

## GRIEVANCE POLICY AND PROCEDURE

### Policy Statement

Chippenham Town Council recognises that individual employees or groups of employees may, from time to time, feel aggrieved about an aspect of their employment and accepts that each employee has the right to raise this grievance and to expect that management will consider it and respond.

The purpose of this policy and procedure is to provide a framework for dealing promptly and fairly with such grievances. The aim is to resolve grievances as near as possible to their point of origin.

### Scope of Policy

The policy applies to all employees of Chippenham Town Council (herein referred to as “the council”).

### Review Statement

This policy has been prepared considering prevailing legislation and recognised good practice. New legislation requirements or changes in current legislation may necessitate the review of this policy document. The council will continue to review and amend all/part of this policy on a regular basis. It is the employee’s responsibility to ensure that the copy of the policy being referred to is the most up-to-date version. Revisions and updates will be implemented by the council following discussion with the trade union

### Equality

In putting the procedure into practice, no aspect of the procedure will discriminate on the grounds of race, sex, sexual orientation, gender reassignment, age, religion, politics, marital status, disability, politics, caste and/or union membership or any other grounds likely to place any particular employee at a disadvantage.

### Principles

Where the line manager is faced with a grievance from a member of staff they should ensure that:

- The matter is dealt with seriously and with care, whether the grievance is formal or not.
- The matter is dealt with swiftly and that all stages in the procedure are followed without unreasonable delay.
- The employee is given every opportunity to set out their grievance and is asked about desired outcomes.
- Timings and locations of any meeting are reasonable for all parties.
- All meetings are conducted in a way that enables parties to explain their case fully and be heard fairly.
- Notes of any interview concerned with the grievance shall be recorded and any agreements made shall be documented.

### Procedural Guidelines

The grievance procedure is designed to provide employees with an opportunity to raise any complaints, problems or concerns that have not been dealt with to their satisfaction and to ensure consistent and fair treatment for all within the council.

Matters appropriately dealt with under the council's grievance procedure include all questions relating to the individual rights of employees in respect of their employment other than:-

- grievances lodged outside of the time limits set out in the accompanying procedure unless with the agreement of the Chief Executive
- grievances which have already been considered in accordance with the procedure;
- grievances arising from a disciplinary or capability process in which the employee is already involved and where there is an appeals procedure in place;
- grievances in respect of issues over which the Council has no control e.g. external legislation;
- grievances which are already the subject of a collective grievance or dispute.

### Procedures

Wherever possible grievances should try and be resolved on an informal basis directly between the individual(s) concerned. Where that is not possible, the following procedure should be followed.

### Written Grievance

The employee must set out the grievance in writing and send a copy to their manager without unreasonable delay.

### Meeting

The manager will invite the employee to attend a meeting to discuss the grievance within ten working days of receipt of the grievance. This meeting will not take place unless they have been told the basis for the grounds for grievance and they have had the opportunity to consider their response. The employee must take all reasonable steps to attend the meeting. After the meeting the manager will inform the employee of the decision within five working days, with reasons why, and notify the right to appeal.

### Appeal

If the employee wishes to appeal they must inform the manager in writing, outlining the grounds for their appeal within five working days of the decision. The manager will co-ordinate a meeting with a manager not previously involved in the grievance. The appeal hearing will be held within ten working days of the request to appeal the original decision. The employee must take all reasonable steps to attend the appeal meeting.

Within five working days of the appeal meeting, the manager will inform the employee of the final decision in writing.

### Additional Information

The employee has a right to be accompanied by either a trade union representative or colleague of their choice at all meetings. The person accompanying the employee may ask questions and help present their case, however, they have no right to answer questions on the employee's behalf.

If the grievance is raised during a disciplinary process the disciplinary process may be temporarily suspended to deal with the grievance. However, where the disciplinary and grievance matters are related, they may be dealt with concurrently. If the employee is still aggrieved there is a right of appeal to the Chief Executive, or Deputy Chief Executive. The notice of appeal should be submitted in writing within 10 working days of receipt of the formal written response.

In the event of a Grievance Appeal made by a member of the Council's Corporate Management Team (Chief Executive, Deputy Chief Executive or Head of Administration & Finance), the grievance appeal shall be referred

to the Chairman of the Council's HR Committee, with a panel being convened to hear the appeal. The Appeal Panel shall consider the appeal within 15 working days of receipt of the written appeal. There is no further right of appeal through Town Council channels. However, where it is agreed between the parties that an important issue of principle has arisen, this does not preclude consideration through the conciliation machinery of the South West Councils Organisation, ACAS or any similar body, whose findings will by prior agreement be binding on both parties.

If the grievance relates directly to the action or omission of the Chief Executive the grievance should be submitted in writing directly to the Chairman of the Human Resources Committee who will investigate and respond to the grievance as outlined above. The Deputy Chief Executive will act as a liaison point with the Human Resources Committee when dealing with any grievance relating to the Chief Executive and automatically seek external HR advice.

The above procedure applies equally to a grievance of a group of employees, in which case, the group can appoint one of their number as a spokesperson, who will follow the procedure on their behalf and the answers given will then be deemed to apply to all members of that group. The group can, if they do not wish to appoint one of their number, pursue the grievance as a body. Pending resolution of any grievance the same conditions prior to its notification shall apply i.e. the status quo is maintained.

The timescales shown below may be altered by mutual agreement. The nature and number of grievances raised will be monitored annually by the Chief Executive and a report submitted to the Human Resources Committee.

#### Further Information

For further information or clarification on any part of this policy, please contact the Chief Executive of the council, Mark Smith.