the decision of a Chief Officer, the employee should send the appeal to the Director of Human Resources and Organisational Development.

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If an appeal is received outside of this timescale, the Council will consider that the grievance is resolved. Only in very exceptional circumstances will an appeal be considered after this timescale, and there must be a valid and reasonable reason for the delay.

Where an employee makes an appeal, the Chief Officer or their representative, without unreasonable delay, will write to the employee to invite them to attend a meeting to discuss the grievance and how they think it can be resolved. The meeting will also be attended by a representative from HR&OD. The employee will be reminded of their right to be accompanied at the meeting by a Trade Union representative or an appropriate work colleague.

The Chief Officer or their representative will notify the employee of the decision in writing. This is the Council's final decision.

Collective Grievances

There may be occasions where two or more employees wish to raise the same grievance together. This will be treated as a "collective grievance", and the grievance will be dealt with in one process. This has advantages for all parties ensuring connecting grievances are dealt with in a consistent and timely manner. Where the Council identifies that two or more individual grievances are connected, it may determine that the grievances are dealt with as a "collective grievance".

The collective grievance procedure reflects the individual grievance procedure. Wherever possible, the aim should be to resolve the grievance informally. Where this is not possible, the collective grievance should then be raised using the Formal Grievance Procedure set out above. However, the forms attached as Appendix 3 and Appendix 4 should be used, as appropriate.

Employees raising a collective grievance must be aware that they cannot then raise an individual grievance for the same issue.

The Council has a separate procedure for dealing with collective (i.e. employment relations) disputes between the Council and a group of employees, which may involve the Trade Unions, where matters of principle with wide-ranging or Council-wide effect are raised. Please see the [Council's Collective Disputes](#) Procedure for more information.

If the Council determines that a collective issue raised would be better dealt with under the alternative procedure it will advise of this accordingly.

**Grievance Statement – Stage 1**

Name:	Payroll Number:
Job Title:	Directorate/Service:

Notes for completion:

Wherever possible, you should always try to resolve your grievance informally, before completing and submitting this form. However, if you do need to raise a formal grievance, complete this form including the following information:

- (a) The name of the person you are raising the grievance against, if applicable
- (b) The specific details of the grievance
- (c) Any relevant additional information e.g. have you tried to resolve the grievance informally, with whom and when, dates and times of relevant incidents, etc
- (d) How do you think the grievance can be resolved?

When complete, sign and date this form and forward it to your Head of Service. You should retain a copy of your Statement for your information.

If you need assistance with the completion of this form, please contact HR&OD.

Written Statement (please continue on next page and/or additional sheets if required)

Signature:	Date:
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Grievance Appeal – Stage 2

Name:	Payroll Number:
Job Title:	Directorate/Service:

Notes for completion:

To make an appeal against a decision at Stage 1, please include the following information:

- (a) The date your grievance meeting was held, who was in attendance and date you received the written response notifying you of the decision
- (b) The specific details of the reason for your grievance appeal
- (c) Any relevant additional information
- (d) The outcome you are seeking from your grievance appeal.

When complete, sign and date this form and forward it to your Chief Officer.

This form must be submitted within **ten working days** of receiving the notification of the decision of your grievance. You should retain a copy of your Statement for your information. If you need assistance with the completion of this form, please contact HR&OD.

Grievance Appeal Statement (please continue on next page and/or additional sheets if required)

Signature:	Date:
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Collective Grievance Statement – Stage 1

Each employee submitting this collective grievance must complete and sign this section (please extend this table or continue on a separate sheet if required)

Name	Job Title/ Directorate	Payroll Number	Signature

Notes for completion:

Wherever possible, you should always try to resolve your grievance informally, before completing and submitting this form. However, if you do need to raise a formal collective grievance, complete this form including the following information:

- (a) The name of the person you are raising the grievance against, if applicable
- (b) The specific details of the grievance
- (c) Any relevant additional information e.g. have you tried to resolve the grievance informally, with whom and when, dates and times of relevant incidents, etc
- (d) How do you think the grievance can be resolved?

When complete, date this form and forward it to your Head of Service. Each employee should retain a copy of the Statement for their information.

If you need assistance with the completion of this form, please contact HR&OD.

Collective Written Statement (please continue on next page and/or additional sheets if required)

Date :

Collective Grievance Appeal – Stage 2

Each employee submitting this collective grievance appeal must complete and sign this section (please extend this table or continue on a separate sheet if required)

Name	Job Title/ Directorate	Payroll Number	Signature

Notes for completion:

To make an appeal against a decision at Stage 1, please include the following information:

- (a) The date the grievance meeting was held, who was in attendance and date the written response notifying the decision was received.
- (b) The specific details of the reason for the grievance appeal.
- (c) Any relevant additional information.
- (d) The outcome you are seeking from the grievance appeal.

When complete, date this form and forward it to your Chief Officer.

This form must be submitted within **ten working days** of receiving the notification of the decision of the grievance. Each employee should retain a copy of the Statement for your information.

If you need assistance with the completion of this form, please contact HR&OD.

Grievance Appeal Statement (please continue on next page and/or additional sheets if required)

Date:

